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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Dead Animal Disposal Act
- 2) Code Citation: 8 Ill. Adm. Code 90
- 3)

	<u>Section Numbers:</u>	<u>Proposed Action:</u>
90.110	Amend	
90.120	Amend	
90.140	Add	
- 4) Statutory Authority: Illinois Dead Animal Disposal Act [225 ILCS 610]
- 5) A Complete Description of the Subjects and Issues Involved: The Department is amending Section 90.110 to add the disposal of cattle, sheep or goats by composting. A new Section is being added for persons utilizing composters for the disposal of dead animals that requires the composter to register with the Department. Cites to the Code of Federal Regulations are being updated to the 2004 edition.
- 6) Will this rulemaking replace any emergency rulemaking 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: Rule does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day this notice of rulemaking appears in the *Illinois Register*. In addition to the written comment period, a public hearing on the proposed amendments will be held on Thursday, July 8, 2004 at 10:00 a.m., Department of Agriculture Building, 8th & Sangamon, State Fairgrounds, Springfield, Illinois. Please mail written comments on the proposed rulemaking to the attention of:

Linda Rhodes
Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield, IL 62794-9281
Telephone: 217/785-5713

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Facsimile: 217/785-4505

In order for mailed comments to be available for consideration at the public hearing, please mail no later than July 2, 2004. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners. The public hearing on the proposed rulemaking will run concurrently with a public meeting of the Advisory Board of Livestock Commissioners.

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: Persons operating composters for dead animal disposal
 - B) Reporting, bookkeeping or other procedures required for compliance: Composters will be required to register with the Department.
 - 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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NOTICE OF PROPOSED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 90
ILLINOIS DEAD ANIMAL DISPOSAL ACT

Section

90.5	Definitions
90.10	Plant Facilities
90.20	Plant Premises
90.30	Annual Truck Permits (Repealed)
90.40	Truck Operator's Records (Repealed)
90.50	Odors and Insects Shall Be Controlled
90.60	Salmonella Control For Renderers and Blenders
90.70	Inspection of Premise (Repealed)
90.80	Identification of Receptacles
90.90	Records (Repealed)
90.100	Transportation and Transactions (Repealed)
90.105	Owner Transportation to Landfill
90.110	On-The-Farm Disposal
90.120	Collection Center
90.130	Disposal By Collection Center of Unusable Materials
<u>90.140</u>	<u>Registration of Composting Facilities</u>

AUTHORITY: Implementing and authorized by the Illinois Dead Animal Disposal Act [225 ILCS 610].

SOURCE: Regulations Relating to the Disposal of Dead Animals, filed January 17, 1972, effective January 27, 1972; filed December 6, 1972, effective December 16, 1972; codified at 5 Ill. Reg. 10458; amended at 7 Ill. Reg. 852, effective January 10, 1983; amended at 8 Ill. Reg. 5937, effective April 23, 1984; amended at 13 Ill. Reg. 3681, effective March 13, 1989; amended at 16 Ill. Reg. 11773, effective July 8, 1992; amended at 18 Ill. Reg. 14917, effective September 26, 1994; amended at 20 Ill. Reg. 294, effective January 1, 1996; amended at 28 Ill. Reg. _____, effective _____.

Section 90.110 On-The-Farm Disposal

Persons disposing of animals, poultry, fish, or parts of bodies thereof, other than to a licensed

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renderer, shall comply with the following:

- a) Disposal by Burning: |
 - 1) No open burning will be permitted.
 - 2) Any disposal by burning must be performed with an incinerator that is in compliance with the Illinois Environmental Protection Act [415 ILCS 5].

- b) Disposal by Burying: |
 - 1) Burial shall be on the premises owned or operated by the owner of the dead animal.
 - A) Location shall be in an area where runoff will not contaminate water supplies or allow leachate to discharge into streams, ponds or lakes.
 - i) Dead animals shall not be buried less than 200 feet from a stream, private potable water supply well, or any other potable water supply source, except in accordance with Section 14.2(b) of the Illinois Environmental Protection Act.
 - ii) Dead Animals shall not be buried within the applicable 200 or 400 foot minimum setback zone of an existing community water supply well as established pursuant to Section 14.2 of the Illinois Environmental Protection Act.
 - B) Dead animals shall not be buried less than 200 feet from any existing residence not owned or occupied by the owner of the animal.
 - C) No more than a ratio of one pound of dead animals per one square foot of surface area shall be buried on an annual basis. No more than 3,000 pounds of dead animals shall be buried in each site location, and the same site shall not be used more frequently than once every two years for burial purposes. There shall be no more than three site locations within a radius of 120 feet.

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- 2) Burial depth shall be sufficient to provide at least a six-inch compacted soil cover over the uppermost part of the carcass. Precautions shall be taken to minimize soil erosion.
 - 3) The abdominal cavity of large carcasses shall be punctured to allow escape of putrefactive gasses.
 - 4) Lime or other chemical agent shall not be used to prevent decomposition.
 - 5) Precautions shall be taken at the site of burial necessary to prevent any disturbance by animal or mechanical means.
 - 6) Disease and nuisance vectors are to be minimized and controlled.
 - 7) Final cover or settling shall be limited to a 5% or less slope differential from the normal gradient of its general surroundings.
 - 8) Burial site locations shall be available for inspection by Department personnel during normal working hours.
- c) Disposal of poultry by composting. Persons disposing of poultry by means of composting shall comply with the following requirements:
- 1) The composter shall meet the following criteria:
 - A) A roof shall cover the entire composting area.
 - B) An impervious, weight-bearing foundation such as concrete shall be used.
 - C) Rot-resistant building materials such as preservative-treated lumber shall be used.
 - D) The composter shall consist of primary and secondary bins.
 - E) The size of the composter shall be based on the farm's projected mortality rate of poultry, in which one pound of dead poultry per cubic foot of primary compost space per day is provided.
 - 2) Composting shall comply with the following guidelines:

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- A) A mixture of one part dead poultry (by weight), one and one-half part poultry litter, and one-tenth part of straw shall be used. For example: 400 pounds of dead poultry will require 600 pounds of poultry litter and 40 pounds of straw.
 - B) Layering shall be done in the following order, starting from the floor: (First layer) Straw, poultry litter, straw, birds, and poultry litter. Second and subsequent layers: straw, birds, and poultry litter.
 - C) A 36-inch probe-type thermometer shall be inserted daily into the pile to check the temperature. Within two to four days, the temperature should peak between 135° F. and 150° F.
 - D) Once the temperature begins to fall from the peak (normally 7 to 10 days), the material shall be removed to the secondary treatment bin.
 - E) After 7 to 10 days in the secondary bin, the compost may be agronomically distributed over land under cultivation or reused in the composting process. For the purpose of this subsection (c)(2)(E), the agronomic rate is the annual application rate of poultry compost, either alone or in combination with other nutrient supplying materials, that is necessary to achieve a reasonable crop yield without exceeding crop nutrient requirements.
- 3) The composted material may be substituted for up to one-half of the poultry litter and one-half of the straw.
- d) Disposal of fish by composting. Persons disposing of fish by means of composting shall comply with the following requirements:
- 1) The composter shall meet the following criteria:
 - A) A roof shall cover the entire composting area.
 - B) An impervious, weight-bearing foundation such as concrete shall be used.

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- C) Rot-resistant building materials such as preservative-treated lumber shall be used.
- 2) The base layer shall meet the following criteria:
 - A) Use 6 to 12 inches thick of a bulking agent.
 - B) Be no more than 6 to 8 feet wide, but as long as necessary to accommodate the day's supply of compost material.
 - 3) Composting shall meet the following guidelines:
 - A) Composting layer shall consist of a mixture of one part fish, three parts bulking agent and one part recycled compost (if available) or bulking agent and shall be mixed prior to use in the composting layer. The mixing of the materials for the composting layer shall be done in a manner to prevent leakage (e.g., stock tank, bucket, mixing drum).
 - B) The cover layer shall consist of two parts bulking agent and two parts recycled compost (if available) or two parts bulking agent and should reach a thickness of 6 to 12 inches.
 - C) Layering shall be done in the following order starting from the concrete: base layer, composting layer (fish, bulking agent and recycled compost), and cover layer. The composting and cover layers are piled on top of the base layer to form a trapezoid no higher than 4 feet.
 - D) Additions to the compost pile are done by adding new material to the end of the pile.
 - E) A probe-type thermometer shall be inserted daily into the pile to check the temperature. The temperature should peak between 140° F. and 165° F. The material can be recycled after it has composted for at least 2 to 3 weeks, and its temperature has dropped to air temperature.
 - F) After the temperature has dropped to air temperature (normally 2 to 3 weeks), the composted material may be used in the

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composting layer, or after one month, the composted material may be agronomically distributed over land under cultivation or reused in the cover layer. For the purpose of this subsection, the agronomic rate is the annual application rate of fish compost, either alone or in combination with other nutrient supplying materials, that is necessary to achieve a reasonable crop yield without exceeding crop nutrient requirements.

- e) Disposal of swine by composting. Persons disposing of swine by means of composting shall comply with the following requirements:
- 1) The composter shall be located entirely over impervious foundation materials.
 - A) One of two foundations shall be used:
 - i) impervious soil (permeability equal to or less than 1×10^{-7} cm/sec. as defined in Section 651.0703 "Geotechnical considerations in waste facility siting", Agricultural Waste Management Field Handbook, Soil Conservation Service, U.S. Department of Agriculture, 1992). A 4 to 6 inch base of ungraded (varying particle size) field lime over the soil foundation is suggested as a runoff control measure.
 - ii) an impervious, weight-bearing foundation such as concrete or asphalt.
 - 2) Surface water shall be diverted away from the composter.
 - 3) Location shall be in an area where runoff will not contaminate water supplies or allow leachate to discharge into streams, ponds or lakes.
 - A) Composter shall not be constructed less than 200 feet from a stream, private potable water supply well, or any other potable water supply source, except in accordance with Section 14.2(b) of the Illinois Environmental Protection Act.
 - B) Composter shall not be constructed within the applicable 200 or 400 foot minimum setback zone of an existing community water supply well as established pursuant to Section 14.2 of the Illinois

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Environmental Protection Act.

- 4) The composter shall consist of primary and secondary bins. The size of the composter shall be based on the farm's projected mortality rate of swine during any three-month period. The primary and secondary bins shall each contain a minimum of 10 square feet of composting area for each 1000 pounds of carcass to be composted.
- 5) The composter shall be constructed of permanent rot-resistant wall materials, such as preservative-treated wood, concrete, or precast concrete such as highway lane dividers. Each composter bin shall be three sides of a rectangle or square. One side of the bin shall be left open for loading, unloading and mixing the compost. In emergency situations, hay bales of 48 inches or greater in diameter may be used on a temporary basis in the above configuration of side walls.
- 6) Composting shall comply with the following guidelines:
 - A) Sawdust shall be the primary carbon source material. Sawdust from treated wood products shall not be used in any composting processes under any circumstance. Other carbon source materials may be used for no more than ~~50~~⁵⁰ percent (by volume) of the total carbon source, with sawdust making up the remaining fraction. When more than one carbon source material is used, sawdust shall be distributed by mixing throughout the secondary carbon source materials. Other carbon source materials could include chopped straw or chopped corn cobs.
 - B) It is expected that sawdust will be required in the ratio of approximately one cubic foot of sawdust per ten pounds of carcass (3.7 cubic yards of sawdust per 1000 pounds of carcass). A supply of sawdust shall be stockpiled and maintained on the premises at all times when the composter is in operation.
 - C) Each compost bin shall have a layer of sawdust a minimum of 10 inches deep placed on the floor before the first carcass is placed in the bin. There shall be a minimum of 10 inches of sawdust between the carcass and each of the vertical walls of the bin. The carcass shall be covered with a minimum of 10 inches of sawdust. Sawdust shall be added to the pile as composting begins, daily or

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as frequently as needed to sustain a 10 inch cover of sawdust over all carcasses in the bin's uppermost layer.

- D) A compost thermometer with a probe at least 36" long shall be obtained and used daily to measure the temperature of the compost in the middle of each bin. The compost temperature should reach 135 to 160° degrees F. (57° to 71° C.) and be recorded daily. Compost temperature indicates microbial activity and stage of composting process. The composting process shall be managed in such a way that the heating and decomposition can proceed to completion. If aerobic composting does not begin within 7 days, i.e., if temperatures do not rise above 135° F., the compost pile shall be turned and moisture content of the sawdust adjusted to allow the process to proceed. Temperature records shall be available for examination until the compost is disposed of as in subsection ~~(e)(6)(G)~~ below.
- E) Sawdust and carcasses may be placed in the bin until the bin is full.
- F) All compost from the primary bin shall be allowed to undergo a second composting phase as follows:
- i) When the temperature surrounding the last carcass placed in the composter drops below 130° degrees F. (typically up to three months after the last carcass addition), the compost in that bin shall be transferred to a second bin and allowed to reheat, through a second composting cycle. Moisture shall be added to the compost as needed to promote further composting activity.
 - ii) Compost shall remain in the second bin for the duration of the secondary composting cycle (typically three months). Temperature of the compost shall be measured using the compost thermometer to monitor the composting process.
- G) Finished compost shall be agronomically distributed over land under cultivation or reused in the composting process. Finished compost may be returned to the primary composting bin in the ratio of up to 50 percent finished compost to fresh sawdust. For the purpose of this subsection, the agronomic rate is the annual

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application rate of swine compost, either alone or in combination with other nutrient supplying materials, that is necessary to achieve a reasonable crop yield without exceeding crop nutrient requirements.

- f) Disposal of cattle, sheep or goats by composting. Persons disposing of cattle, sheep or goats by means of composting shall comply with the following requirements:
- 1) Carcasses of those animals dying of suspect neurological causes shall not be composted.
 - 2) The composter shall be located entirely over impervious foundation materials. One of two foundations shall be used:
 - A) Impervious soil (permeability equal to less than 1×10^{-7} cm/sec., as defined in Section 651.0703 (Geotechnical considerations in waste facility siting) of the Agricultural Waste Management Field Handbook, Soil Conservation Service, U.S. Department of Agriculture, 1992). A 4 to 6 inch base of ungraded (varying particle size) field lime over the soil foundation is suggested as a runoff control measure.
 - B) An impervious, weight-bearing foundation such as concrete or asphalt.
 - 3) Surface water shall be diverted away from the composter.
 - 4) Location shall be in an area where runoff will not contaminate water supplies or allow leachate to discharge into streams, ponds or lakes.
 - A) The composter shall not be constructed less than 200 feet from a stream, private potable water supply well, or any other potable water supply source, except in accordance with Section 14.2(b) of the Illinois Environmental Protection Act.
 - B) The composter shall not be constructed within the applicable 200- or 400-foot minimum setback zone of an existing community water supply well as established pursuant to Section 14.2 of the Illinois Environmental Protection Act.

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- C) A composting site shall be located at least ¼ mile from the nearest occupied residence (other than a residence located on the same property as the facility).
- 5) The composter shall consist of at least two bins, allowing operation as primary and secondary composting sequences.
- 6) The composter shall be constructed of permanent rot-resistant materials, such as preservative-treated wood or concrete.
- 7) The size of the composter shall be based on the facility's greatest projected mortality rate of animals during any three-month period of the year.
- 8) The composter bin minimum width dimension shall be large enough to allow placement of the largest carcass with at least one foot of space all around the carcass for carbon source material, or at least one foot greater than the width of the loader bucket used for turning the compost, whichever is larger.
- 9) A composting thermometer with a minimum probe length of 36" shall be kept available at the facility for monitoring progress of the compost process.
- 10) Records of carcass additions, composter operation and land application of finished compost shall be maintained on the premises.
- 11) Composting shall comply with the following guidelines:
- A) Coarse sawmill sawdust, shredded corn stalks, chopped straw, coarse-ground corn cobs, and other materials possessing like properties and having similar particle size are recommended.
- B) A supply of carbon source materials shall be stockpiled and maintained on the premises at all times when the composter is in operation.
- C) Finished compost from the carcass composting process (secondary bins) may be re-used in an amount appropriate to maintaining

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proper composting operation (up to 50% volume of re-used finished compost suggested).

- D) Each carcass placed on the floor of a primary bin shall be underlain with at least 12 inches of absorbent carbon source material.
- E) Carcasses weighing more than 300 lb. shall be processed prior to covering with carbon source material. Processing may consist of, but is not limited to:
- i) opening the abdominal cavity to facilitate contact of carbon source material and reduce distention of carcass with gases; and
 - ii) incising the large limb muscles to facilitate contact of carbon source material and thereby hasten composting.
- F) Each carcass placed in the primary composter bin shall be immediately covered with a layer of carbon source material to a depth of at least 12" on top and all sides. Carbon source material shall be added to the composter daily or as frequently as needed to sustain a cover of carbon source material over all parts of carcasses in the bin's uppermost layer.
- G) Carcasses and carbon source material may be added to the primary bin until the bin is full.
- H) The composting process shall be monitored and managed in such a way that heating and decomposition can proceed to completion (typically three months in the primary bin from the time the last carcass is placed in the bin and another three months in the secondary bin from the time the compost is moved into the secondary bin from the primary bin). Water shall be added as necessary to adjust the moisture content of the compost and promote further composting activity.
- I) Finished compost shall be agronomically distributed over land under cultivation or reused in the composting process. Finished compost may be returned to the primary composting bin in a ratio of up to 50% finished compost to fresh carbon source material.

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For the purpose of this subsection (f)(11)(I), the agronomic rate is the annual application rate of the compost, either alone or in combination with other nutrient supplying materials, which is necessary to achieve a reasonable crop yield without exceeding crop nutrient requirements.

- g) Disposal of sheep and goat offal by composting. Persons disposing of sheep or goat offal by means of composting shall comply with the following requirements:
- 1) Offal of those animals dying of suspect neurological causes shall not be composted.
 - 2) The composter shall be located entirely over impervious foundation materials. One of two foundations shall be used:
 - A) Impervious soil (permeability equal to less than 1×10^{-7} cm/sec., as defined in Section 651.0703 (Geotechnical considerations in waste facility siting) of the Agricultural Waste Management Field Handbook, Soil Conservation Service, U.S. Department of Agriculture, 1992). A 4 to 6 inch base of ungraded (varying particle size) field lime over the soil foundation is suggested as a runoff control measure.
 - B) An impervious, weight-bearing foundation such as concrete or asphalt.
 - 3) Surface water shall be diverted away from the composter.
 - 4) Location shall be in an area where runoff will not contaminate water supplies or allow leachate to discharge into streams, ponds or lakes.
 - 5) The composter shall not be constructed less than 200 feet from a stream, private potable water supply well, or any other potable water supply source, except in accordance with Section 14.2(b) of the Illinois Environmental Protection Act.
 - 6) The composter shall not be constructed within the applicable 200- or 400-foot minimum setback zone of an existing community water supply well as established pursuant to Section 14.2 of the Illinois Environmental Protection Act.

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- 7) A composting site shall be located at least ¼ mile from the nearest occupied residence (other than a residence located on the same property as the facility).
- 8) The composter shall consist of at least two bins, allowing operation as primary and secondary composting sequences.
- 9) The composter shall be constructed of permanent rot-resistant materials, such as preservative-treated wood or concrete.
- 10) The size of the composter shall be based on the greatest projected offal rate from animals during any three-month period of the year.
- 11) The composter bin minimum width dimension shall be at least one foot greater than the width of the loader bucket used for turning the compost.
- 12) A composting thermometer with a minimum probe length of 36" shall be kept available at the facility for monitoring progress of the compost process.
- 13) Records of offal additions, composter operation and land application of finished compost shall be maintained on the premises.
- 14) Composting shall comply with the following guidelines:
 - A) Coarse sawmill sawdust, shredded corn stalks, chopped straw, coarse-ground corn cobs, and other materials possessing like properties and having similar particle size are recommended.
 - B) A supply of carbon source materials shall be stockpiled and maintained on the premises at all times when the composter is in operation.
 - C) Finished compost from the offal composting process (secondary bins) may be re-used in an amount appropriate to maintaining proper composting operation (up to 50% volume of re-used finished compost suggested).

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- D) Offal placed on the floor of a primary bin shall be mixed in a 50/50 ratio to carbon source material and underlain with at least 12" of absorbent carbon source material.
- E) Any offal placed in the primary composter bin shall be immediately covered with a layer of carbon source material to a depth of at least 12" on top and all sides. Carbon source material shall be added to the composter daily or as frequently as needed to sustain a cover of carbon source material over all parts of carcasses in the bin's uppermost layer.
- F) Offal and carbon source material may be added to the primary bin until the bin is full.
- G) The composting process shall be monitored and managed in such a way that heating and decomposition can proceed to completion (typically three months in the primary bin from the time the last carcass is placed in the bin and another three months in the secondary bin from the time the compost is moved into the secondary bin from the primary bin). Water shall be added as necessary to adjust the moisture content of the compost and promote further composting activity.
- H) Finished compost shall be agronomically distributed over land under cultivation or reused in the composting process. Finished compost may be returned to the primary composting bin in a ratio of up to 50% finished compost to fresh carbon source material. For the purpose of this subsection (g)(14)(H), the agronomic rate is the annual application rate of the compost, either alone or in combination with other nutrient supplying materials, which is necessary to achieve a reasonable crop yield without exceeding crop nutrient requirements.

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

Section 90.120 Collection Center

A collection center shall comply with the following requirements:

- a) The location of a collection center shall be in compliance with local zoning

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ordinances before the Department will issue a license.

- b) The collection center shall be covered by a metal roof or other permanent type structure. The building shall be equipped with louver-type ventilators which are so screened as to prevent rodents and other animals, birds, flies, and insects from entering.
- c) Hot water or steam shall be provided to thoroughly clean the collection center premises.
- d) The collection center equipment and premises shall be disinfected with a product approved by the United States Department of Agriculture (9 CFR 71.10 (~~2004~~1995)). Incorporation by reference does not include any amendments or editions beyond the date specified and may be viewed and/or copied at the Department's Springfield office.

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

Section 90.140 Registration of Composting Facilities

- a) All facilities composting dead animals or parts of dead animals shall be registered with the Department before the composting facility is operational. Information needed to register a compost facility shall include:
 - 1) Name, address and telephone number of the composting facility; and
 - 2) Name of the individual responsible for maintaining the composting facility.
- b) An acknowledgment of the registration and a copy of the Dead Animal Disposal Act containing the composting regulations will be mailed to the registered individual. A list of all registered composting facilities will be maintained on file with the Department. All composting facilities shall comply with the guidelines set forth in Section 90.110 of this Part.

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

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- 1) Heading of the Part: Weights and Measures Act
- 2) Code Citation: 8 Ill. Adm. Code 600
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
600.650	Repeal
600.660	Amend
600.690	Repeal
600.700	Repeal
600.710	Repeal
600.720	Repeal
600.750	Repeal
600.800	Amend
600.810	Amend
- 4) Statutory Authority: Weights and Measures Act [225 ILCS 470/8]
- 5) A Complete Description of the Subjects and Issues Involved: The rules for half-gallon pricing of motor fuel are being repealed. These rules were originally enacted in 1979 to provide procedures for gasoline pumps that were incapable of computing prices in excess of 99.9 cents per gallon. Based on gas prices, almost all gasoline pumps today are capable of computing price in excess of 99.9 cents per gallon. Thus, the regulations are unnecessary. The requirement in Section 600.810 for the size of the fraction is also being repealed because it is unnecessary and difficult to enforce.
- 6) Will this proposed rulemaking replace any emergency rulemaking 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: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day this notice of rulemaking appears in the *Illinois Register*. Please mail written comments on the proposed rulemaking to the attention of:
Linda Rhodes

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield IL 62794-9281
Telephone: 217/785-5713
Facsimile: 217/785-4505

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: No adverse impact is anticipated.
 - 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 Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER p: WEIGHTS AND MEASURESPART 600
WEIGHTS AND MEASURES ACT

SUBPART A: PACKAGING AND LABELING

Section	
600.1	National Institute of Standards and Technology Handbook 130
600.10	Definitions (Repealed)
600.20	Application (Repealed)
600.30	Identity (Repealed)
600.40	Declaration of Identity: Nonconsumer Package (Repealed)
600.50	Declaration of Responsibility: Consumer and Nonconsumer Packages (Repealed)
600.60	Declaration of Quantity: Consumer Packages (Repealed)
600.70	Declaration of Quantity: Nonconsumer Packages (Repealed)
600.80	Prominence and Placement: Consumer Packages (Repealed)
600.90	Prominence and Placement: Nonconsumer Package (Repealed)
600.100	Requirements: Specific Consumer Commodities, Packages, Containers (Repealed)
600.110	Exemptions (Repealed)
600.120	Variations to be Allowed (Repealed)
600.130	Standards of Fill (Repealed)
600.140	Wholesale and Retail Exemption
600.150	Revocation of Conflicting Regulations (Repealed)
600.160	Tables: Weights and Measures Standards for Illinois

SUBPART B: ROOFING AND ROOFING MATERIALS

Section	
600.250	Roofing and Roofing Materials Shall Be Sold Either by the "Square" or by the "Square Yard." (Repealed)

SUBPART C: WEIGHING AND MEASURING DEVICES:
METERS – SCALES – FEES

Section	
600.300	Vehicle Scales Regulation
600.310	Fees

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 600.320 Scales Used for the Enforcement of Highway Weight Laws
600.330 National Institute of Standards and Technology Handbook 44

SUBPART D: MOISTURE METER TESTING

Section

- 600.350 General (Repealed)
600.360 Testing and Inspection (Repealed)
600.370 Rejected Moisture Testing Devices (Repealed)
600.380 Use of Moisture Measuring Devices (Repealed)

SUBPART E: REGISTRATION OF SERVICE AGENCIES, SERVICEMEN,
AND SPECIAL SEALERS FOR COMMERCIAL
WEIGHING AND MEASURING DEVICES

Section

- 600.450 Policy (Repealed)
600.460 Definitions (Repealed)
600.470 Certificate of Registration (Repealed)
600.480 Types of Certificates (Repealed)
600.490 Examinations (Repealed)
600.500 Exemptions (Repealed)
600.510 Registration Fee (Repealed)
600.520 Reports (Repealed)
600.530 Bonds (Repealed)
600.540 Standards and Testing Equipment (Repealed)
600.550 Revocation of Certificate of Registration (Repealed)
600.560 Publication of Lists (Repealed)

SUBPART F: LIQUID PETROLEUM MEASURING DEVICES

Section

- 600.650 Use of Gasoline Pumps Which Are Not Capable of Computing the Prices Which Exceed 99.9¢ Per Gallon (Repealed)
600.660 Retail Liquid Petroleum Pumps Accurately Marked: Liters or Gallons
600.670 System Used to Sell Petroleum Product
600.680 Unit Price Per Gallon Displayed (Repealed)
600.690 Price of Gasoline (Repealed)
600.700 Unit Price Indicator: Set at One-Half Total Selling Price (Repealed)
600.710 Decals or Stickers Affixed to the Pump Face (Repealed)
600.720 Information Sign Indicating Half Gallon Pricing of Gasoline (Repealed)

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

600.730	Conversion Kits or Replacement Pumps: Deadline (Repealed)
600.740	Three-Wheel Computers Prohibited
600.750	One-Half Gallon Pricing Applicable to All Metering Pumps at Facility (Repealed)
600.760	Stop Use Order; Hearing

SUBPART G: ADVERTISEMENT OF THE PRICE OF LIQUID
PETROLEUM PRODUCTS

Section

600.800	Price Per Gallon or Liter in Advertisement
600.810	Height and Width of Numbers
600.820	Advertised Price Complete
600.830	Advertising Other Commodities; Misleading Advertising Prohibited
600.840	Product Identity and Type of Service
600.850	Advertisement of Price Not Required Except on Pump
600.860	Stop Use Order; Hearing
600.TABLE A	Minimum Height of Numbers and Letters (Repealed)
600.TABLE B	Standard Weight Per Bushel for Agricultural Commodities
600.TABLE C	Illinois Standard Weights and Measures
600.TABLE D	Equivalents: Cubic Inches in U.S. Standard Capacity Measures
600.TABLE E	Weights of Coal Per Cubic Foot
600.TABLE F	Equivalents to be used by Seller in Transposing Weights
600.TABLE G	Measurement of Surfaces and Volumes

AUTHORITY: Implementing and authorized by Section 8 of the Weights and Measures Act [225 ILCS 470/8].

SOURCE: Rules and Regulations Relating to the Weights and Measures Act, filed December 17, 1969, effective January 1, 1970; amended November 5, 1971, effective November 15, 1971; amended August 26, 1975, effective September 4, 1975; amended March 22, 1976, effective April 1, 1976; amended at 3 Ill. Reg. 45, p. 72, effective October 29, 1979; amended at 3 Ill. Reg. 45, p. 81, effective January 1, 1980; codified at 5 Ill. Reg. 10562; amended at 12 Ill. Reg. 8306, effective May 3, 1988; amended at 12 Ill. Reg. 15524, effective September 20, 1988; emergency amendment at 18 Ill. Reg. 4426, effective March 7, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14692, effective September 13, 1994; amended at 19 Ill. Reg. 8114, effective June 7, 1995; amended at 20 Ill. Reg. 303, effective January 1, 1996; amended at 22 Ill. Reg. 1141, effective January 1, 1998; amended at 23 Ill. Reg. 8813, effective July 26, 1999; amended at 26 Ill. Reg. 8346, effective June 1, 2002; emergency amendment at 27 Ill. Reg. 10434, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18546, effective November 25, 2003; amended at 28 Ill. Reg. _____, effective _____.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

SUBPART F: LIQUID PETROLEUM MEASURING DEVICES

Section 600.650 Use of Gasoline Pumps Which Are Not Capable of Computing the Prices Which Exceed 99.9¢ Per Gallon (Repealed)

~~Effective July 1, 1979, the Illinois Department of Agriculture will allow the use of gasoline pumps which are not capable of computing prices which exceed 99.9¢ per gallon or which are not capable of displaying the total amount of the sale, provided the procedures stated herein are followed:~~

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

Section 600.660 Retail Liquid Petroleum Pumps Accurately Marked: Liters or Gallons

All retail liquid petroleum pumps shall be accurately marked with its deliveries in terms of either liters or gallons:

- a)
 - 1) Liters, decimal subdivisions of the liter
 - 2) The selling price per liter
 - 3) The total selling price OR
- b)
 - 1) Gallons, decimal subdivisions of the gallon
 - 2) The selling price per gallon
 - 3) The total selling price
 - 4) ~~The selling price per half-gallon as described in this Subpart~~

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

Section 600.690 Price of Gasoline (Repealed)

~~Gasoline being sold from pumps subject to this Subpart shall be priced in whole cents per gallon or, if fractional cents are used, only even values are allowed; i.e., \$1.002, \$1.004, \$1.006 or \$1.008 per gallon.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

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

Section 600.700 Unit Price Indicator: Set at One-Half Total Selling Price (Repealed)

~~The unit price indicator on a pump subject to this Subpart will be set at one-half the total selling price (for example, if the price per gallon is \$1.030, the unit price is 51.5¢; if it is \$1.038, the unit price is 51.9¢).~~

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

Section 600.710 Decals or Stickers Affixed to the Pump Face (Repealed)

~~On pumps subject to this Subpart, decals or stickers shall be affixed to the pump face which indicate the following:~~

- ~~a) Immediately adjacent to or below the unit price indication, the term "cents per ½ gallon" shall appear.~~
- ~~b) Immediately adjacent to or below the unit price indication, "cents per ½ gallon", the correct unit price per gallon shall appear.~~
- ~~e) Immediately adjacent to or below the total amount (price) display, the term "½ total sale" shall appear.~~

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

Section 600.720 Information Sign Indicating Half Gallon Pricing of Gasoline (Repealed)

~~On pumps subject to this Subpart, a sign shall be affixed to each pump (skin-decal or pump topper) stating in letters of not less than three (3) inches in height "HALF GALLON PRICE" and, further, in no less than twenty-four (24) point type the following explanatory statement shall appear: "THE PUMP IS SET TO COMPUTE THE PRICE PER HALF GALLON. TO GET THE CORRECT PRICE TO PAY, MULTIPLY BY TWO THE TOTAL PRICE (SALE) INDICATED", or similar language as the Department may approve.~~

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

Section 600.750 One-Half Gallon Pricing Applicable to All Metering Pumps at Facility (Repealed)

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

~~When a petroleum retailer elects to engage in gasoline pricing at one half the per gallon price for any single liquid petroleum metering pump, the same pricing system shall apply to all metering pumps at the facility.~~

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

SUBPART G: ADVERTISEMENT OF THE PRICE OF LIQUID
PETROLEUM PRODUCTS**Section 600.800 Price Per Gallon or Liter in Advertisement**

Petroleum product retailers in Illinois shall, if they elect to advertise the unit price of their petroleum products (curb, storefront, billboard, etc.), display the price per gallon or liter. The advertised price shall equal the computer price setting shown on the liquid petroleum metering pumps; ~~except in those cases where the retailer is engaging in gasoline pricing at one half the per gallon price, in which case the full gallon price advertised shall equal exactly twice the half-gallon computer price setting shown on the liquid petroleum metering pumps.~~

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

Section 600.810 Height and Width of Numbers

On a price advertising sign, the whole numbers shall not be less than 6 inches in height and not less than $\frac{3}{8}$ ~~inches~~ in stroke ~~and any fraction shall not be less than 50% of the size of the whole number in both height and width.~~

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

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Motor Fuel Standards Act
- 2) Code Citation: 8 Ill. Adm. Code 850
- 3)

	<u>Section Numbers:</u>	<u>Proposed Action:</u>
850.10	Amend	
850.40	Amend	
850.50	Repeal	
- 4) Statutory Authority: Motor Fuel Standards Act [815 ILCS 370]
- 5) A Complete Description of the Subjects and Issues Involved: Requirements for complaints regarding motor fuel quality are being amended in Section 850.10. Administrative and laboratory fees for sampling motor fuel in Section 850.40 are being revised since the breakdown of actual expenses incurred is inaccurate. In Section 850.50, the requirements for the placement of ethanol labels are being repealed because it's already a requirement under the statute.
- 6) Will this rulemaking replace any emergency rulemaking 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: A 45-day written comment period will begin on the day this notice of rulemaking appears in the *Illinois Register*. Please mail written comments on the proposed rulemaking to the attention of:

Linda Rhodes
Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield, IL 62794-9281
Telephone: 217/785-5713
Facsimile: 217/785-4505

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: No adverse impact is anticipated.
 - 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 Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER s: MOTOR FUELSPART 850
MOTOR FUEL STANDARDS ACT

Section

850.10	Written Complaint Required
850.20	Access to Motor Fuels and Records
850.30	Responsibility for Standards of Quality
850.40	Administrative, Laboratory and Sampling Fees
850.50	Label on Motor Fuel Dispensing Device (<u>Repealed</u>)

AUTHORITY: Implementing and authorized by the Motor Fuel Standards Act [815 ILCS 370].

SOURCE: Emergency rules adopted at 8 Ill. Reg. 1455, effective January 12, 1984; adopted at 8 Ill. Reg. 5993, effective April 23, 1984; amended at 9 Ill. Reg. 12711, effective August 6, 1985; amended at 14 Ill. Reg. 5072, effective March 26, 1990; amended at 28 Ill. Reg. _____, effective _____.

Section 850.10 Written Complaint Required

- a) ~~A Upon request, the Department shall submit to the complainant a complaint regarding motor fuel quality received by the Department via telephone, in writing or by e-mail form which~~ must be completed ~~and signed~~ before the Department will submit an official sample (a sample taken by a Department inspector) for laboratory analysis.
- b) The complainant shall provide the following information:
 - 1) Name and address of the complainant.
 - 2) Location where the product is to be sampled.
 - 3) Identification of product or products to be sampled.
 - 4) ~~Description of complaint Types of laboratory tests the complainant desires to be done on the product(s) that was sampled.~~

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NOTICE OF PROPOSED AMENDMENTS

~~5) Name of the laboratory where the sample(s) is to be submitted.~~

~~c) After receiving a complaint, the Department shall investigate the matter, including sampling the product, if applicable, and send a written response to the complainant.~~

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

Section 850.40 Administrative, Laboratory and Sampling Fees

~~a) The Department shall assess and collect fees for sampling and testing the quality of a motor fuel. All fees (laboratory, sampling and administrative fees) shall be due and payable when billed by the Department.~~

~~b) Accompanying the complaint form shall be a list of laboratory tests and their respective charges for each laboratory conducting such services under contract with the Department. The laboratory fees shall be charged in addition to the administrative costs and actual expenses incurred for taking the official sample. The Department shall publish a current laboratory fee schedule when fee changes occur.~~

~~e) The Department shall assess a fee of \$100.00 for administrative costs for each complaint until the funds appropriated for the administration of the Motor Fuel Standards Act have been recovered.~~

~~d) In addition to the administrative fees, the Department shall assess the actual expenses incurred for taking an official sample at each location as follows:~~

- ~~1) Sampling Container \$3.00 each container~~
- ~~2) Inspector's Fee \$10.00 per hour (portal to portal)~~
- ~~3) Mileage \$.19 per mile~~
- ~~4) Shipping Costs \$3.00 per sample~~

~~e) The fees set forth in Section 850.40 (b), (c) and (d) shall be paid by either the complainant (retailer or distributor) if the motor fuel is found to meet American Society for Testing and Materials (ASTM) designations or the last seller of the motor fuel to the complainant if the motor fuel does not meet ASTM designations.~~

~~af) The The term "or when it deems necessary" in Section 5 of the Motor Fuel Standards Act, shall be construed to mean that the Department shall sample and~~

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

test motor fuels to determine the quality of a motor fuel as follows:

- 1) when there is a specific problem with a motor fuel within a locality;
 - 2) when there is a complaint against a specific product or products of a specific retail chain; or
 - 3) when there are several specific complaints against a specific product or products of a specific retailer.
 - 4) when there is a complaint from a consumer ~~and the consumer agrees to pay the fees listed in Section 850.40 (c) and (d).~~
- bg)** When sampling and testing of motor fuel is performed by the Department as stated in Section 850.40(~~af~~) and if the motor fuel is found not to meet American Society for Testing and Materials designations, the last seller of the motor fuel shall be responsible to pay \$350 for administrative, laboratory and sampling fees ~~the fees as set forth in Section 850.40 (b), (c), and (d).~~

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

Section 850.50 Label on Motor Fuel Dispensing Device (Repealed)

~~The label, which identifies the maximum percentage by volume of ethanol, methanol, and co-solvent in a motor fuel and which is required by Section 4.1 of the Motor Fuel Standards Act (Ill. Rev. Stat. 1987, ch. 5, par. 1704.1) to be affixed to the motor fuel dispensing device and visible to the customers, shall be located on the front or sides of the dispenser and within the top 30 percent of the height of the dispenser. On a dual-faced dispenser, the label shall be affixed on each front or each side in accordance with the before stated requirements.~~

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

ILLINOIS RACING BOARD

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Americans with Disabilities Act Grievance Procedure
- 2) Code Citation: 4 Ill. Adm. Code 1625
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1625.10	New Section
1625.20	New Section
1625.30	New Section
1625.40	New Section
1625.50	New Section
1625.60	New Section
1625.70	New Section
- 4) Statutory Authority: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 as specified in Title II regulations (28 CFR 35.107) and authorized by 230 ILCS 5/9(b).
- 5) A Complete Description of the Subjects and Issues Involved: 28 CFR 35.107 requires all agencies of state government, employing at least 50 persons, to publish rules governing the grievance procedure under the Americans with Disabilities Act of 1990.
- 6) Will this rule replace any emergency amendments currently in effect? No
- 7) Does this rule contain an automatic repeal date? No
- 8) Does this rule amendments contain incorporation by reference? No
- 9) Are there any other rules pending in this Part? No
- 10) Statement of Statewide Policy Objective: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days of this notice, to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph
Suite 11-100
Chicago, Illinois 60601

ILLINOIS RACING BOARD

NOTICE OF PROPOSED RULES

(312) 814-5017

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small business affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: It was not anticipated when they were submitted.

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

ILLINOIS RACING BOARD

NOTICE OF PROPOSED RULES

TITLE 4: DISCRIMINATION PROCEDURES
CHAPTER XLIX: ILLINOIS RACING BOARD

PART 1625

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section	
1625.10	Purposes
1625.20	Definitions
1625.30	Procedure
1625.40	Designated Coordinator Level
1625.50	Final Level
1625.60	Accessibility
1625.70	Case-by-Case Resolution

AUTHORITY: Implementing Title II, Subtitle A of the Americans With Disabilities Act of 1990 (42 USC 12131-12134) as specified in Title II regulations (28 CFR 35.107) and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

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

Section 1625.10 Purposes

- a) This grievance procedure is established pursuant to the Americans With Disabilities Act of 1990 (42 USC 1201 et seq.) (ADA) and specifically Section 35.107 of the Title II regulations, 28 CFR 35, requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.
- b) In general, the ADA requires that each program, service and activity offered by the Illinois Racing Board (Board), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- c) It is the intention of the Board to foster open communication with all individuals requesting readily accessible programs, services and activities. The Board encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED RULES

Section 1625.20 Definitions

"Act" or "ADA" means the Americans With Disabilities Act of 1990 (42 USC 12102 et seq.).

"Board" means the Illinois Racing Board.

"Complainant" is an individual with a disability who files a Grievance Form provided by the Board under this procedure.

"Designated Coordinator" is the person appointed by the Executive Director who is responsible for the coordination of efforts of the Board to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. The Designated Coordinator may be contacted at 100 W. Randolph St., Suite 11-100, Chicago, Illinois 60601. (See 28 CFR 35.107.)

"Executive Director" means the Executive Director of the Illinois Racing Board.

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of that individual; a record of the impairment; or being regarded as having an impairment.

"Grievance" is any complaint under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Board and believes he or she has been excluded from participation in or denied the benefits of any program, service or activity of the Board, or has been subject to discrimination by the Board.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Illinois Racing Board.

Section 1625.30 Procedure

- a) Grievances must be submitted in accordance with the steps and time limits set forth in Sections 1625.40 and 1625.50. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established

ILLINOIS RACING BOARD

NOTICE OF PROPOSED RULES

in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final Levels described in Section 1625.50.

- b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits, shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the procedure.
- c) The Board shall, upon being informed of an individual's desire to file a formal grievance, instruct the individual how to receive a copy of this procedure and the Grievance Form.

Section 1625.40 Designated Coordinator Level

- a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the Grievance Form prescribed for that purpose. The Grievance Form must be completed in full in order to receive proper consideration by the Designated Coordinator.
- b) Upon request, assistance shall be provided by the Board to complete the Grievance Form.
- c) The Designated Coordinator, or his/her representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and Executive Director within 10 business days after receipt of the Grievance Form.

Section 1625.50 Final Level

- a) If the grievance has not been resolved at the Designated Coordinator Level to the satisfaction of the complainant, the complainant may submit a copy of the Grievance Form and Designated Coordinator's response to the Executive Director for final review. The complainant shall submit these documents to the Executive Director, together with a short written statement explaining the reasons for dissatisfaction with the Designated Coordinator's written response, within 5 business days after receipt by the complainant of the Designated Coordinator's response.

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- b) The Executive Director shall appoint a 3-member panel to review the grievance at the Final Level. One member so appointed shall be designated chairman.
- c) The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his/her behalf. The panel shall review the Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.
- d) Upon reaching a concurrence, the panel shall make recommendations in writing to the Executive Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a recommendation to the Executive Director in writing and shall also sign the recommendation.
- e) Upon receipt of recommendations from the panel, the Executive Director shall approve, disapprove or modify the panel recommendations; shall render a decision on those recommendations in writing; shall state the basis for his or her decision; and shall cause a copy of the decision to be served on the parties. The Executive Director's decision shall be final. If the Executive Director disapproves or modifies the panel recommendations, the Executive Director shall include written reasons for such disapproval or modification.
- f) The Grievance Form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, the recommendations of the panel, and the decision of the Executive Director shall be maintained in accordance with the State Records Act [5 ILCS 160] or as otherwise required by law.

Section 1625.60 Accessibility

The Board shall ensure that all stages of the grievance procedure are readily accessible to and usable by individuals with disabilities.

Section 1625.70 Case-by-Case Resolution

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Board. Accordingly, termination of a grievance at any level, whether

ILLINOIS RACING BOARD

NOTICE OF PROPOSED RULES

through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

STATE EMPLOYEES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: The Administration and Operation of the State Employees' Retirement System of Illinois
- 2) Code Citation: 80 Ill. Adm. Code 1540
- 3) Section Number: 1540.80 Proposed Amendment: Amendment
- 4) Statutory Authority: 40 ILCS 5/14-124 (5) (e)
- 5) A complete description of the subjects and issues involved: Section 1540.80 is being amended to reflect the current change in the Social Security gainful employment dollar amount. SERS has always paralled the Social Security gainful employment dollar amounts. Social Security typically changes this amount every 3-5 years. This will true-up the amounts based on their most recent change.
- 6) Will this rulemakingn replace any emergency rulemaking currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: The rulemaking will not affect units of local government.
- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

Patrick Cummings
Claims Division Manager
2101 South Veterans Parkway
P.O. Box 19255
217-785-7260
- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

STATE EMPLOYEES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

- 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 two most recent regulatory agendas because: Social Security just recently changed their gainful employment amounts.

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

STATE EMPLOYEES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT
TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE D: RETIREMENT SYSTEMS
CHAPTER I: STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

PART 1540

THE ADMINISTRATION AND OPERATION OF THE
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

Section	
1540.5	Introduction
1540.10	Appointment of Retirement System Coordinator
1540.20	Member's Contribution and Service Credit
1540.30	Determination of Rate of Compensation
1540.40	Prior Service Credit
1540.50	Credit for Service for Which Contributions are Permitted
1540.60	Severance of Employment – A Condition to the Payment of a Refund or Retirement Annuity
1540.70	Death Benefits
1540.80	Disability Claims
1540.90	Benefit Offset
1540.100	Birth Date Verification
1540.110	Marriage Verification
1540.120	Level Income Option
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1540.140	Removal of Children from Care of Surviving Spouse
1540.150	Proof of Dependency
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1540.170	Interest on Member Contributions
1540.180	Date of Application – Retirement Annuity, Occupational and Nonoccupational and Temporary Disability Benefits, and Resignation Refund Payments
1540.190	Lump Sum Salary Payments
1540.200	Removal From the Payroll
1540.210	Latest Date of Membership
1540.220	Period for Payment and Amount of Payment of Contributions
1540.230	Contributions By the State (Repealed)
1540.240	Actuarially Funded Basis (Repealed)
1540.250	Payments to Establish Credit for Service for Which Contributions are Permitted
1540.255	Pick-up Option for Optional Service Contributions
1540.260	Contributions and Service Credit During Nonwork Periods
1540.270	Written Appeals and Hearings
1540.280	Availability for Public Inspection (Recodified)
1540.290	Procedure for Submission, Consideration and Disposition of Petitions Seeking the

STATE EMPLOYEES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

Promulgation, Amendment or Repeal of these Rules and Regulations (Recodified)

- 1540.300 Organization of the State Employees' Retirement System (Recodified)
- 1540.310 Amendments
- 1540.320 Optional Forms of Benefits – Basis of Computation
- 1540.330 Board Elections
- 1540.340 Excess Benefit Arrangement
- 1540.350 Qualified Illinois Domestic Relations Orders (QILDRO)
- 1540.TABLE A Optional Forms of Benefits – Basis of Computation

AUTHORITY: Implementing and authorized by Article 14 of the Illinois Pension Code [40 ILCS 5/Art. 14].

SOURCE: Filed December 20, 1977, effective December 31, 1977; filed and effective February 28, 1978; emergency rule at 4 Ill. Reg. 2, page 246, effective January 1, 1980; amended at 4 Ill. Reg. 12, pages 530, 532, 534, effective March 11, 1980; emergency rule at 4 Ill. Reg. 46, page 1300, effective November 1, 1980; amended at 5 Ill. Reg. 3454, effective March 19, 1981; amended at 5 Ill. Reg. 7225, effective July 1, 1981; amended at 5 Ill. Reg. 12846, effective October 30, 1981; amended at 6 Ill. Reg. 2114, effective January 29, 1982; amended at 6 Ill. Reg. 5505, effective April 16, 1982; codified at 6 Ill. Reg. 10935; emergency amendment at 6 Ill. Reg. 11084, effective August 31, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 677, effective December 30, 1982; amended at 7 Ill. Reg. 8831, effective July 15, 1983; emergency amendment at 8 Ill. Reg. 359, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4144, effective March 26, 1984; Sections 1540.280, 1540.290 and 1540.300 recodified to 2 Ill. Adm. Code 2375 at 8 Ill. Reg. 15902; amended at 9 Ill. Reg. 12375, effective July 30, 1985; emergency amendment at 9 Ill. Reg. 19752, effective December 5, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 8889, effective May 14, 1986; amended at 11 Ill. Reg. 11155, effective June 15, 1987; amended at 14 Ill. Reg. 10498, effective June 19, 1990; amended at 15 Ill. Reg. 7379, effective April 26, 1991; amended at 16 Ill. Reg. 14407, effective September 4, 1992; amended at 20 Ill. Reg. 8033, effective June 15, 1996; emergency amendment at 21 Ill. Reg. 476, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4992, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 13187, effective September 15, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 967, effective December 22, 1997; amended at 22 Ill. Reg. 15363, effective August 10, 1998; amended at 23 Ill. Reg. 3824, effective March 9, 1999; amended at 23 Ill. Reg. 11313, effective September 1, 1999; amended at 24 Ill. Reg. 6975, effective April 20, 2000; amended at 24 Ill. Reg. 18090, effective December 1, 2000; amended at 25 Ill. Reg. 5632, effective April 4, 2001; emergency amendment at 26 Ill. Reg. 11133, effective June 28, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16575, effective October 22, 2002; emergency amendment at 28 Ill. Reg. 8775, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. _____, effective _____.

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Section 1540.80 Disability Claims

- a) Nonoccupational Disability and Temporary Disability
- 1) Any member of the Retirement System claiming benefits for nonoccupational disability or temporary disability shall file at the Springfield Office of the System a written application on forms prescribed by the Board.
 - 2) If a member makes a payment of contributions to the System in order to establish sufficient credit to qualify for a nonoccupational disability benefit, payment of the benefit shall accrue as of the ~~latter~~later of the ~~the 31st thirty-first~~ day of absence from work (including any periods of such absence for which sick pay was received), the day after the member is last entitled to receive compensation (including any sick pay), or the date of payment to the System. The date of payment of the required contributions shall be determined in accordance with the provisions of Section 1540.220(a) (~~Period for Payment~~period for payment).
 - 3) If a member makes a payment of contributions to the System in order to establish sufficient credit to qualify for a temporary disability benefit, payment of the benefit shall accrue as of the ~~latter~~later of the 31st day after the member is last entitled to receive compensation or the date of payment to the System. The date of payment of the required contributions shall be determined in accordance with the provisions of Section 1540.220(a) (Period for Payment).
 - 4) If a member who is receiving a nonoccupational or temporary disability benefit wishes to make a payment of contributions to extend the period of eligibility for receipt of the benefit, the request to make such payment must be received at the Springfield Office of the System before the period of eligibility terminates and the date of payment of the required contributions shall be determined in accordance with the provisions of Section 1540.220(a) (Period for Payment).
- b) Occupational Disability
Any member of the Retirement System claiming benefits for occupational disability shall file at the Springfield Office of the System a written application on forms prescribed by the Board.
- c) Licensed Physicians

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- 1) Before an occupational, nonoccupational or temporary disability benefit can be approved, one statement must be received from a licensed physician attesting to the disability. An additional statement from a second licensed physician may be required by the disability examiner assigned to the case, depending on the nature of the disabling condition.
 - 2) The term "licensed physician" shall mean any individual who has obtained a license through the Department of Professional Regulation as described in Section 11(A) of the Medical Practice Act of 1987 [225 ILCS 60/11(A)]. All licensed physicians must submit their registration number on all reports submitted to the Retirement System.
- d) Report of Physicians
- 1) All physician's reports shall contain, among other things, the date and place of the first examination, the cause and nature of the disability, information regarding surgical work or laboratory tests, the date of last examination, prognosis regarding the member's disability, and an estimate of the probable length of disability.
 - 2) All physician's reports shall be signed by a licensed practicing physician or by medical records personnel of a licensed clinic.
- e) Gainful Employment
- In the case of occupational, nonoccupational or temporary disability, an individual who is found to be gainfully employed shall have the benefit terminated as of the date such employment commenced. The term "gainfully employed" shall be construed to mean either of the following:
- 1) Any employment by or for the State of Illinois.
 - 2) Effective ~~July~~September 1, ~~2004~~1999, any remuneration that exceeds ~~\$810~~\$700 in any month. The ~~\$810~~\$700 monthly gainful employment limit will be adjusted each July 1 thereafter to the nearest whole dollar amount, based on the change in the Consumer Price Index for Urban Consumers for the prior calendar year.
 - A) For purpose of this Section, "remuneration" shall be defined to mean:

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- i) any compensation for personal services including fees, wages, salary, commissions, and similar items;
 - ii) any income derived from the participation in a business activity through the performance of physical and/or mental activities generally performed for the production of income.
- B) For purposes of this Section, remuneration shall be computed on a gross rather than net basis (i.e., no deductions of any kind including but not limited to deductions for losses, expenses, taxes or withholding, will be considered in such computation). Remuneration shall also include the fair market value of goods or services received, which if received in money would otherwise constitute remuneration. Remuneration representing gain from the sale, exchange or other disposition of goods or other property shall be equal to, the sum of the amount of money and the fair market value of any property received on such sale, exchange, or disposition, less the amount representing the cost to the seller in acquiring the goods or other property which is sold, exchanged, or disposed of. In applying this Section, the System shall consider the date on which the remuneration was earned rather than when it was received. For purposes of this Section, remuneration may be earned through either self-employment or employment by others.
- f) Investigation of Claims
- 1) The Board of Trustees of the State Employees' Retirement System (SERS) recognizes its obligation to provide a systematic program for the continued investigation, control and supervision of disability claims.
 - 2) Each disability benefit recipient is required to provide a current medical examination report each 6 months to substantiate continued disability. In order to substantiate the member's continued eligibility for disability benefits, the Disability Claims Examiner may require that the member submit to independent medical examinations and may request additional medical statements; hospital records; activity inspection reports; Department of Employment Security Earning Statements; Social Security benefit payment information; income tax records; or other pertinent information, all as deemed reasonable and necessary by the Examiner. The System will pay for independent medical examinations, hospital records, and activity inspection reports that it requires.

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- 3) Failure of a disability benefit recipient to submit to an independent medical examination, to cooperate with an activity inspection, or to provide the information required shall result in suspension of benefit payments.
- g) Definition of Phrase "The Duties of the Member's Position"
The phrase, "The duties of the member's position" shall mean the duties of the member's position as of the date the member's name is removed from the payroll without regard to subsequent changes in the duties of the position, availability of the position, or the member's right to return to the position.

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

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Evidence Disposal Procedures
- 2) Code Citation: 20 Ill. Adm. Code 1226
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1226.10	New Section
1226.20	New Section
1226.30	New Section
1226.40	New Section
1226.50	New Section
- 4) Statutory Authority: Implementing and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].
- 5) A Complete Description of the Subjects and Issues Involved: Various articles come into the possession of the Department of State Police while carrying out its powers and duties. This Part will provide direction for the disposal of those articles.
- 6) Will these rules replace any emergency rulemaking currently in effect? No
- 7) Does this rule contain an automatic repeal date? No
- 8) Does this rule contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: These rules 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: Within 45 days after the publication of this Notice, any interested person may submit comments, data, views or argument regarding the proposed rules. The submissions must be in writing and directed to:

Mr. Keith Jensen
Chief Legal Counsel
Illinois State Police
124 East Adams Street, Room 102
Post Office Box 19461

DEPARTMENT OF STATE POLICE

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Springfield, Illinois 62794-9461
Telephone: (217) 782-7658

- 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 which this rulemaking was summarized: January 2004

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

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT

CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1226

EVIDENCE DISPOSAL PROCEDURES

Section

1226.10	Introduction
1226.20	Definitions
1226.30	Disposal Procedures for Evidence and Related Items
1226.40	Disposal Procedures for Property
1226.50	Disposal Procedures for Contraband Per Se

AUTHORITY: Implementing and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

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

Section 1226.10 Introduction

The purpose of this Part is to provide direction for the disposal of articles that have come into the Department's possession in the course of carrying out its statutory duties. This Part is not intended to and does not supersede any statutory requirements for the retention of evidence or other items within the Department's control.

Section 1226.20 Definitions

"Contraband per se" means articles whose possession alone constitutes a criminal offense.

"Court Order" means a written order issued by a judge.

"Department" means the Department of State Police.

"Director" means the Director of the Department of State Police or designee of the Director of the Department of State Police.

"Evidence" means tangible instruments, articles, items, or other objects gathered, collected, or seized by employees or investigating officers during the course of an

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investigation or pursuant to a search, including a search incident to arrest, that may have significance as a means of ascertaining the truth of any alleged matter of fact relevant to a crime or a criminal prosecution.

"Property" means tangible instruments, articles, items or other objects that come into the possession of the Department by means other than a search. Property includes articles that are lost, stolen, or abandoned.

"Related items" means reports, records, receipts, photographs, negatives, audiotapes, videotapes, and other similar items obtained during the course of an investigation but that are not likely to be used as evidence in litigation.

Section 1226.30 Disposal Procedures for Evidence and Related Items

- a) A court order authorizing the disposal of evidence and related items, other than contraband, seized pursuant to a warrant or search without a warrant, is required regardless of whether such evidence or related items were utilized during any litigation.
- b) If, after reasonable efforts have been made to obtain a court order, the appropriate court declines to issue such an order, that declination shall indicate a lack of jurisdiction and the evidence and related items may be disposed of pursuant to this Part.
- c) The Department shall make reasonable inquiry and effort to return the evidence or related items to the person from whom they were seized. Reasonable inquiry and effort may include, but is not limited to, notification by certified mail, return receipt requested, newspaper publication, or public posting.
- d) Evidence and related items shall promptly be returned upon demand.
- e) If the identity of the person from whom the evidence or related items were seized has not been ascertained within six months after the first attempt to return the evidence or related items or if the person relinquishes his interest in the evidence or related items, disposition of the evidence or related items shall be in accordance with Section 1226.40(c).

Section 1226.40 Disposal Procedures for Property

- a) The Department shall make reasonable inquiry and effort to identify and notify

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the last known owner or other person entitled to possession of lost, stolen or abandoned property that comes into its possession by means other than a search. Reasonable inquiry and effort may include, but is not limited to, notification by certified mail, return receipt requested, newspaper publication, or public posting.

- b) Property shall promptly be returned after a person provides reasonable and satisfactory proof of ownership and/or right to possession.
- c) If the identity of the last known owner or other person entitled to possession of the property has not been ascertained within six months after the Department acquiring possession of the property, or if the person relinquishes his interest in the property, disposition of the property shall be as follows:
 - 1) Articles, other than weapons, shall be transferred to the Department of Central Management Services for public auction.
 - 2) Articles having de minimus value shall be destroyed by the Department.
 - 3) Weapons shall be transferred to the Department for use by the Department's crime laboratory system, for training purposes or for any other application deemed appropriate by the Director.
 - 4) Currency shall be deposited into the State's General Revenue Fund.

Section 1226.50 Disposal Procedures for Contraband Per Se

The Department shall destroy contraband per se after final adjudication of all litigation relating to the contraband or when it is no longer needed for investigative purposes.

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
Section 310.450	Amended
Section 310.Appendix A, Table I	Amended
Section 310.Appendix A, Table L	Amended
Section 310.Appendix A, Table W	Amended
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) Effective date of amendments: June 9, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A statement that a copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection. Copies of all Pay Plan amendments and Collective Bargaining contracts are available upon request from the Division of Technical Services.
- 9) Notices of Proposed published in the Illinois Register: February 20, 2004, Issue #8; 28 Ill. Reg. 2896
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: In the Table of Contents, 310.Appendix A Tables AA and AB now follow Table Z.

In the Source Notes, the Illinois Register page number "2680" was added for the amendment effective January 22, 2004. Added to the very end of the Source Notes was "; amended at 28 Ill. Reg. _____, effective _____."

In Section 310.450(e), a comma was removed after the word "form". The word "merit" was added in the parenthetic sentence at the end of Section 310.450(e) so that it matches what is on file.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Section 310.Appendix A Table I shows the Steps table effective July 1, 2002. For the line beginning with RC-009-22, "0" was added to the Step 8 effective January 1, 2003 column to have the dollar figure read 3180.

In Section 310.Appendix A Table L, for Boiler Safety Specialist, Central region, the effective date is changed from "September 1, 2003" to "January 1, 2004" and the monthly salary is changed from "4825.02" to "5040.78".

In Section 310.Appendix A Table L where the Central Region counties are listed, the counties "JoDaviss" and "Vermilion" are spelled correctly.

Section 310.Appendix A Table W lists titles, salary grades, and codes. The spelling of "Meteorologist Associate" to "Metrologist Associate" was corrected.

The Table of Contents and Source Notes reflect the Proposed Amendment adopted in the 28 Ill. Reg. 6879, April 30, 2004, and the Peremptory Amendment published in the 28 Ill. Reg. 7323, May 21, 2004.

- 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
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.280	Amend	28 Ill. Reg. 6950, May 14, 2004

- 15) Summary and purpose of amendments: The change to Section 310.450 is to reestablish language referring to the Merit Increase Guidechart.

One change to the Table I is to correct the salary grade for the title Social Service Aide II. The title should have a salary grade of RC-009-17, not RC-009-18. The State of Illinois and AFSCME Council 31 recognized the typographical error in Schedule A of the 2000-2004 Master Contract in a Memorandum of Understanding signed on July 13, 2001. Another change to Table I is to retain only the current salary for the following title, Residential Care Worker.

The change to the Table L is to clarify the pay rates for Boiler Safety Specialists as the rates are certified by the Illinois Department of Labor for the northern, central and

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southern regions of the State. The southern region's data was included in an earlier Peremptory Amendment.

The change to the Table W is to add the classification titles and salaries for Program Integrity Auditor I, Program Integrity Auditor II, and Program Integrity Auditor Trainee. They have been approved by the Civil Service Commission to be effective February 1, 2004, at the salaries of RC-062-16, RC-062-19, and RC-062-12, respectively. Another change is to retain only the current salary for each of the following titles: Aircraft Pilot I; Aircraft Pilot II; Corrections Leisure Activities Specialist I; Corrections Leisure Activities Specialist II; Dietician; Disability Appeal Officer; Revenue Auditor III; and Social Worker I.

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

Ms. Dawn DeFraties
Deputy Director
Bureau of Personnel
Department of Central Management Services
503 William G. Stratton Building
Springfield IL 62706
217/524-8773
Fax: 217/558-4497

- 17) Does these amendments require the preview of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code [30 ILCS 50/5-25]? No

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

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NOTICE OF ADOPTED AMENDMENTS

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 2004
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 2004
- 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 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)
- 310.TABLE G RC-045 (Automotive Mechanics, IFPE)
- 310.TABLE H RC-006 (Corrections Employees, AFSCME)

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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.TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
310.TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers)
310.APPENDIX B	Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2004
310.APPENDIX C	Medical Administrator Rates for Fiscal Year 2004
310.APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2004
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 2004

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, 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;

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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, 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,

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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. 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,

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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; peremptory 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; peremptory 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; peremptory 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; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory 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; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory 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; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory 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; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory 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; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997;

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peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory 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; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory 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; peremptory 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; peremptory 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; peremptory 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; peremptory 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; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory 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; peremptory 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; peremptory 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. 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

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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; 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. 6151, effective February 11, 2003; 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; emergency expired November 27, 2003; 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. 2680, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; peremptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. _____, effective _____.

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.450 Procedures for Determining Annual Merit Increases

- a) An annual merit increase is an in-range salary adjustment for demonstrated performance.
- b) Eligibility for an annual merit increase shall be determined by the following conditions:
 - 1) Each employee will be eligible for a merit review after attaining 12 months creditable service. The employee's immediate supervisor shall prepare an Individual Development and Performance Evaluation form prior to the Performance Review Date, and discuss the results with the employee.
 - 2) Should the Individual Development and Performance review result in the employee not being eligible for an annual merit increase due to provisions

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of Section 310.450(d), or should the employee's base rate be at the maximum rate of pay of the salary range assigned to the employee's position, the employee will not be eligible for an annual merit increase until 12 months of additional creditable service has been accrued.

- c) Based upon the results of the Individual Development and Performance Evaluation, the employees' immediate supervisor shall determine whether the employee's performance warrants or does not warrant an annual merit increase.
- d) The amount of an annual merit increase recommendation shall be determined by use of the Merit Increase Guidechart of Section 310.540 if the employee's Individual Development and Performance Evaluation has on the Performance Review Date been evaluated at a Category 3 or higher level. An employee whose Individual Development and Performance Evaluation has on the Performance Review Date been evaluated at Category 4 shall not receive an increase in the present base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of pay of the respective salary range assigned to the employee's position. (Effective July 1, 2003, increases are suspended.)
- e)d) The employee's immediate supervisor shall prepare a Performance Certification and Salary Increase Recommendation form indicating whether or not the employee is eligible for an annual merit increase and the amount thereof. (Effective July 1, 2003, merit increases are suspended.)
- f)e) The employee's immediate supervisor shall forward the Individual Development and Performance Evaluation records and Performance Certification and Salary Increase Recommendation records to the agency head or a designated authority for review and approval.
- g)f) Annual merit increase in pay shall become effective the first day of the month in which the employee's Performance Review Date occurs.

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

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Section 310. APPENDIX A Negotiated Rates of Pay**Section 310. TABLE I RC-009 (Institutional Employees, AFSCME)**

<u>Title</u>	Salary Grade	Code
Activity Program Aide I	RC-009-03	00151
Activity Program Aide II	RC-009-05	00152
Apparel/Dry Goods Specialist I	RC-009-05	01231
Apparel/Dry Goods Specialist II	RC-009-09	01232
Apparel/Dry Goods Specialist III	RC-009-23	01233
Clinical Laboratory Associate	RC-009-08	08200
Clinical Laboratory Phlebotomist	RC-009-06	08213
Clinical Laboratory Technician I	RC-009-16	08215
Clinical Laboratory Technician II	RC-009-22	08216
Cook I	RC-009-07	09601
Cook II	RC-009-14	09602
Educator Aide	RC-009-19	13130
Facility Assistant Fire Chief	RC-009-21	14430
Facility Fire Safety Coordinator	RC-009-21	14435
Facility Firefighter	RC-009-16	14439
Florist II	RC-009-19	15652
Institutional Maintenance Worker	RC-009-10	21465
Laboratory Assistant	RC-009-02	22995
Laboratory Associate I	RC-009-16	22997
Laboratory Associate II	RC-009-22	22998
Licensed Practical Nurse I	RC-009-15	23551
Licensed Practical Nurse II	RC-009-20	23552
Locksmith	RC-009-27	24300
Mental Health Technician I	RC-009-05	27011
Mental Health Technician II	RC-009-09	27012
Mental Health Technician III	RC-009-12	27013
Mental Health Technician IV	RC-009-14	27014
Mental Health Technician V	RC-009-17	27015
Mental Health Technician VI	RC-009-18	27016
Mental Health Technician Trainee	RC-009-01	27021
Musician	RC-009-12	28805
Pest Control Operator	RC-009-15	31810
Physical Therapy Aide I	RC-009-03	32191
Physical Therapy Aide II	RC-009-09	32192
Physical Therapy Aide III	RC-009-17	32193

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Rehabilitation Workshop Instructor I	RC-009-12	38192
Rehabilitation Workshop Instructor II	RC-009-20	38193
Residential Care Worker	RC-009-17	38277
Residential Care Worker (Eff. 07-01-01)	RC-009-20	38277
Residential Care Worker Trainee	RC-009-11	38279
Security Therapy Aide I	RC-009-24	39901
Security Therapy Aide II	RC-009-25	39902
Security Therapy Aide III	RC-009-26	39903
Security Therapy Aide Trainee	RC-009-13	39905
Social Service Aide I	RC-009-12	41281
Social Service Aide II	RC-009- 1718	41282
Social Service Aide Trainee	RC-009-02	41285
Support Service Coordinator I	RC-009-15	44221
Support Service Coordinator II	RC-009-22	44222
Support Service Lead	RC-009-07	44225
Support Service Worker	RC-009-04	44238
Transportation Officer	RC-009-25	45830
Veterans Nursing Assistant - Certified	RC-009-12	47750

Effective July 1, 2001

STEPS

	1e	1b	1a	1	2	3	4	5	6	7	8	Eff. 1/1/02
RC-009-01	1643	1686	1731	1777	1822	1877	1927	1976	2027	2121	2142	
RC-009-01a	1686	1731	1777	1824	1871	1927	1979	2029	2082	2179	2201	
RC-009-02	1684	1729	1775	1822	1877	1931	1980	2041	2090	2188	2210	
RC-009-02a	1729	1775	1822	1871	1927	1983	2033	2096	2147	2248	2270	
RC-009-03	1698	1743	1789	1837	1901	1969	2036	2109	2181	2278	2301	
RC-009-03a	1743	1789	1837	1886	1952	2022	2091	2166	2240	2340	2363	
RC-009-04	1732	1778	1825	1874	1927	1979	2036	2094	2148	2247	2269	
RC-009-04a	1778	1825	1874	1924	1979	2032	2091	2151	2206	2308	2331	
RC-009-05	1745	1791	1839	1888	1953	2022	2090	2165	2240	2338	2361	
RC-009-05a	1791	1839	1888	1939	2006	2077	2147	2224	2301	2402	2426	

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RC-009-06	1786	1834	1883	1933	1992	2050	2114	2173	2237	2340	2363
RC-009-06a	1834	1883	1933	1985	2046	2106	2171	2232	2298	2404	2428
RC-009-07	1829	1878	1928	1980	2048	2104	2172	2235	2299	2407	2431
RC-009-07a	1878	1928	1980	2033	2103	2161	2231	2296	2362	2473	2498
RC-009-08	1840	1889	1940	1992	2053	2119	2184	2249	2317	2430	2454
RC-009-08a	1889	1940	1992	2046	2109	2177	2244	2310	2381	2497	2522
RC-009-09	1847	1896	1947	1999	2069	2141	2215	2293	2375	2482	2507
RC-009-09a	1896	1947	1999	2053	2125	2199	2275	2356	2440	2550	2576
RC-009-10	1891	1942	1994	2048	2114	2177	2248	2315	2386	2504	2529
RC-009-10a	1942	1994	2048	2103	2171	2236	2309	2378	2452	2573	2599
RC-009-11	1896	1947	1999	2053	2124	2193	2269	2335	2408	2526	2551
RC-009-11a	1947	1999	2053	2109	2182	2253	2331	2399	2474	2596	2622
RC-009-12	1907	1958	2011	2065	2137	2212	2289	2369	2453	2564	2590
RC-009-12a	1958	2011	2065	2121	2195	2272	2352	2434	2521	2635	2661
RC-009-13	1961	2014	2068	2124	2196	2274	2349	2429	2505	2627	2653
RC-009-13a	2014	2068	2124	2182	2256	2336	2413	2496	2574	2700	2727
RC-009-14	1965	2018	2073	2129	2203	2283	2361	2444	2532	2648	2674
RC-009-14a	2018	2073	2129	2187	2263	2345	2426	2511	2602	2721	2748
RC-009-15	2013	2067	2123	2181	2254	2337	2416	2502	2576	2704	2731
RC-009-15a	2067	2123	2181	2240	2316	2401	2482	2571	2647	2779	2807
RC-009-16	2029	2084	2141	2199	2286	2361	2443	2523	2606	2740	2767
RC-009-16a	2084	2141	2199	2259	2349	2426	2510	2593	2678	2818	2846
RC-009-17	2031	2086	2143	2201	2278	2361	2442	2530	2617	2751	2779
RC-009-17a	2086	2143	2201	2261	2340	2426	2509	2600	2690	2830	2858
RC-009-18	2052	2108	2165	2224	2301	2386	2470	2558	2646	2773	2801
RC-009-18a	2108	2165	2224	2285	2364	2452	2538	2629	2719	2853	2882

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RC-009-19	2083	2139	2197	2257	2349	2430	2514	2599	2682	2824	2852
RC-009-19a	2139	2197	2257	2319	2413	2497	2583	2671	2756	2906	2935
RC-009-20	2101	2158	2217	2278	2369	2451	2538	2625	2711	2877	2906
RC-009-20a	2158	2217	2278	2340	2434	2519	2608	2698	2787	2960	2990
RC-009-21	2165	2224	2285	2348	2434	2514	2604	2694	2785	2938	2967
RC-009-21a	2224	2285	2348	2412	2501	2583	2676	2769	2866	3023	3053
RC-009-22	2200	2260	2322	2386	2478	2564	2663	2751	2852	3005	3035
RC-009-22a	2260	2322	2386	2452	2546	2635	2737	2830	2934	3093	3124
RC-009-23	2256	2318	2382	2447	2541	2634	2734	2829	2921	3080	3111
RC-009-23a	2318	2382	2447	2514	2611	2707	2812	2911	3005	3173	3205
RC-009-24	2261	2323	2387	2453	2546	2642	2743	2841	2945	3103	3134
RC-009-24a	2323	2387	2453	2521	2616	2715	2821	2923	3031	3197	3229
RC-009-25	2462	2530	2600	2672	2781	2889	3013	3127	3249	3438	3472
RC-009-25a	2530	2600	2672	2746	2860	2973	3101	3220	3347	3541	3576
RC-009-26	2562	2633	2706	2782	2903	3025	3153	3279	3402	3601	3637
RC-009-26a	2633	2706	2782	2861	2987	3115	3247	3377	3504	3710	3747
RC-009-27	2685	2759	2837	2917	3041	3172	3304	3433	3562	3766	3804
RC-009-27a	2760	2839	2918	3001	3131	3268	3403	3536	3670	3878	3917

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STEPS

	1c	1b	1a	1	2	3	4	5	6	7	8	Eff. 1/1/03 8
RC-009-01	1743	1786	1831	1877	1922	1977	2027	2076	2127	2221	2243	2265
RC-009-01a	1786	1831	1877	1924	1971	2027	2079	2129	2182	2279	2302	2325
RC-009-02	1784	1829	1875	1922	1977	2031	2080	2141	2190	2288	2311	2334
RC-009-02a	1829	1875	1922	1971	2027	2083	2133	2196	2247	2348	2371	2395
RC-009-03	1798	1843	1889	1937	2001	2069	2136	2209	2281	2378	2402	2426

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-009-03a	1843	1889	1937	1986	2052	2122	2191	2266	2340	2440	2464	2489
RC-009-04	1832	1878	1925	1974	2027	2079	2136	2194	2248	2347	2370	2394
RC-009-04a	1878	1925	1974	2024	2079	2132	2191	2251	2306	2408	2432	2456
RC-009-05	1845	1891	1939	1988	2053	2122	2190	2265	2340	2438	2462	2487
RC-009-05a	1891	1939	1988	2039	2106	2177	2247	2324	2401	2502	2527	2552
RC-009-06	1886	1934	1983	2033	2092	2150	2214	2273	2337	2440	2464	2489
RC-009-06a	1934	1983	2033	2085	2146	2206	2271	2332	2398	2504	2529	2554
RC-009-07	1929	1978	2028	2080	2148	2204	2272	2335	2399	2507	2532	2557
RC-009-07a	1978	2028	2080	2133	2203	2261	2331	2396	2462	2573	2599	2624
RC-009-08	1940	1989	2040	2092	2153	2219	2284	2349	2417	2530	2555	2581
RC-009-08a	1989	2040	2092	2146	2209	2277	2344	2410	2481	2597	2623	2649
RC-009-09	1947	1996	2047	2099	2169	2241	2315	2393	2475	2582	2608	2634
RC-009-09a	1996	2047	2099	2153	2225	2299	2375	2456	2540	2650	2677	2703
RC-009-10	1991	2042	2094	2148	2214	2277	2348	2415	2486	2604	2630	2656
RC-009-10a	2042	2094	2148	2203	2271	2336	2409	2478	2552	2673	2700	2726
RC-009-11	1996	2047	2099	2153	2224	2293	2369	2435	2508	2626	2652	2679
RC-009-11a	2047	2099	2153	2209	2282	2353	2431	2499	2574	2696	2723	2750
RC-009-12	2007	2058	2111	2165	2237	2312	2389	2469	2553	2664	2691	2717
RC-009-12a	2058	2111	2165	2221	2295	2372	2452	2534	2621	2735	2762	2790
RC-009-13	2061	2114	2168	2224	2296	2374	2449	2529	2605	2727	2754	2782
RC-009-13a	2114	2168	2224	2282	2356	2436	2513	2596	2674	2801	2829	2857
RC-009-14	2065	2118	2173	2229	2303	2383	2461	2544	2632	2748	2775	2803
RC-009-14a	2118	2173	2229	2287	2363	2445	2526	2611	2702	2823	2851	2879
RC-009-15	2113	2167	2223	2281	2354	2437	2516	2602	2676	2805	2833	2861
RC-009-15a	2167	2223	2281	2340	2416	2501	2582	2671	2747	2883	2912	2941
RC-009-16	2129	2184	2241	2299	2386	2461	2543	2623	2706	2843	2871	2900
RC-009-16a	2184	2241	2299	2359	2449	2526	2610	2693	2778	2924	2953	2982

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-009-17	2131	2186	2243	2301	2378	2461	2542	2630	2717	2854	2883	2911
RC-009-17a	2186	2243	2301	2361	2440	2526	2609	2700	2791	2936	2965	2995
RC-009-18	2152	2208	2265	2324	2401	2486	2570	2658	2746	2877	2906	2935
RC-009-18a	2208	2265	2324	2385	2464	2552	2638	2729	2821	2960	2990	3019
RC-009-19	2183	2239	2297	2357	2449	2530	2614	2699	2783	2930	2959	2989
RC-009-19a	2239	2297	2357	2419	2513	2597	2683	2771	2859	3015	3045	3075
RC-009-20	2201	2258	2317	2378	2469	2551	2638	2725	2813	2985	3015	3045
RC-009-20a	2258	2317	2378	2440	2534	2619	2708	2799	2892	3071	3102	3132
RC-009-21	2265	2324	2385	2448	2534	2614	2704	2795	2889	3048	3078	3109
RC-009-21a	2324	2385	2448	2512	2601	2683	2776	2873	2973	3136	3167	3199
RC-009-22	2300	2360	2422	2486	2578	2664	2763	2854	2959	3118	3149	3180
RC-009-22a	2360	2422	2486	2552	2646	2735	2840	2936	3044	3209	3241	3273
RC-009-23	2356	2418	2482	2547	2641	2734	2837	2935	3031	3196	3228	3260
RC-009-23a	2418	2482	2547	2614	2711	2809	2917	3020	3118	3292	3325	3358
RC-009-24	2361	2423	2487	2553	2646	2742	2846	2948	3055	3219	3251	3283
RC-009-24a	2423	2487	2553	2621	2716	2817	2927	3033	3145	3317	3350	3383
RC-009-25	2562	2630	2700	2772	2885	2997	3126	3244	3371	3567	3603	3638
RC-009-25a	2630	2700	2772	2849	2967	3084	3217	3341	3473	3674	3711	3747
RC-009-26	2662	2733	2807	2886	3012	3138	3271	3402	3530	3736	3773	3811
RC-009-26a	2733	2807	2886	2968	3099	3232	3369	3504	3635	3849	3887	3926
RC-009-27	2786	2862	2943	3026	3155	3291	3428	3562	3696	3907	3946	3985
RC-009-27a	2864	2945	3027	3114	3248	3391	3531	3669	3808	4023	4063	4103

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-009-01	1843	1886	1931	1977	2022	2077	2127	2176	2227	2321	2367	2391
RC-009-01a	1886	1931	1977	2024	2071	2127	2179	2229	2282	2379	2427	2450
RC-009-02	1884	1929	1975	2022	2077	2131	2180	2241	2290	2388	2436	2460
RC-009-02a	1929	1975	2022	2071	2127	2183	2233	2296	2347	2448	2497	2521
RC-009-03	1898	1943	1989	2037	2101	2169	2236	2309	2381	2478	2528	2552
RC-009-03a	1943	1989	2037	2086	2152	2222	2291	2366	2440	2540	2591	2616
RC-009-04	1932	1978	2025	2074	2127	2179	2236	2294	2348	2447	2496	2520
RC-009-04a	1978	2025	2074	2124	2179	2232	2291	2351	2406	2508	2558	2583
RC-009-05	1945	1991	2039	2088	2153	2222	2290	2365	2440	2538	2589	2614
RC-009-05a	1991	2039	2088	2139	2206	2277	2347	2424	2501	2602	2654	2680
RC-009-06	1986	2034	2083	2133	2192	2250	2314	2373	2437	2540	2591	2616
RC-009-06a	2034	2083	2133	2185	2246	2306	2371	2432	2498	2604	2656	2682
RC-009-07	2029	2078	2128	2180	2248	2304	2372	2435	2499	2607	2659	2685
RC-009-07a	2078	2128	2180	2233	2303	2361	2431	2496	2562	2676	2730	2756
RC-009-08	2040	2089	2140	2192	2253	2319	2384	2449	2517	2631	2684	2710
RC-009-08a	2089	2140	2192	2246	2309	2377	2444	2510	2581	2701	2755	2782
RC-009-09	2047	2096	2147	2199	2269	2341	2415	2493	2575	2685	2739	2766
RC-009-09a	2096	2147	2199	2253	2325	2399	2475	2556	2642	2756	2811	2839
RC-009-10	2091	2142	2194	2248	2314	2377	2448	2515	2586	2708	2762	2789
RC-009-10a	2142	2194	2248	2303	2371	2436	2509	2578	2654	2780	2836	2863
RC-009-11	2096	2147	2199	2253	2324	2393	2469	2535	2608	2731	2786	2813
RC-009-11a	2147	2199	2253	2309	2382	2453	2531	2599	2677	2804	2860	2888
RC-009-12	2107	2158	2211	2265	2337	2412	2489	2569	2655	2771	2826	2854
RC-009-12a	2158	2211	2265	2321	2395	2472	2552	2635	2726	2844	2901	2929
RC-009-13	2161	2214	2268	2324	2396	2474	2549	2630	2709	2836	2893	2921
RC-009-13a	2214	2268	2324	2382	2456	2536	2614	2700	2781	2913	2971	3000
RC-009-14	2165	2218	2273	2329	2403	2483	2561	2646	2737	2858	2915	2944

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RC-009-14a	2218	2273	2329	2387	2463	2545	2627	2715	2810	2936	2995	3024
RC-009-15	2213	2267	2323	2381	2454	2537	2617	2706	2783	2917	2975	3005
RC-009-15a	2267	2323	2381	2440	2516	2601	2685	2778	2857	2998	3058	3088
RC-009-16	2229	2284	2341	2399	2486	2561	2645	2728	2814	2957	3016	3046
RC-009-16a	2284	2341	2399	2459	2549	2627	2714	2801	2889	3041	3102	3132
RC-009-17	2231	2286	2343	2401	2478	2561	2644	2735	2826	2968	3027	3057
RC-009-17a	2286	2343	2401	2461	2540	2627	2713	2808	2903	3053	3114	3145
RC-009-18	2252	2308	2365	2424	2501	2586	2673	2764	2856	2992	3052	3082
RC-009-18a	2308	2365	2424	2485	2564	2654	2744	2838	2934	3078	3140	3170
RC-009-19	2283	2339	2397	2457	2549	2631	2719	2807	2894	3047	3108	3138
RC-009-19a	2339	2397	2457	2519	2614	2701	2790	2882	2973	3136	3199	3230
RC-009-20	2301	2358	2417	2478	2569	2653	2744	2834	2926	3104	3166	3197
RC-009-20a	2358	2417	2478	2540	2635	2724	2816	2911	3008	3194	3258	3290
RC-009-21	2365	2424	2485	2548	2635	2719	2812	2907	3005	3170	3233	3265
RC-009-21a	2424	2485	2548	2612	2705	2790	2887	2988	3092	3261	3326	3359
RC-009-22	2400	2460	2522	2586	2681	2771	2874	2968	3077	3243	3308	3340
RC-009-22a	2460	2522	2586	2654	2752	2844	2954	3053	3166	3337	3404	3437
RC-009-23	2456	2518	2582	2649	2747	2843	2950	3052	3152	3324	3390	3424
RC-009-23a	2518	2582	2649	2719	2819	2921	3034	3141	3243	3424	3492	3527
RC-009-24	2461	2523	2587	2655	2752	2852	2960	3066	3177	3348	3415	3448
RC-009-24a	2523	2587	2655	2726	2825	2930	3044	3154	3271	3450	3519	3554
RC-009-25	2664	2735	2808	2883	3000	3117	3251	3374	3506	3710	3784	3821
RC-009-25a	2735	2808	2883	2963	3086	3207	3346	3475	3612	3821	3897	3936
RC-009-26	2768	2842	2919	3001	3132	3264	3402	3538	3671	3885	3963	4002
RC-009-26a	2842	2919	3001	3087	3223	3361	3504	3644	3780	4003	4083	4123
RC-009-27	2897	2976	3061	3147	3281	3423	3565	3704	3844	4063	4144	4185
RC-009-27a	2979	3063	3148	3239	3378	3527	3672	3816	3960	4184	4268	4310

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay

Section 310.TABLE L RC-008 (Boilermakers)

Title	Title Code	Region	Effective Date	Monthly Salary
<u>Boiler Safety Specialist</u>	<u>04910</u>	<u>Northern</u>	<u>July 1, 2003</u>	<u>6149.40</u>
<u>Boiler Safety Specialist</u>	<u>04910</u>	<u>Central</u>	<u>January 1, 2004</u>	<u>5040.78</u>
Boiler Safety Specialist	04910	Southern	September 2, 2003	4698

Northern Region: Boone, Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, Will, and Winnebago Counties.

Central Region: Bureau, Carroll, Champaign, DeWitt, Ford, Fulton, Hancock, Henderson, Henry, Iroquois, JoDaviess, Knox, LaSalle, Lee, Livingston, Logan, Marshall, Mason, McDonough, McLean, Mercer, Ogle, Peoria, Putman, Rock Island, Schuyler, Stark, Stephenson, Tazwell, Vermilion, Warren, Whiteside, and Woodford Counties.

Southern Region: Adams, Alexander, Bond, Brown, Calhoun, Cass, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macon, Macoupin, Madison, Marion, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Scott, Shelby, Union, Wabash, Washington, Wayne, White, and Williamson Counties.

~~For counties other than the Southern Region, the following applies:~~

~~Effective: September 1, 2002~~

~~Minimum Salary Maximum Salary~~

~~Boiler Safety Specialist 4524.00 5976.90~~

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE W RC-062 (Technical Employees, AFSCME)**

Title	Salary Grade	Code
Accountant	RC-062-14	00130
Accountant Advanced	RC-062-16	00133
Accounting and Fiscal Administration Career Trainee	RC-062-12	00140
Activity Therapist	RC-062-15	00157
Activity Therapist Coordinator	RC-062-17	00160
Actuarial Assistant	RC-062-16	00187
Actuarial Examiner	RC-062-16	00195
Actuarial Examiner Trainee	RC-062-13	00196
Actuarial Senior Examiner	RC-062-19	00197
Actuary I	RC-062-20	00201
Actuary II	RC-062-24	00202
Agricultural Market News Assistant	RC-062-12	00804
Agricultural Marketing Generalist	RC-062-14	00805
Agricultural Marketing Reporter	RC-062-18	00807
Agricultural Marketing Representative	RC-062-18	00810
Agriculture Land and Water Resource Specialist I	RC-062-14	00831
Agriculture Land and Water Resource Specialist II	RC-062-17	00832
Agriculture Land and Water Resource Specialist III	RC-062-20	00833
Aircraft Pilot I	RC-062-18	00955
Aircraft Pilot I (Eff. 07-01-01)	RC-062-19	00955
Aircraft Pilot II	RC-062-21	00956
Aircraft Pilot II (Eff. 07-01-01)	RC-062-22	00956
Appraisal Specialist I	RC-062-14	01251
Appraisal Specialist II	RC-062-16	01252
Appraisal Specialist III	RC-062-18	01253
Arts Council Associate	RC-062-12	01523
Arts Council Program Coordinator	RC-062-18	01526
Arts Council Program Representative	RC-062-15	01527
Bank Examiner I	RC-062-16	04131
Bank Examiner II	RC-062-19	04132
Bank Examiner III	RC-062-22	04133
Behavioral Analyst I	RC-062-17	04351
Behavioral Analyst II	RC-062-19	04352
Behavioral Analyst Associate	RC-062-15	04355

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Business Administrative Specialist	RC-062-16	05810
Buyer	RC-062-18	05900
Carnival and Amusement Safety Inspector	RC-062-16	06550
Carnival and Amusement Safety Inspector Trainee	RC-062-10	06555
Chemist I	RC-062-16	06941
Chemist II	RC-062-19	06942
Chemist III	RC-062-21	06943
Child Protective Associate Investigator	RC-062-15	07187
Child Protective Investigator	RC-062-17	07188
Child Protective Lead Investigator	RC-062-18	07189
Child Welfare Staff Development Coordinator I	RC-062-17	07201
Child Welfare Staff Development Coordinator II	RC-062-19	07202
Child Welfare Staff Development Coordinator III	RC-062-20	07203
Child Welfare Staff Development Coordinator IV	RC-062-22	07204
Child Welfare Specialist	RC-062-15	07211
Children and Family Service Intern – Option 1	RC-062-12	07241
Children and Family Service Intern – Option 2	RC-062-15	07242
Clinical Laboratory Technologist I	RC-062-18	08220
Clinical Laboratory Technologist II	RC-062-19	08221
Clinical Laboratory Technologist Trainee	RC-062-14	08229
Communications Systems Specialist	RC-062-23	08860
Community Management Specialist I	RC-062-15	08891
Community Management Specialist II	RC-062-17	08892
Community Management Specialist III	RC-062-19	08893
Community Planner I	RC-062-15	08901
Community Planner II	RC-062-17	08902
Community Planner III	RC-062-19	08903
Conservation Education Representative	RC-062-12	09300
Conservation Grant Administrator I	RC-062-18	09311
Conservation Grant Administrator II	RC-062-20	09312
Conservation Grant Administrator III	RC-062-22	09313
Construction Program Assistant	RC-062-12	09525
Correctional Counselor I	RC-062-15	09661
Correctional Counselor II	RC-062-17	09662
Correctional Counselor III	RC-062-19	09663
Corrections Academy Trainer	RC-062-17	09732
Corrections Apprehension Specialist	RC-062-19	09750
Corrections Industries Marketing Representative	RC-062-17	09803
Corrections Leisure Activities Specialist I	RC-062-14	09811
Corrections Leisure Activities Specialist I (Eff. 07-01-01)	RC-062-15	09811

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Corrections Leisure Activities Specialist II	RC-062-16	09812
Corrections Leisure Activities Specialist II (Eff. 07-01-01)	RC-062-17	09812
Corrections Leisure Activities Specialist III	RC-062-19	09813
Corrections Parole Agent	RC-062-17	09842
Corrections Senior Parole Agent	RC-062-19	09844
Criminal Intelligence Analyst I	RC-062-18	10161
Criminal Intelligence Analyst II	RC-062-20	10162
Criminal Intelligence Analyst Specialist	RC-062-22	10165
Criminal Justice Specialist I	RC-062-16	10231
Criminal Justice Specialist II	RC-062-20	10232
Curator of the Lincoln Collection	RC-062-16	10750
Day Care Licensing Representative I	RC-062-15	11471
Developmental Disabilities Council Program Planner I	RC-062-12	12361
Developmental Disabilities Council Program Planner II	RC-062-16	12362
Developmental Disabilities Council Program Planner III	RC-062-18	12363
Dietitian	RC-062-14	12510
Dietitian (Eff. 07-01-01)	RC-062-15	12510
Disability Appeals Officer	RC-062-21	12530
Disability Appeals Officer (Eff. 04-16-03)	RC-062-22	12530
Disability Claims Adjudicator I	RC-062-15	12537
Disability Claims Adjudicator II	RC-062-17	12538
Disability Claims Analyst	RC-062-20	12540
Disability Claims Specialist	RC-062-18	12558
Disaster Services Planner	RC-062-19	12585
Document Examiner	RC-062-22	12640
Educator – Provisional	RC-062-12	13105
Employment Security Manpower Representative I	RC-062-12	13621
Employment Security Manpower Representative II	RC-062-14	13622
Employment Security Program Representative	RC-062-14	13650
Employment Security Program Representative – Intermittent	RC-062-14H	13651
Employment Security Service Representative	RC-062-16	13667
Employment Security Specialist I	RC-062-14	13671
Employment Security Specialist II	RC-062-16	13672
Employment Security Specialist III	RC-062-19	13673
Employment Security Tax Auditor I	RC-062-17	13681
Employment Security Tax Auditor II	RC-062-19	13682
Energy and Natural Resources Specialist I	RC-062-15	13711
Energy and Natural Resources Specialist II	RC-062-17	13712
Energy and Natural Resources Specialist III	RC-062-19	13713

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Energy and Natural Resources Specialist Trainee	RC-062-12	13715
Environmental Health Specialist I	RC-062-14	13768
Environmental Health Specialist II	RC-062-16	13769
Environmental Health Specialist III	RC-062-18	13770
Environmental Protection Associate	RC-062-12	13785
Environmental Protection Specialist I	RC-062-14	13821
Environmental Protection Specialist II	RC-062-16	13822
Environmental Protection Specialist III	RC-062-18	13823
Environmental Protection Specialist IV	RC-062-22	13824
Financial Institution Examiner I	RC-062-16	14971
Financial Institution Examiner II	RC-062-19	14972
Financial Institution Examiner III	RC-062-22	14973
Financial Institution Examiner Trainee	RC-062-13	14978
Flight Safety Coordinator	RC-062-21	15640
Forensic Scientist I	RC-062-18	15891
Forensic Scientist II	RC-062-20	15892
Forensic Scientist III	RC-062-22	15893
Forensic Scientist Trainee	RC-062-15	15897
Guardianship Representative	RC-062-17	17710
Habilitation Program Coordinator	RC-062-17	17960
Handicapped Services Representative I	RC-062-11	17981
Health and Safety Officer I	RC-062-14	18001
Health and Safety Officer II	RC-062-16	18002
Health and Safety Officer Trainee	RC-062-10	18006
Health Facilities Surveyor I	RC-062-16	18011
Health Facilities Surveyor II	RC-062-19	18012
Health Facilities Surveyor III	RC-062-20	18013
Health Planning Specialist I	RC-062-19	18154
Health Planning Specialist II	RC-062-22	18155
Health Services Investigator I – Opt. A	RC-062-19	18181
Health Services Investigator I – Opt. B	RC-062-20	18182
Health Services Investigator II – Opt. A	RC-062-22	18185
Health Services Investigator II – Opt. B	RC-062-22	18186
Health Services Investigator II – Opt. C	RC-062-23	18187
Health Services Investigator II – Opt. D	RC-062-23	18188
Historical Documents Conservator I	RC-062-13	18981
Historical Research Editor II	RC-062-14	19002
Human Relations Representative	RC-062-16	19670
Human Services Caseworker	RC-062-16	19785
Human Services Grants Coordinator I	RC-062-14	19791

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Human Services Grants Coordinator II	RC-062-17	19792
Human Services Grants Coordinator III	RC-062-20	19793
Human Services Grants Coordinator Trainee	RC-062-12	19796
Human Services Sign Language Interpreter	RC-062-16	19810
Iconographer	RC-062-12	19880
Industrial Services Consultant I	RC-062-14	21121
Industrial Services Consultant II	RC-062-16	21122
Industrial Services Consultant Trainee	RC-062-11	21125
Industrial Services Hygienist	RC-062-19	21127
Industrial Services Hygienist Technician	RC-062-16	21130
Industrial Services Hygienist Trainee	RC-062-12	21133
Instrument Designer	RC-062-18	21500
Insurance Analyst III	RC-062-14	21563
Insurance Analyst IV	RC-062-16	21564
Insurance Company Field Staff Examiner	RC-062-16	21608
Insurance Company Financial Examiner Trainee	RC-062-13	21610
Insurance Performance Examiner	RC-062-14	21671
Intermittent Unemployment Insurance Representative	RC-062-12H	21689
Labor Conciliator	RC-062-20	22750
Laboratory Equipment Specialist	RC-062-18	22990
Laboratory Quality Specialist I	RC-062-19	23021
Laboratory Quality Specialist II	RC-062-21	23022
Laboratory Research Specialist I	RC-062-19	23027
Laboratory Research Specialist II	RC-062-21	23028
Land Acquisition Agent I	RC-062-15	23091
Land Acquisition Agent II	RC-062-18	23092
Land Acquisition Agent III	RC-062-21	23093
Land Reclamation Specialist I	RC-062-14	23131
Land Reclamation Specialist II	RC-062-17	23132
Liability Claims Adjuster I	RC-062-14	23371
Library Associate	RC-062-12	23430
Life Sciences Career Trainee	RC-062-12	23600
Liquor Control Special Agent II	RC-062-15	23752
Local Housing Advisor I	RC-062-14	24031
Local Housing Advisor II	RC-062-16	24032
Local Housing Advisor III	RC-062-18	24033
Local Revenue and Fiscal Advisor I	RC-062-15	24101
Local Revenue and Fiscal Advisor II	RC-062-17	24102
Local Revenue and Fiscal Advisor III	RC-062-19	24103
Lottery Sales Representative	RC-062-16	24515

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Management Operations Analyst I	RC-062-18	25541
Management Operations Analyst II	RC-062-20	25542
Manpower Planner I	RC-062-14	25591
Manpower Planner II	RC-062-17	25592
Manpower Planner III	RC-062-20	25593
Manpower Planner Trainee	RC-062-12	25597
Medical Assistance Consultant I	RC-062-13	26501
Medical Assistance Consultant II	RC-062-16	26502
Medical Assistance Consultant III	RC-062-19	26503
Mental Health Specialist I	RC-062-12	26924
Mental Health Specialist II	RC-062-14	26925
Mental Health Specialist III	RC-062-16	26926
Mental Health Specialist Trainee	RC-062-11	26928
Meteorologist	RC-062-18	27120
Methods and Procedures Advisor I	RC-062-14	27131
Methods and Procedures Advisor II	RC-062-16	27132
Methods and Procedures Career Associate I	RC-062-11	27135
Methods and Procedures Career Associate II	RC-062-12	27136
Methods and Procedures Career Associate Trainee	RC-062-09	27137
Metrologist Associate	RC-062-14	27146
Microbiologist I	RC-062-16	27151
Microbiologist II	RC-062-19	27152
Natural Resources Coordinator	RC-062-15	28831
Natural Resources Specialist	RC-062-18	28832
Natural Resources Advanced Specialist	RC-062-20	28833
Network Control Center Specialist	RC-062-21	28873
Network Control Center Technician I	RC-062-13	28875
Network Control Center Technician II	RC-062-16	28876
Network Control Center Technician Trainee	RC-062-10	28879
Paralegal Assistant	RC-062-14	30860
Police Training Specialist	RC-062-17	32990
<u>Program Integrity Auditor I</u>	<u>RC-062-16</u>	<u>34631</u>
<u>Program Integrity Auditor II</u>	<u>RC-062-19</u>	<u>34632</u>
<u>Program Integrity Auditor Trainee</u>	<u>RC-062-12</u>	<u>34635</u>
Property Consultant	RC-062-15	34900
Property Tax Analyst I	RC-062-12	34921
Property Tax Analyst II	RC-062-14	34922
Public Aid Appeals Advisor	RC-062-18	35750
Public Aid Family Support Specialist I	RC-062-17	35841
Public Aid Investigator	RC-062-19	35870

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Public Aid Investigator Trainee	RC-062-14	35874
Public Aid Lead Casework Specialist	RC-062-17	35880
Public Aid Program Quality Analyst	RC-062-19	35890
Public Aid Quality Control Reviewer	RC-062-17	35892
Public Aid Staff Development Specialist I	RC-062-15	36071
Public Aid Staff Development Specialist II	RC-062-17	36072
Public Health Educator Associate	RC-062-14	36434
Public Health Program Specialist I	RC-062-14	36611
Public Health Program Specialist II	RC-062-16	36612
Public Health Program Specialist Trainee	RC-062-12	36615
Public Information Officer I	RC-062-12	37001
Public Information Officer II	RC-062-14	37002
Railroad Safety Specialist I	RC-062-19	37601
Railroad Safety Specialist II	RC-062-21	37602
Railroad Safety Specialist III	RC-062-23	37603
Railroad Safety Specialist IV	RC-062-25	37604
Real Estate Investigator	RC-062-19	37730
Recreation Worker I	RC-062-12	38001
Recreation Worker II	RC-062-14	38002
Rehabilitation Counselor	RC-062-17	38145
Rehabilitation Counselor Senior	RC-062-19	38158
Rehabilitation Counselor Trainee	RC-062-15	38159
Rehabilitation Services Advisor I	RC-062-20	38176
Rehabilitation Workshop Supervisor I	RC-062-12	38194
Rehabilitation Workshop Supervisor II	RC-062-14	38195
Reimbursement Officer I	RC-062-14	38199
Reimbursement Officer II	RC-062-16	38200
Research Economist I	RC-062-18	38207
Research Scientist I	RC-062-13	38231
Research Scientist II	RC-062-16	38232
Research Scientist III	RC-062-20	38233
Resource Planner I	RC-062-17	38281
Resource Planner II	RC-062-19	38282
Resource Planner III	RC-062-22	38283
Revenue Auditor I	RC-062-16	38371
Revenue Auditor II	RC-062-19	38372
Revenue Auditor III	RC-062-21	38373
Revenue Auditor III (Eff. 07-01-01)	RC-062-22	38373
Revenue Auditor Trainee	RC-062-12	38375
Revenue Collection Officer I	RC-062-15	38401

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Revenue Collection Officer II	RC-062-17	38402
Revenue Collection Officer III	RC-062-19	38403
Revenue Collection Officer Trainee	RC-062-12	38405
Revenue Senior Special Agent	RC-062-23	38557
Revenue Special Agent	RC-062-19	38558
Revenue Special Agent Trainee	RC-062-14	38565
Revenue Tax Specialist I	RC-062-12	38571
Revenue Tax Specialist II	RC-062-14	38572
Revenue Tax Specialist III	RC-062-17	38573
Revenue Tax Specialist Trainee	RC-062-10	38575
Site Interpretive Coordinator	RC-062-13	41093
Site Services Specialist I	RC-062-15	41117
Site Services Specialist II	RC-062-17	41118
Site Assistant Superintendent I	RC-062-15	41071
Site Assistant Superintendent II	RC-062-17	41072
Social Service Consultant I	RC-062-18	41301
Social Service Consultant II	RC-062-19	41302
Social Service Program Planner I	RC-062-15	41311
Social Service Program Planner II	RC-062-17	41312
Social Service Program Planner III	RC-062-20	41313
Social Service Program Planner IV	RC-062-22	41314
Social Services Career Trainee	RC-062-12	41320
Social Worker I	RC-062-15	41411
Social Worker I (Eff. 07-01-01)	RC-062-16	41411
Staff Development Technician I	RC-062-12	41781
State Police Field Specialist I	RC-062-18	42001
State Police Field Specialist II	RC-062-20	42002
Statistical Research Specialist I	RC-062-12	42741
Statistical Research Specialist II	RC-062-14	42742
Statistical Research Specialist III	RC-062-17	42743
Storage Tank Safety Specialist	RC-062-18	43005
Substance Abuse Specialist I	RC-062-17	43251
Substance Abuse Specialist II	RC-062-19	43252
Substance Abuse Specialist III	RC-062-22	43253
Telecommunications Systems Analyst	RC-062-17	45308
Telecommunications Systems Technician I	RC-062-10	45312
Telecommunications Systems Technician II	RC-062-13	45313
Unemployment Insurance Adjudicator I	RC-062-11	47001
Unemployment Insurance Adjudicator II	RC-062-13	47002
Unemployment Insurance Adjudicator III	RC-062-15	47003

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Unemployment Insurance Revenue Analyst I	RC-062-15	47081
Unemployment Insurance Revenue Analyst II	RC-062-17	47082
Unemployment Insurance Revenue Specialist	RC-062-13	47087
Unemployment Insurance Special Agent I	RC-062-15	47091
Unemployment Insurance Special Agent II	RC-062-17	47092
Veterans Educational Specialist I	RC-062-15	47681
Veterans Educational Specialist II	RC-062-17	47682
Veterans Educational Specialist III	RC-062-21	47683
Veterans Employment Representative I	RC-062-14	47701
Veterans Employment Representative II	RC-062-16	47702
Vocational Assessment Specialist	RC-062-18	48160
Volunteer Services Coordinator I	RC-062-13	48481
Volunteer Services Coordinator II	RC-062-16	48482
Wage Claims Specialist	RC-062-09	48770
Weatherization Specialist I	RC-062-14	49101
Weatherization Specialist II	RC-062-17	49102
Weatherization Specialist III	RC-062-20	49103
Weatherization Specialist Trainee	RC-062-12	49105

Effective July 1, 2003

S T E P S

	1c	1b	1a	1	2	3	4	5	6	7	8	Eff. 1/1/04 8
RC-062-09	2161	2214	2268	2324	2396	2474	2549	2630	2709	2836	2893	2921
RC-062-09a	2214	2268	2324	2382	2456	2536	2614	2700	2781	2913	2971	3000
RC-062-09m	2265	2320	2376	2433	2507	2588	2668	2753	2835	2968	3027	3057
RC-062-10	2229	2284	2341	2399	2486	2561	2645	2728	2814	2957	3016	3046
RC-062-10a	2284	2341	2399	2459	2549	2627	2714	2801	2889	3041	3102	3132
RC-062-10m	2335	2392	2451	2510	2600	2680	2768	2854	2945	3099	3161	3192
RC-062-11	2310	2367	2426	2487	2573	2656	2751	2842	2930	3085	3147	3178
RC-062-11a	2367	2426	2487	2550	2640	2727	2824	2919	3012	3174	3237	3269
RC-062-11m	2419	2478	2538	2601	2694	2780	2878	2974	3070	3231	3296	3328
RC-062-12	2400	2460	2522	2586	2681	2771	2874	2968	3077	3243	3308	3340
RC-062-12a	2460	2522	2586	2654	2752	2844	2954	3053	3166	3337	3404	3437
RC-062-12m	2512	2573	2638	2707	2806	2898	3010	3111	3224	3397	3465	3499

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-062-12H	14.77	15.14	15.52	15.91	16.50	17.05	17.69	18.26	18.94	19.96	20.36	20.55
RC-062-12Ha	15.14	15.52	15.91	16.33	16.94	17.50	18.18	18.79	19.48	20.54	20.95	21.15
RC-062-12Hm	15.46	15.83	16.23	16.66	17.27	17.83	18.52	19.14	19.84	20.90	21.32	21.53
RC-062-13	2487	2550	2616	2684	2783	2889	2998	3108	3223	3403	3471	3505
RC-062-13a	2550	2616	2684	2755	2857	2969	3085	3197	3316	3505	3575	3610
RC-062-13m	2601	2669	2738	2809	2912	3026	3143	3255	3376	3565	3636	3672
RC-062-14	2588	2656	2727	2800	2907	3020	3152	3267	3391	3588	3660	3696
RC-062-14a	2656	2727	2800	2875	2988	3108	3243	3364	3493	3696	3770	3807
RC-062-14m	2709	2780	2853	2930	3045	3165	3301	3423	3552	3755	3830	3868
RC-062-14H	15.93	16.34	16.78	17.23	17.89	18.58	19.40	20.10	20.87	22.08	22.52	22.74
RC-062-14Ha	16.34	16.78	17.23	17.69	18.39	19.13	19.96	20.70	21.50	22.74	23.20	23.43
RC-062-14Hm	16.67	17.11	17.56	18.03	18.74	19.48	20.31	21.06	21.86	23.11	23.57	23.80
RC-062-15	2688	2760	2834	2911	3038	3164	3288	3423	3550	3763	3838	3876
RC-062-15a	2760	2834	2911	2992	3125	3255	3386	3527	3656	3875	3953	3991
RC-062-15m	2813	2887	2966	3049	3183	3312	3447	3585	3715	3935	4014	4053
RC-062-16	2808	2883	2963	3047	3184	3324	3463	3607	3751	3973	4052	4092
RC-062-16a	2883	2963	3047	3136	3276	3424	3568	3714	3864	4092	4174	4215
RC-062-16m	2939	3020	3105	3193	3335	3484	3628	3774	3924	4151	4234	4276
RC-062-17	2932	3015	3102	3192	3340	3494	3642	3789	3943	4178	4262	4303
RC-062-17a	3015	3102	3192	3284	3440	3599	3750	3903	4061	4304	4390	4433
RC-062-17m	3072	3160	3250	3343	3501	3660	3811	3963	4120	4364	4451	4495
RC-062-18	3082	3171	3262	3359	3522	3686	3853	4011	4172	4421	4509	4554
RC-062-18a	3171	3262	3359	3460	3630	3797	3970	4133	4297	4553	4644	4690
RC-062-18m	3228	3320	3420	3518	3689	3857	4029	4192	4358	4612	4704	4750
RC-062-19	3244	3338	3437	3541	3722	3897	4079	4249	4427	4695	4789	4836
RC-062-19a	3338	3437	3541	3647	3833	4012	4202	4377	4561	4836	4933	4981
RC-062-19m	3398	3499	3602	3707	3894	4073	4261	4438	4621	4895	4993	5042
RC-062-20	3425	3529	3634	3742	3931	4114	4309	4496	4681	4967	5066	5116
RC-062-20a	3529	3634	3742	3854	4049	4238	4439	4630	4822	5117	5219	5271
RC-062-20m	3587	3694	3802	3914	4108	4297	4498	4690	4882	5175	5279	5330

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

RC-062-21	3616	3725	3837	3950	4153	4354	4558	4766	4964	5273	5378	5431
RC-062-21a	3725	3837	3950	4068	4279	4484	4695	4908	5113	5432	5541	5595
RC-062-21m	3785	3897	4010	4130	4338	4544	4755	4968	5172	5491	5601	5656
RC-062-22	3822	3937	4056	4177	4394	4609	4827	5050	5261	5587	5699	5755
RC-062-22a	3937	4056	4177	4302	4526	4748	4971	5201	5419	5755	5870	5928
RC-062-22m	3997	4114	4237	4363	4584	4808	5029	5260	5480	5815	5931	5989
RC-062-23	4056	4177	4302	4430	4665	4904	5137	5374	5608	5959	6078	6138
RC-062-23a	4177	4302	4430	4565	4806	5052	5290	5534	5775	6137	6260	6321
RC-062-23m	4237	4363	4491	4624	4865	5111	5350	5594	5835	6197	6321	6383
RC-062-24	4315	4444	4577	4715	4966	5225	5476	5729	5988	6363	6490	6554
RC-062-24a	4444	4577	4715	4858	5116	5381	5641	5901	6167	6555	6686	6752
RC-062-24m	4504	4637	4775	4918	5174	5440	5700	5961	6228	6614	6746	6812
RC-062-25	4599	4737	4879	5025	5301	5580	5858	6137	6416	6828	6965	7033
RC-062-25a	4737	4879	5025	5175	5460	5746	6034	6322	6608	7032	7173	7243
RC-062-25m	4798	4938	5086	5235	5520	5805	6093	6381	6667	7092	7234	7305

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Telecommunications Access for Persons with Disabilities
- 2) Code Citation: 83 Ill. Adm. Code 755
- 3) Section Number: 755.210 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Section 13-703 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/13-703 and 10-101].
- 5) Effective date of amendment: July 1, 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 material incorporated by reference, is on file in the Commission's Springfield office and is available for public inspection.
- 9) Notice of Proposal published in Illinois Register: 1/30/04; 28 Ill. Reg. 1548
- 10) Has JCAR issued a Statement of Objection to this amendment? 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 agreement letter issued by JCAR? None required
- 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 amendment: This rulemaking corrects an omission the in amendments that were adopted with an effective date of January 1, 2004 at 28 Ill. Reg. 860.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Conrad S. Rubinkowski
Office of General Counsel

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

Illinois Commerce Commission
527 East Capitol Avenue
Springfield IL 62701
217/785-3922

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIESPART 755
TELECOMMUNICATIONS ACCESS FOR PERSONS WITH DISABILITIES

SUBPART A: GENERAL PROVISIONS

Section	
755.10	Definitions
755.11	Waiver
755.15	Dispute Procedures
755.20	Notice (Repealed)
755.25	Deviations (Repealed)

SUBPART B: TELECOMMUNICATIONS CARRIER OBLIGATIONS

Section	
755.100	Components of ITAP Services
755.105	Execution and Administration of ITAP
755.110	Publicity Concerning ITAP
755.115	Application Procedure and Processing
755.120	Equipment
755.125	Equipment Set Specifications – Telebraille (Repealed)
755.126	Equipment Set Specifications – Text Telephone with LVD (Repealed)
755.130	Bids
755.135	ITAP Filing Requirements
755.145	Renewal of Agreements (Repealed)

SUBPART C: ELIGIBILITY AND PARTICIPATION

Section	
755.200	Disability Certification
755.205	Eligibility and Application for Equipment for Residents
755.210	Eligibility and Application for Equipment for Organizations
755.220	Time Period for Possession
755.225	Shared Residence
755.230	Change of Recipient Information

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

SUBPART D: POSSESSION AND MAINTENANCE

Section

755.300	Equipment Ownership and Liability
755.305	Recipient Responsibility
755.310	Responsibility for Maintenance

SUBPART E: OVERSIGHT AND REVIEW

Section

755.400	Staff Liaison
755.405	Advisory Council
755.410	Advisory Council Rights
755.415	Biannual Workshop

SUBPART F: LINE CHARGE ADJUSTMENT MECHANISM

Section

755.500	Annual Filings
755.505	Carrier Reports and Remittances to ITAC
755.510	Determination and Adjustment of the Line Charge
755.515	Notice and Filing Requirements
755.520	Interim Line Charge Adjustments
755.525	Waiver of Requirements of Section 755.500
755.EXHIBIT A	Calculation of Monthly Line Charge (Schedule A-1)
755.EXHIBIT B	Comparison of Present and Proposed Line Charges (Schedule A-2)
755.EXHIBIT C	Projection Period Statement of Revenues and Expenses at Present Line Charge, As Adjusted (Schedule A-3)
755.EXHIBIT D	Prior Calendar Year Actual Revenues Over/(Under) Expenses (Schedule A-4)
755.EXHIBIT E	Schedule of Adjustment to Projected Cash Balance (Schedule A-5)
755.EXHIBIT F	Supporting Schedule of Planned Capital Expenditures During Projection Period (Schedule A-6)
755.EXHIBIT G	Schedule of Projected Increase to Cash Under Proposed Line Charge Before Cash Adjustment (Schedule A-7)
755.EXHIBIT H	Call Volumes and Subscriber Lines (Schedule A-8)
755.EXHIBIT I	Depreciation Schedule (Schedule A-9)
755.EXHIBIT J	Projected Payroll Expenses, As Adjusted (Other than TRS Payroll Expenses) (Schedule A-10) (Repealed)

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

755.EXHIBIT K	Projected Line Charge Filing Expenses (Schedule A-11) (Repealed)
755.EXHIBIT L	Comparative Actual and Projected Balance Sheets, At Proposed Line Charge, As Adjusted (Schedule A-12)
755.EXHIBIT M	Comparative Actual and Projected Statements of Revenues and Expenses at Proposed Line Charge, As Adjusted (Schedule A-13) (Repealed)
755.EXHIBIT N	Local Exchange Carrier Monthly Report to ITAC (Repealed)

AUTHORITY: Implementing Section 13-703 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/13-703 and 10-101].

SOURCE: Adopted at 12 Ill. Reg. 3687, effective February 1, 1988; amended at 14 Ill. Reg. 3042, effective February 15, 1990; emergency amendments at 14 Ill. Reg. 19375, effective November 25, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 5624, effective April 15, 1991; amended at 17 Ill. Reg. 5594, effective March 31, 1993; amended at 19 Ill. Reg. 17105, effective January 1, 1996; expedited correction at 20 Ill. Reg. 11490, effective January 1, 1996; amended at 28 Ill. Reg. 860, effective January 1, 2004; amended at 28 Ill. Reg. _____, effective _____.

SUBPART C: ELIGIBILITY AND PARTICIPATION

Section 755.210 Eligibility and Application for Equipment for Organizations

- a) Organizations having more than one office receiving basic telephone service shall designate one office to receive the equipment.
- b) Recipient status shall be granted to the organization. The president, executive director, or other official of the organization shall sign the appropriate application forms on behalf of the organization.
- c) The organization shall assume all responsibilities and liabilities for the equipment prescribed for recipients by this Part.
- d) The organization shall file a verified Application or Petition for Eligibility with the Commission containing the following:
 - 1) Address and telephone number of the organization's headquarters and the office to which the equipment will be assigned;
 - 2) Statement explaining how the organization meets the definition of "organization" contained in Section 755.10;

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 3) Statement of the equipment applied for and a demonstration that the organization's primary purpose is serving those persons with disabilities who require that kind of equipment;
 - 4) Full names, addresses, and telephone numbers of officers who can act for the organization;
 - 5) Articles of incorporation, by-laws, charter, or any other documenting evidence supporting the statement required by subsection (d)(2);
 - 6) Most recent annual report (if applicable).
- e) The organization's eligibility will be determined by the Commission upon the filing of a complete verified Application or Petition. A determination of eligibility shall be based on a finding by the Commission that the organization meets the definition of "organization" contained in Section 755.10 and that its primary purpose is to serve the needs of those persons with disabilities who require the equipment for which the organization has applied.
- f) The verified Application or Petition for Eligibility and all subsequent documents filed and orders issued in a proceeding under this Section shall be served on ITAC pursuant to 83 Ill. Adm. Code 200.150.

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

DEPARTMENT OF REVENUE

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- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.2190 Adopted Action:
New Section
- 4) Statutory Authority: 35 ILCS 5/214
- 5) Effective date of amendment: June 11, 2004
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A statement that 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) Notices of Proposal published in Illinois Register: 28 Ill. Reg. 3739; February 27, 2004
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes 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 amendment replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>IL Register Citation</u>
100.9030	New Section	28 Ill. Reg. 4091, 03/05/04
100.9040	New Section	28 Ill. Reg. 4091, 03/05/04
100.9050	New Section	28 Ill. Reg. 4091, 03/05/04
100.9060	New Section	28 Ill. Reg. 4091, 03/05/04
100.9700	Amendment	28 Ill. Reg. 4509, 03/12/04

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- 15) Summary and purpose of amendment: This rulemaking provides guidance for taxpayers entitled to the credit allowed in IITA Section 214 for affordable housing donations.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Paul Caselton
Deputy General Counsel – Income Tax
Legal Services Office
Illinois Department of Revenue
101 West Jefferson
Springfield, Illinois 62794
217/782-7055

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

DEPARTMENT OF REVENUE

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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)
<u>100.2190</u>	<u>Tax Credit for Affordable Housing Donations (IITA Section 214)</u>
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

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- 202) – Scope
- 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

Section	
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

SUBPART G: BASE INCOME OF TRUSTS AND ESTATES

Section	
100.2680	Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity (Repealed)

SUBPART I: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF
BASE INCOME

Section	
100.3000	Terms Used in Article 3 (IITA Section 301)
100.3010	Business and Nonbusiness Income (IITA Section 301)
100.3020	Resident (IITA Section 301)

SUBPART J: COMPENSATION

Section	
100.3100	Compensation (IITA Section 302)
100.3110	State (IITA Section 302)
100.3120	Allocation of Compensation Paid to Nonresidents (IITA Section 302)

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SUBPART K: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

- 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)

SUBPART L: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

- 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)
- 100.3370 Sales Factor (IITA Section 304)
- 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

SUBPART M: ACCOUNTING

Section

- 100.4500 Carryovers of Tax Attributes (IITA Section 405)

SUBPART N: TIME AND PLACE FOR FILING RETURNS

Section

- 100.5000 Time for Filing Returns: Individuals (IITA Section 505)
- 100.5010 Place for Filing Returns: All Taxpayers (IITA Section 505)
- 100.5020 Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)

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- 100.5030 Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years (IITA Section 506)
- 100.5040 Innocent Spouses
- 100.5050 Frivolous Returns

SUBPART O: COMPOSITE RETURNS

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"

SUBPART P: COMBINED RETURNS

Section

- 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
- 100.5270 Computation of Combined Net Income and Tax
- 100.5280 Combined Return Issues Related to Audits

SUBPART Q: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section

- 100.7000 Requirement of Withholding (IITA Section 701)
- 100.7010 Compensation Paid in this State (IITA Section 701)

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100.7020	Transacting Business Within this State (IITA Section 701)
100.7030	Payments to Residents (IITA Section 701)
100.7040	Employer Registration (IITA Section 701)
100.7050	Computation of Amount Withheld (IITA Section 702)
100.7060	Additional Withholding (IITA Section 701)
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

SUBPART R: AMOUNT EXEMPT FROM WITHHOLDING

Section	
100.7100	Withholding Exemption (IITA Section 702)
100.7110	Withholding Exemption Certificate (IITA Section 702)
100.7120	Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

SUBPART S: INFORMATION STATEMENT

Section	
100.7200	Reports for Employee (IITA Section 703)

SUBPART T: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section	
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)

SUBPART U: COLLECTION AUTHORITY

Section	
100.9000	General Income Tax Procedures (IITA Section 901)
100.9010	Collection Authority (IITA Section 901)
100.9020	Child Support Collection (IITA Section 901)

SUBPART V: NOTICE AND DEMAND

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100.9100 Notice and Demand (IITA Section 902)

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100.9200 Assessment (IITA Section 903)
100.9210 Waiver of Restrictions on Assessment (IITA Section 907)

SUBPART X: DEFICIENCIES AND OVERPAYMENTS

Section
100.9300 Deficiencies and Overpayments (IITA Section 904)
100.9310 Application of Tax Payments Within Unitary Business Groups (IITA Section 603)
100.9320 Limitations on Notices of Deficiency (IITA Section 905)
100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

SUBPART Y: CREDITS AND REFUNDS

Section
100.9400 Credits and Refunds (IITA Section 909)
100.9410 Limitations on Claims for Refund (IITA Section 911)
100.9420 Recovery of Erroneous Refund (IITA Section 912)

SUBPART Z: INVESTIGATIONS AND HEARINGS

Section
100.9500 Access to Books and Records (IITA Section 913)
100.9505 Access to Books and Records – 60-Day Letters (IITA Section 913) (Repealed)
100.9510 Taxpayer Representation and Practice Requirements
100.9520 Conduct of Investigations and Hearings (IITA Section 914)
100.9530 Books and Records

SUBPART AA: JUDICIAL REVIEW

Section
100.9600 Administrative Review Law (IITA Section 1201)

SUBPART BB: DEFINITIONS

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Section

- 100.9700 Unitary Business Group Defined (IITA Section 1501)
100.9710 Financial Organizations (IITA Section 1501)
100.9720 Nexus
100.9750 Corporation, Subchapter S Corporation, Partnership and Trust Defined (IITA 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

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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; 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. 5694, effective March 17, 2004; amended at 28 Ill. Reg. 7125, effective April 29, 2004; amended at 28 Ill. Reg. _____, effective _____.

SUBPART B: CREDITS

Section 100.2190 Tax Credit for Affordable Housing Donations (IITA Section 214)

- a) For tax years ending on or after December 31, 2001 and on or before December 31, 2006, a taxpayer who makes a donation under Section 7.28 of the Illinois Housing Development Act [20 ILCS 3805/7.28] is entitled to a credit under IITA Section 214.

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b) The credit shall be equal to 50% of the value of the donation, but in no event shall exceed the amount reserved by the administrative housing agency for that project pursuant to Section 7.28 of the Illinois Housing Development Act and 47 Ill. Adm. Code 355.209.

c) Year in which credit is taken. At the election of the taxpayer, the credit shall be taken:

- 1) in the tax year in which the donation is made; provided that such election may not be made for any tax year ending after December 31, 2006;
- 2) in the tax year in which the reservation letter is issued by the administrative housing agency under 47 Ill. Adm. Code 355.209, provided that the credit may not be claimed until the donation is made and, if the donation is not made before the taxpayer files its Illinois income tax return for the tax year in which the effective date occurs, the credit may not be claimed on the original return, but rather must be claimed on an amended return or claim for refund after the donation is made; or
- 3) in the tax year in which the credit is transferred to the taxpayer; provided that, if the taxpayer elects under this subsection (c)(3) to take the credit in any tax year after the tax year in which the donation was made, the 5-year carryforward period allowed to the taxpayer in subsection (d) shall be reduced by the number of tax years of the taxpayer that ended on or after the date of the donation and on or before the date of the transfer to the taxpayer.

The election shall be made in the manner directed by the Department and, once made, shall be irrevocable.

Example: The administrative housing agency issues a reservation letter for a qualifying project in December 2003. A calendar-year donor makes a qualifying donation in January 2004. Under this subsection (c), the donor may elect to take the credit in 2003 or 2004. If, in 2008, the donor transfers any unused credit to a calendar-year taxpayer, the taxpayer may also elect to claim the transferred amount as a credit in 2003 or 2004. However, because the statute of limitations might prevent the taxpayer from deriving any benefit from claiming the credit in 2003 or 2004, subsection (c)(3) allows the taxpayer to claim the credit in 2008, the year

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of the transfer. If the taxpayer elects to claim the credit in 2008, it may carry forward any credit in excess of its liability only until 2009, 5 years after the year of the donation.

- d) If the amount of the credit exceeds the tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The tax credit shall be applied to the earliest year for which there is a tax liability. If there are credits for more than one year that are available to offset a liability, the earlier credit shall be applied first. (IITA Section 214(b))
- e) Transfer of credit.
- 1) Under IITA Section 214(c), the credit allowed under this Section may be transferred:
- A) to the purchaser of land that has been designated solely for affordable housing projects in accordance with the Illinois Housing Development Act; or
- B) to another donor who has also made a donation in accordance with Section 7.28 of the Illinois Housing Development Act.
- 2) Persons or entities not subject to the tax imposed by IITA Section 201(a) and (b) and who make a donation under Section 7.28 of the Illinois Housing Development Act are entitled to a credit as described in this Section and may transfer that credit as provided in this subsection (e). (IITA Section 214(a))
- 3) Transfer of the credit shall be made pursuant to 47 Ill. Adm. Code 355.309.
- 4) Transfer may be made of all or of any portion of the credit allowable to the transferor. However, any portion of a credit that has already been used to reduce the tax of a transferor may not be transferred.
- f) In the case of a credit earned by or transferred to a partnership or Subchapter S corporation, the credit passes through to the owners for use against their regular income tax liabilities in the same proportion as other items of the taxpayer are passed through to its owners for federal income tax purposes. (See IITA Section

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214(a.) The partners and shareholders shall be treated for all purposes as if their shares of the credit had been earned by or transferred to them directly, except that the election under subsection (c) of the tax year in which to take the credit shall be made by the partnership or Subchapter S corporation. Any credit passed through to a partner or shareholder under this subsection (f) may be used in the taxable year of the partner or shareholder in which ends the taxable year of the pass-through entity in which the entity would be allowed to claim the credit under subsection (c). In the case where the pass-through entity is the donor, the credit may be carried forward to the five succeeding taxable years of the partner or shareholder in the manner provided in subsection (d) until used. In the case where the pass-through entity is a transferee, the partner or shareholder shall be entitled to use the credit in the same number of taxable years as the pass-through entity would have been allowed to use the credit under subsection (c)(3).

- g) Documentation of the credit. A taxpayer claiming the credit provided by this Section must maintain and record any information that the Department may require by regulation regarding the affordable housing project for which the credit is claimed. (IITA Section 214(d)) When claiming the credit provided by this Section, the taxpayer must provide the following information regarding the taxpayer's donation to the development of affordable housing under the Illinois Housing Development Act.
- 1) For the taxable year for which the credit is allowed under subsection (c), a donor (or a partner or Subchapter S corporation shareholder of the donor) claiming the credit shall attach to its Illinois income tax return a copy of the reservation letter issued by the administrative housing agency stating the amount of credit allocated to the affordable housing project under 47 Ill. Adm. Code 355.209.
 - 2) For the taxable year in which a credit is transferred, the transferee (or a partner or Subchapter S corporation shareholder of the transferee) shall attach to its Illinois income tax return a copy of the certificate showing the names of the original donor and of the transferee, as provided in 47 Ill. Adm. Code 355.309.
- h) For purposes of this credit, the terms "administrative housing agency", "affordable housing project" and "certificate" shall have the meanings given to those terms in Section 7.28 of the Illinois Housing Development Act and 47 Ill. Adm. Code 355.

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

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- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Number: 1030.60 Adopted Action: Amendment
- 4) Statutory Authority: 625 ILCS 5/2 – 104(b) and FMCS 383.75
- 5) Effective date of amendment: June 14, 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, is on file in the agency's principal office and is available for public inspection.
- 9) Notices of Proposed published in the Illinois Register: October 31, 2003; 27 Ill. Reg. 16410
- 10) Has JCAR issued a Statement of Objection to this amendment? 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 agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No. The companion emergency rulemaking expired 5/29/04.
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1030.81	Amendment	28 Ill. Reg. 384
1030.82	New Section	28 Ill. Reg. 384
- 15) Summary and purpose of amendment: The rulemaking restricts Third-party Certification entities from accepting any form of payment from employees that they test and certify to

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prevent such entities from circumventing the driving school statutes and accepting payment for testing.

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

Tom Wekony
Secretary of State
Commercial Driver Training Schools
650 Ropollo Lane
Elk Grove Village, IL 60007
847/437-3953

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

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1030
ISSUANCE OF LICENSES

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AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159,

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Section 1030.60 Third-Party Certification Program

- a) The Secretary of State shall adopt the following definitions for the terms listed as follows:

"Branch Facility" – a separate instructional facility operated and directly supervised by a third-party certifying entity at a location different from the principal location of the third-party certifying entity.

"Business Day" – any day on which the Office of the Secretary of State is open; Monday through Saturday, excluding State holidays.

"CDL Skills Test" – test given to an applicant who is attempting to obtain a Commercial Driver's License (CDL).

"Commercial Driver's License (CDL)" – *a driver's license issued by a state to a person, which authorizes that person to drive a certain class of commercial motor vehicle or vehicles. [625 ILCS 5/6-500(3)]*

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"Department" – Department of Driver Services within the Office of the Secretary of State.

"Driver Applicant" – an individual employed by ~~a member of or otherwise a candidate for employment or by membership, with~~ a third-party certifying entity, who participates in the third-party certification program.

"Fraud" – includes anything calculated to deceive, whether it be a single act or combination of circumstances, whether the suppression of truth or the suggestion of what is false, whether it be by direct falsehood or by innuendo, by speech or by silence.

"Motor Vehicle" – any properly registered vehicle meeting the description of the vehicle group of the class the driver applicant operates, or expects to operate.

"Non-CDL Skills Test" – any drive test given to an applicant who is attempting to obtain a driver's license except for a D classification, a CDL or a CDL endorsement.

"Passenger Endorsement" – an indication on the driver's license that the driver has qualified to operate a vehicle designed to transport 16 or more persons, including the driver.

"Restriction" – requirement or condition added to a driver's license which must first be met by the license holder before he/she may legally operate a motor vehicle.

"Safety Officer" – any individual employed by a third-party certifying entity who is licensed for the purpose of conducting the skills test to determine for certification purposes that a driver applicant has been tested and meets the same qualifications required by the Secretary of State.

"Secretary of State" – Illinois Secretary of State.

"Third-Party Certification License" – a license issued by the Secretary of State to conduct a qualified third-party certification program, pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-508].

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"Third-Party Certification Program" – a program designed by the Secretary of State allowing third-party entities to provide to employees or by membership in a qualified training program of classroom and/or behind-the-wheel testing for the purpose of certifying to the Secretary of State that a driver applicant is qualified to operate a motor vehicle without the Secretary of State having to administer a road test pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-508].

"Third-Party Certifying Entity" – any third-party entity licensed by the Secretary of State to engage in a third-party certification program.

"Training Vehicle" – a motor vehicle registered and insured by a licensed Commercial Driver Training School in accordance with Section 6-410 of the Illinois Vehicle Code [625 ILCS 5/6-410] and 92 Ill. Adm. Code 1060.110(d)(7) and used for the sole purpose of training and testing.

- b) The Secretary of State shall not require an actual demonstration of the ability of the driver applicant to operate and exercise ordinary and reasonable control of a motor vehicle for purposes of third-party certification programs, if the third-party certifying entity complies with the following requirements:
- 1) License Required – No person, firm, association, partnership or corporation shall operate a third-party certification program, unless a license has been issued by the Secretary of State.
 - 2) Certify Only Employees or Members – A third-party certifying entity shall certify only those driver applicants who are employed and on the payroll of the entity, ~~or are members~~ at the time of certification. Third-party entities that are unions or fire departments shall certify only those driver applicants who are members at the time of certification.
 - 3) A third-party certification entity shall not enter into any agreement with employees/members they certify that provides for compensation, reimbursement or any form of consideration, including but not limited to monies, credits, services, or payroll withholding, payable to the third-party entity, in exchange for training and/or testing from the employee/member that is certified.

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4) A third-party certification entity shall not accept compensation, reimbursement or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from any employee/member that is certified.

c) Issuance and Renewal of Licenses

- 1) When an application is submitted for an original third-party certification license, or safety officer license, the applicant or applicants shall not conduct any business as a third-party certifying entity or safety officer until a license is issued by the Secretary of State pursuant to the requirements contained in subsections (d) and (i) of this Section.
- 2) When an application is made for the renewal of an existing third-party certification license or a safety officer license, the applicant shall have the authority to continue to conduct business as a third-party certifying entity or a safety officer until the renewal application is granted or denied by the Department, provided the application has been filed in a timely manner as provided in subsection (f)(4) of this Section. The application for the license shall be made in the same manner as an application for an original third-party certification license or safety officer license.
- 3) Licenses may not be assigned. No individual, partnership, association, or corporation may sell, assign, barter or trade a third-party certification license or safety officer license issued by the Secretary of State.
- 4) The Secretary may allow entities, otherwise ineligible to be licensed as a third-party certifying entity, to conduct a third-party certification program on a trial basis, not to exceed 1 year. At the close of the trial period, the Secretary will determine whether the entities participating in the pilot program shall be granted third-party certification entity status under this Section.

d) Requirements – Third-Party Certification Entities

- 1) The entity shall have at least 1 employee who is licensed or qualified to be licensed as a safety officer for the third-party certification program.
- 2) The entity shall have a regularly established place of business in the State of Illinois and operate or have access to appropriate vehicles, with the

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exception of employers having a regular place of business in a contiguous state, e.g., Indiana, Missouri, Wisconsin, Iowa and Kentucky. Any entity having its headquarters in a border state and wishing to participate in the third-party certification program, shall have an appointed agent, for purposes of this program, who is licensed as a safety officer and holds a valid Illinois driver's license or a CDL issued by a contiguous state.

- 3) The entity shall submit to the Department a copy of any subcontract of services described in this Part.
- 4) The entity shall have a prescribed physical driving course for each location and be required to meet a driving skills test with the same minimum standards as the course used for examination by the Secretary of State (92 Ill. Adm. Code 1030.85).
- 5) The entity shall have access to a properly registered motor vehicle which meets the definition of the vehicle group of the classification that the driver applicant operates or expects to operate.
- 6) The entity shall provide the driver applicant, who takes and passes the skills tests, with documented proof (Secretary of State's driver test form) of the same, which shall evidence to the Department that the individual has successfully passed the skills tests administered by the third-party certifying entity.
- 7) The entity shall collectively submit completed application forms to the Department for each main office, branch office and safety officer.
- 8) The entity shall have and use a business telephone listing for all business purposes.
- 9) If a licensed safety officer is temporarily suspended, laid-off or discharged by a third-party certifying entity, the entity shall immediately notify the Secretary of State, on forms furnished by the Secretary of State, of the name, address and license number of the safety officer, such officer's termination date and reason for termination. In all cases where a safety officer has ceased working for the third-party certifying entity, the safety officer must surrender his/her license to the Secretary of State.
- 10) Facility

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- A) The established place of business of each third-party certifying entity must consist of at least the following permanent facilities:
 - i) an office facility;
 - ii) appropriate space (an area at least 15 feet wide by 100 feet long) to conduct all basic control skills tests (92 Ill. Adm. Code 1030.85).
 - B) A third-party certifying entity which has an established place of business may operate a branch facility provided the branch facility meets all requirements of the main facility pursuant to subsections (d)(10)(A) and (d)(10)(D) of this Section.
 - C) Upon receipt by the Secretary of State of a written request to open a branch facility, an authorized representative of the Secretary of State shall inspect the branch facility and, if it complies with the provisions of this Section, shall issue the appropriate license which must be displayed in a visibly prominent place in the branch facility.
 - D) Location must comply with public health and safety standards contained in the Public Building Egress Act [415 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].
- 11) Records – All third-party certifying entities licensed by the Secretary of State must maintain a record showing the name and address of each driver certified by the entity, the instruction permit or driver's license number of every driver certified, and the results of the final skills test, including endorsements, given to each driver applicant, the name of the safety officer who administered the skills test and the license plate number of the vehicle used to conduct the test.
- A) All records must be maintained for a period of 4 years.
 - B) Proof of eligibility for certification and final skills tests results for each driver applicant must be kept at the location where the road test was given.

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- C) Maintain proof of training course completion for each individual CDL certified who does not hold a valid CDL at the time of testing on the form provided by the Secretary of State, or an equivalent form approved by the Secretary of State.

12) Auditing – CDL Driving Skills Test

- A) All third-party certifying entities must allow the Secretary of State and Federal Highway Administration or its representatives to conduct random examinations, inspections and audits without prior notice pursuant to 49 CFR 385.85, including audits of employment records of individuals certified by the third-party certification entity and any and all agreements or contracts governing the employer/employee relationship as it pertains to training or testing.
- B) All third-party certifying entities must allow the Secretary of State to conduct on-site inspections at least annually.
- C) The Secretary of State or his designee shall annually re-examine a sample percentage of the certified driver applicants to compare pass/fail results and determine the percentage of certified driver applicants employed by the third-party certifying entity.
- i) If the results of the random examination reflect a failure rate greater than the current Secretary of State's acceptable failure rate of 20 percent, the third-party entity will be notified in writing of the need to retrain the failed applicants.
- ii) The retraining must be completed within 30 days, at which time the trainee must be referred to the Secretary of State to be skills tested.
- iii) The Commercial Driver Training School section will determine the location and time of the Secretary of State retests.
- D) The Secretary of State may re-examine any individual who was tested and certified by a third-party certification entity.

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- 13) Display of Licenses – Each third-party certifying entity shall display in a prominent place at the established place of business the following:
 - A) The State license issued to the third-party certifying entity; and
 - B) Safety officer licenses of all safety officers employed by the third-party certifying entity.
 - 14) Provide a minimum 2 week training course to each individual who is CDL certified pursuant to the recommendations of the Highway Safety 2000 Advisory Task Force and who does not hold a valid CDL at the time of testing that meets the requirements of 49 CFR 383.110-121 (1995) (49 USC 3102; 49 USC App. 12701; 49 CFR 1.49).
 - 15) The third-party certification entity must provide the Secretary of State with the names of all individuals that were tested and certified from a non-CDL classification to a CDL classification by the entity whose employment/membership has been terminated up to 6 months after the date of certification.
 - A) The Secretary of State will cite these individuals to be retested in a representative vehicle in order for the individual to maintain the license classification in which they were originally certified.
 - B) The Secretary of State will provide each entity with a Verification of Continual Employment form to assist the third-party certification entity in determining the names of the individuals who have terminated their employment/membership up to 6 months after being certified.
 - 16) The entity may not have a current unsatisfactory rating from the U.S. Department of Transportation (see 49 CFR 385.3).
- e) Skills Tests
- 1) Any CDL or School Bus skills tests administered by the third-party certifying entity must be conducted by a licensed safety officer as specified in Subparts G and H of 49 CFR 383.

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- 2) Driving Skills – The entity shall have a prescribed physical driving course for each location and must be required to administer a skills test with the same minimum standards as that which would be used by the Secretary of State (see 92 Ill. Adm. Code 1030.85).
- 3) Pre-Trip Inspection Skills – Where applicable, the entity shall test and the driver applicant shall demonstrate skills necessary to conduct a pre-trip inspection, which include the ability to:
 - A) locate and verbally identify air brake operating controls and monitoring devices;
 - B) determine the motor vehicle's brake system condition for proper adjustments and that the air system connections between vehicles have been properly made and secured;
 - C) inspect low pressure warning devices to ensure they will activate in emergency situations;
 - D) ascertain, with the engine running, that the system contains an adequate supply of compressed air;
 - E) determine that the required minimum air pressure build up at the time is within acceptable limits and that required alarms and emergency devices automatically deactivate at the proper pressure level; and
 - F) operationally check the brake system for proper performance.
- 4) Restrictions and/or Endorsements – Third-party certification entities conducting road tests for restrictions and/or passenger endorsements must meet a skills test with the same minimum standards as an exam offered by the Secretary of State for the restriction and/or endorsement (see 92 Ill. Adm. Code 1030.92).
- 5) Third-party certifying entities conducting road tests for motorcycle and non-CDL classifications are not bound by subsections (e)(1) through (4) ~~above~~, but instead must meet a driving skills test prescribed by the Secretary of State for these classifications, judged by the same minimum standards, and conducted by a licensed safety officer (92 Ill. Adm. Code

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1030.85).

- A) Motorcycle skills tests must include at least the following:
 - i) basic vehicle control skills;
 - ii) safe driving skills;
 - iii) visual search;
 - iv) speed and space management; and
 - v) mounting and dismounting.
- B) Non-CDL skills tests must include at least the following:
 - i) basic vehicle operation;
 - ii) safe driving skills;
 - iii) speed and attention;
 - iv) lane and right of way observance;
 - v) obeying traffic control devices;
 - vi) use of special equipment.
- 6) Require Instruction Permit – Before a driver applicant may be skills tested and certified by a third-party entity, the driver applicant must obtain an instruction permit from the Secretary of State for the specific vehicle classification in which he/she intends to be licensed. The driver applicant must hold a valid instruction permit for a period of at least 2 weeks prior to being skills tested and certified by a third-party entity, if not currently licensed in the classification representative of the vehicle the applicant intends to drive.
- f) Issuance and Renewal of Third-Party Certifying Entity Licenses
 - 1) Issuance of Licenses to Third-Party Certifying Entity – The Secretary of

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State shall issue a license to conduct a third-party certification program when the Secretary of State is satisfied that the entity applying for a third-party certification license has met the requirements under this Section.

- 2) All licenses issued to any third-party certifying entity shall remain valid indefinitely unless canceled, suspended or revoked. The Secretary of State shall send affidavits to, and conduct audits of, each licensee annually in order to determine that the licensee remains in compliance with the requirements of this Section.
- g) Denial, Cancellation, Suspension, and Revocation of Third-Party Certifying Entity Licenses
- 1) The Secretary of State shall deny an application for a third-party certifying entity license or renewal:
 - A) to any entity that submits a fraudulent application.
 - B) to any entity that currently employs individuals also employed by the Secretary of State.
 - C) to any entity that owes outstanding fees to the Secretary of State.
 - D) to any third-party certifying entity that lacks a safety officer.
 - E) to any third-party certifying entity that fails to meet location standards:
 - i) fails to comply with public health and safety standards contained in the Public Building Egress Act [45 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].
 - ii) fails to have a telephone that is registered to the third-party certification entity.
 - F) to any third-party certifying entity with a current unsatisfactory rating from the U.S. Department of Transportation.
 - G) to any commercial driver training school.

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H) to any third-party certification entity that enters into any agreement with employees/members they certify that provides for compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from the employee/member that is certified.

I) to any third-party certification entity that accepts compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from any employee/member that is certified.

- 2) The Secretary of State shall cancel a third-party certifying entity license for failing to correct, after being served written notice giving 5 business days to correct, any violation of the following regulations and laws governing third-party entities:
- A) the entity employs individuals also employed by the Secretary of State.
 - B) the entity owes outstanding fees to the Secretary of State.
 - C) the third-party certifying entity lacks a safety officer.
 - D) the third-party certifying entity fails to meet location standards:
 - i) fails to comply with public health and safety standards contained in the Public Building Egress Act [45 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].
 - ii) fails to have a telephone that registers to the third-party certification entity.
 - E) the entity currently has an unsatisfactory rating from the U.S. Department of Transportation.
 - F) the entity is a commercial driver training school.

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- 3) The Secretary of State shall suspend a third-party certifying entity's license 3 months, depending upon the severity of the infraction, upon evidence of the following:
 - A) improper recordkeeping in violation of subsection (d)(11) of this Section.
 - B) failure by the entity's certified driver applicants to pass skills tests upon re-examination, pursuant to subsections (c) and (d)(12) of this Section.
 - C) any violation of this Part.
 - D) failure to provide the required training to individuals that were CDL certified and did not hold a valid CDL at the time of testing.
 - E) failure to notify the Secretary of State with names of individuals that were certified from a non-CDL classification to a CDL classification and whose employment/membership was terminated up to 6 months after the date of certification.
- 4) The Secretary of State shall suspend a third-party certifying entity's license up to 6 months, depending upon the severity of the infraction, upon evidence of the failure to produce records upon demand of the auditing agency.
- 5) The Secretary of State shall suspend a third-party certifying entity's license up to 1 year, depending upon the severity of the infraction, if it is discovered the entity is certifying applicants who have not obtained instruction permits and/or have not maintained such instruction permits for at least 2 weeks prior to testing and certification.
- 6) The Secretary of State shall revoke the third-party certifying entity's license upon evidence of the following:
 - A) the entity submitted a fraudulent application.
 - B) if the entity engages in or permits any type of fraudulent activity, either with reference to any certified individual or the Secretary of State.

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- C) the third-party certification entity enters into an agreement with employees/members they certify that provides for compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from the employee/member that is certified.
- D) the third-party certification entity accepts compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from any employee/member that is certified.

- h) Issuance and Renewal of Safety Officer License
 - 1) Issuance of Licenses to Safety Officers – The Secretary of State shall issue a license to each safety officer when the Secretary of State is satisfied that such person has met the qualifications required under this Section. Each third-party certification safety officer license shall authorize the licensee to test for only the employer indicated on the license, except when the safety officer is employed by an entity providing contractual services to the third-party certification entity.
 - 2) An individual may be issued 2 safety officer licenses in the following combinations:
 - A) as a safety officer for 2 governmental agencies, or
 - B) as a safety officer for a private entity and a governmental agency.
 - 3) All licenses issued to any safety officer shall remain valid indefinitely unless canceled, suspended or revoked.
- i) Safety Officer
 - 1) Requirements. The Secretary of State shall not issue a safety officer license:
 - A) unless the safety officer applicant is 21 years of age.
 - B) if the applicant fails to properly make application for such license.

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- C) if the applicant submits a fraudulent application.
- D) if the applicant owes outstanding fees to the Secretary of State.
- E) if the applicant's driver's license is currently canceled, suspended or revoked.
- F) unless the safety officer applicant is employed by a third-party certifying entity.
- G) unless the safety officer applicant has, for at least 2 years immediately preceding application, a valid driver's license in the specific classification in which he/she intends to test and, if intending to skills test school bus permit applicants, a current, valid school bus driver permit.
- H) to any person intending to skills test CDL driver applicants or school bus permit applicants who:
 - i) has not completed the third party CDL training session administered by the Secretary of State, Driver Services Department's Commercial Driver Training section. The written test will consist of 30 questions pertaining to Secretary of State Examiners Guide for CDL and will be offered by the department at periodic intervals. In order to pass the written test an individual shall answer at least 24 questions correctly. The third party school bus program will have an additional 10 questions and the individual must answer 8 questions correctly in order to pass.
 - ii) has not passed a CDL skills examination in the classification and/or endorsements in which they intend to skills test. The department will offer this examination at periodic intervals. Each applicant will be given a maximum of 3 opportunities in a twelve month period to pass the commercial driver's license safety officer examination. An applicant for a commercial driver's license safety officer may be allowed to attempt the road test a second time in the same day during normal business hours of the Driver

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Services facility if he/she fails the first attempt to pass the road test. However, if the applicant demonstrates a danger to the public safety during his/her first attempt to pass a road test, he/she will not be allowed to make a second or subsequent attempt during the same day. An applicant will not be allowed to make a third attempt to pass a road test on the same day in which he/she failed the previous attempt. Individuals who have failed their third examination must wait at least 1 year from the date of the third failure before making a new application.

- I) to any person whose driver's license has been suspended or revoked, within a period of 5 years after the date of application.
 - J) to any person who fails to properly make application for such safety officer's license or otherwise indicates that he/she is unqualified to receive such a license.
 - K) to any person who is currently a salaried employee of the Secretary of State.
 - L) to the applicant who does not meet the requirements provided in subsection (i)(1)(H) of this Section.
 - M) to the applicant who does not hold a valid Illinois driver's license or a driver's license from a contiguous state in the classification and/or endorsement in which he/she intends to skills test.
 - N) to any applicant who has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof.
 - O) to any individual who has failed to comply with the provisions of this Part.
 - P) to any person who is an owner or an instructor of a commercial driver training school.
- 2) Denial of License. The Secretary of State shall deny a safety officer's license upon evidence that:

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- A) the applicant has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; or reckless homicide or reckless driving, or is suspended under Section 6-206(a)(3) of the Illinois Driver Licensing Law of the Illinois Vehicle Code or Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code within 5 years prior to the date of application.
- B) the applicant fails to properly make application for such license.
- C) the applicant is not employed by a third-party certifying entity.
- D) the applicant is currently a salaried employee of the Secretary of State.
- E) the applicant is not at least 21 years of age.
- F) the applicant submits a fraudulent application.
- G) the applicant owes outstanding fees to the Secretary of State.
- H) the applicant's driver's license is currently canceled, suspended or revoked.
- I) the applicant's driver's license has been suspended or revoked within a period after 5 years of the date of application. However, suspensions related to auto emissions and parking are exempt from the five year period after the suspension is terminated.
- J) the applicant has not held, for at least 2 years immediately preceding application, a valid license in the classification and/or endorsement in which he intends to test, or the equivalent under the classification system prior to April 1, 1990.
- K) the applicant does not meet the requirements provided in subsection (i)(1)(H) of this Section.
- L) the applicant does not hold a valid Illinois driver's license or a driver's license from a contiguous state in the classification and/or endorsement in which he/she intends to skills test.

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- M) the applicant is an owner or instructor of a commercial driver training school.
- 3) The Secretary of State shall immediately cancel a safety officer's license upon evidence that:
- A) the individual's driver's license is currently canceled, suspended or revoked.
 - B) the individual's driver's license has been suspended or revoked within a period of 5 years after the date of application. However, suspensions related to auto emissions and parking are exempt from the 5 year period after the suspension is terminated.
 - C) the individual has not held, for at least 2 years immediately preceding application, a valid license in the classification in which he/she intends to test or the equivalent under the classification system prior to April 1, 1990, unless it is a CDL classification or endorsement.
 - D) the individual intends to skills test CDL driver applicants, but has not received training equivalent to that given to Secretary of State examiners administering CDL driving skills tests.
 - E) the individual is no longer employed by the third-party certification entity or no longer has a valid license.
 - F) the individual is currently a salaried employee of the Secretary of State.
 - G) the individual owes outstanding fees to the Secretary of State.
 - H) the individual fails to administer a minimum of 12 skills tests to candidates for employment or membership as required in subsection (b)(3)(B) of this Section.
 - I) the individual is an owner or instructor of a commercial driver training school.

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- 4) The Secretary of State shall suspend a safety officer's license:
 - A) if it is discovered the safety officer is certifying applicants who have not obtained instruction permits, and/or have not maintained such instruction permits for at least 2 weeks prior to testing and certification.
 - B) for improper record keeping in violation of subsection (d)(11) of this Section; and
 - C) upon any violation of this Part.
 - 5) The Secretary of State shall revoke a safety officer's license upon receipt of evidence that:
 - A) the individual has been convicted of driving under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; or reckless homicide or reckless driving, or is suspended under Section 6-206(a)(3) or 11-501.1 of the Illinois Vehicle Code within 5 years prior to the date of application.
 - B) the individual submits a fraudulent application.
 - C) the individual engages in or permits any type of fraudulent activity, either with reference to a student or the Secretary of State, which includes but is not limited to certifying a person not eligible.
 - 6) The Secretary of State shall have the discretionary authority to issue warning letters to third-party certifying entities or safety officers for violations of the regulations and laws governing commercial driver training schools as found in this Part and Article IV of the Illinois Driver Licensing Law of the Illinois Vehicle Code.
- j) Hearings
- 1) Prior to the denial of a third-party entity and/or safety officer's license, the Department shall send written notice to that person and/or entity. If a formal hearing is requested, the request must be in writing during the notice period. The basis for denial of a license is stated in subsections (g)(1) through (6) and (i)(2)(A) through (L) of this Section.

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- 2) Prior to the suspension or revocation of the license or accreditation of a third-party certifying entity or safety officer, the Department will conduct a hearing in accordance with 92 Ill. Adm. Code 1001, Subpart A and Section 2-118 of the Illinois Vehicle Code [625 ILCS 5/2-118], wherein the Department will present competent evidence to establish violations of any regulations or laws governing third-party entities and/or safety officers and seek the appropriate sanctions in accordance with this Section.
- k) Review Under Administrative Law. Judicial Review – The action of the Secretary of State in canceling, suspending, revoking or denying any license under this Act shall be subject to judicial review in the Circuit Court of Sangamon County or the Circuit Court of Cook County, pursuant to Section 2-118 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-118] and the provisions of the Administrative Review Law [735 ILCS 5/Art. 3]. All the provisions and modifications thereto, and all the rules adopted thereto, are hereby adopted and shall apply to and govern every action for judicial review of the final acts or decisions of the Secretary of State under this Section.

(Source: Amended 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 June 8, 2004 through June 14, 2004 and have been scheduled for review by the Committee at its July 13, 2004 meeting in Chicago. 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>
7/21/04	<u>Department of Natural Resources</u> , Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping (17 Ill. Adm. Code 570)	4/16/04 28 Ill. Reg. 5972	7/13/04
7/21/04	<u>Department of Natural Resources</u> , Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting (17 Ill. Adm. Code 550)	4/16/04 28 Ill. Reg. 5962	7/13/04
7/22/04	<u>Illinois Racing Board</u> , Race Track Operators and Their Duties (11 Ill. Adm. Code 1305)	4/16/04 28 Ill. Reg. 6025	7/13/04
7/22/04	<u>Illinois Racing Board</u> , Medication (11 Ill. Adm. Code 603)	4/16/04 28 Ill. Reg. 6015	7/13/04
7/22/04	<u>Illinois Racing Board</u> , Licensing (11 Ill. Adm. Code 502)	4/16/04 28 Ill. Reg. 6009)	7/13/04
7/22/04	<u>Illinois Racing Board</u> , Officials of Meeting (11 Ill. Adm. Code 1403)	4/16/04 28 Ill. Reg. 6029	7/13/04
7/22/04	<u>Department of Financial Institutions</u> , Illinois Credit Union Act (38 Ill. Adm. Code 190)	4/9/04 28 Ill. Reg.	7/13/04

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

		5725	
7/24/04	<u>Department of Agriculture</u> , Fairs Operating Under the Agricultural Fair Act (8 Ill. Adm. Code 260)	3/19/04 28 Ill. Reg. 4778	7/13/04
7/28/04	<u>Department of Professional Regulation</u> , Illinois Architecture Practice Act of 1989 (68 Ill. Adm. Code 1150)	4/23/04 28 Ill. Reg. 6382	7/13/04
7/28/04	<u>Department of Professional Regulation</u> , The Illinois Speech-Language Pathology and Audiology Practice Act (68 Ill. Adm. Code 1465)	3/19/04 28 Ill. Reg. 4838	7/13/04

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JULY 2004 REGULATORY AGENDA

a) Part(s) (Heading and Code Citations): Illinois Safety and Family Financial Responsibility Law, 92 Ill. Admin. Code 1070.100

1) Rulemaking: Amendment

A) Description: This rule is being amended to reflect changes made to the Illinois Vehicle Code related to SR-22 financial responsibility statements for individuals that have filed bankruptcy.

B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b)).

C) Scheduled meeting/hearing dates: None Scheduled

D) Date agency anticipates First Notice: September 2004

E) Affect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Brenda Cronk
Assistant General Counsel
Illinois Secretary of State
298 Howlett Building
Springfield IL 62701
217/785-3094
Fax 217/524-1689
bcronk@ilsos.net

G) Related rulemakings and other pertinent information: None

b) Part(s) (Heading and Code Citations): Commercial Driver Training Schools, 92 Ill. Admin. Code 1060

1) Rulemaking: Amendment

A) Description: This rule is being amended to reflect changes made to the Illinois Vehicle Code related to Commercial Driver Training Schools.

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

- B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5/6-401 through 5/6-424) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
- C) Scheduled meeting/hearing dates: None Scheduled
- D) Date agency anticipates First Notice: September 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any subject commercial driver training schools that are also small businesses.
- F) Agency contact person for information:

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298 Howlett Building
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bcronk@ilsos.net

- G) Related rulemakings and other pertinent information: None

c) Part(s) (Heading and Code Citations): Issuance of Licenses, 92 Ill. Adm. Code 1030

- 1) Rulemaking: Proposed Rulemaking
 - A) Description: This rule is being drafted to establish authorization for the Secretary of State to audit entities who offer “Teen Remedial Training Courses” for teen students who have violated sections of the Graduated Licensing Law.
 - B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5/6-107) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
 - C) Scheduled meeting/hearing dates: None Scheduled

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JULY 2004 REGULATORY AGENDA

- D) Date agency anticipates First Notice: October 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any subject driver training schools that are also small businesses.
- F) Agency contact person for information:

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bcronk@ilsos.net
- G) Related rulemakings and other pertinent information: None
- d) Part(s) (Heading and Code Citations): Issuance of Licenses, 92 Ill. Adm. Code 1030
- 1) Rulemaking: Proposed Rulemaking
- A) Description: This rule is being drafted to implement changes made to the Illinois Vehicle Code authorizing the Secretary of State's office to issue a temporary visitor's driver's license to a foreign national residing in this state.
- B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5/6-105) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
- C) Scheduled meeting/hearing dates: None Scheduled
- D) Date agency anticipates First Notice: September 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

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G) Related rulemakings and other pertinent information: None

e) Part(s) (Heading and Code Citations): Issuance of Licenses, 92 Ill. Adm. Code 1030

1) Rulemaking: Amendment

- A) Description: Amendments will implement changes made to the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that no identification card, Disabled Person Identification Card, or driver's license shall be issued to any person who holds a valid foreign state identification card, license, or permit unless the person first surrenders to the Secretary of State the valid foreign state identification card, license, or permit. This rule will establish administrative due process remedies for confiscated documents to be recovered. In addition, it requires legal names be used on a driver's license or identification card as well as other security issues.
- B) Statutory Authority: Implementing changes to the Illinois Identification Card Act (15 ILCS 335) and the Illinois Vehicle Code (625 ILCS 5) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
- C) Scheduled meeting/hearing dates: None Scheduled
- D) Date agency anticipates First Notice: September 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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JULY 2004 REGULATORY AGENDA

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- G) Related rulemakings and other pertinent information: None
- f) Part(s) (Heading and Code Citations): Cancellation, Revocation, or Suspension of Licenses or Permits, 92 Ill. Adm. Code 1040
- 1) Rulemaking: Proposed Rulemaking
- A) Description: This rule is being drafted to reflect changes made to the Criminal Code of 1961 in order to establish criteria for anyone who bribes or attempts to bribe a Secretary of State employee or a commercial driving school employee to obtain a license.
- B) Statutory Authority: Implementing changes to the Criminal Code of 1961 (720 ILCS 5/33-6) and the Illinois Vehicle Code (625 ILCS 5/6-103) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
- C) Scheduled meeting/hearing dates: None Scheduled
- D) Date agency anticipates First Notice: October 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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bronk@ilsos.net
- G) Related rulemakings and other pertinent information: None

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JULY 2004 REGULATORY AGENDA

g) Part(s) (Heading and Code Citations): Cancellation, Revocation or Suspension of Licenses or Permits, 92 Ill. Adm. Code 1040

1) Rulemaking: Proposed Rulemaking

A) Description: This rule is being amended to reflect changes made to the Illinois Vehicle Code related to the authority of Secretary of State to suspend or revoke a license or permit of a person that has two or more convictions for railroad crossing violations.

B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5/6-206) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))

C) Scheduled meeting/hearing dates: None Scheduled

D) Date agency anticipates First Notice: October 2004

E) Affect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

h) Part(s) (Heading and Code Citations): Cancellation, Revocation or Suspension of Licenses or Permits, 92 Ill. Adm. Code 1040

1) Rulemaking: Proposed Rulemaking

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JULY 2004 REGULATORY AGENDA

- A) Description: This rule is being drafted to reflect changes made to the Illinois Vehicle Code related to the suspension of driver privileges for entering a construction or maintenance zone when workers are present.
- B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
- C) Scheduled meeting/hearing dates: None Scheduled
- D) Date agency anticipates First Notice: October 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

i) Part(s) (Heading and Code Citations): Cancellation, Revocation or Suspension of Licenses or Permits, 92 Ill. Adm. Code 1040.32

1) Rulemaking: Amendment

- A) Description: This rule is being amended to reflect changes to the Illinois Vehicle Code regarding the suspension or revocation of driver's licenses as a result of a violation of section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance.
- B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5/6-206) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))

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- C) Scheduled meeting/hearing dates: None Scheduled
- D) Date agency anticipates First Notice: October 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None
- j) Part(s) (Heading and Code Citations): Cancellation, Revocation or Suspension of Licenses or Permits, 92 Ill. Adm. Code 1040.48
- 1) Rulemaking: Amendment
- A) Description: This rule is being amended to reflect changes made by the Illinois Environmental Protection Agency regarding Vehicle Emission Suspensions for failure to submit vehicles to emissions inspections.
- B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5/6-108.1) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
- C) Scheduled meeting/hearing dates: None Scheduled
- D) Date agency anticipates First Notice: October 2004
- E) Affect on small businesses, small municipalities or not for profit corporations: None

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

F) Agency contact person for information:

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bcronk@ilsos.net

G) Related rulemakings and other pertinent information: Nonek) Part(s) (Heading and Code Citations): Cancellation, Revocation or Suspension of Licenses or Permits, 92 Ill. Adm. Code 1040.421) Rulemaking: Amendment

A) Description: This rule is being amended to reflect changes made by the Illinois Vehicle Code regarding the mandatory revocation of license or permit for fleeing or eluding a peace officer.

B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS /6-205, 5/6-206, 5/11-204 and 5/6-204.1) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))

C) Scheduled meeting/hearing dates: None Scheduled

D) Date agency anticipates First Notice: October 2004

E) Affect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

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JULY 2004 REGULATORY AGENDA

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G) Related rulemakings and other pertinent information: None

l) Part(s) (Heading and Code Citations): Cancellation, Revocation or Suspension of Licenses or Permits, 92 Ill. Adm. Code 1040.20

1) Rulemaking: Amendment

A) Description: This rule is being amended to update the Illinois Offense Table to reflect changes made to the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6) and the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (625 ILCS 5/2).

B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))

C) Scheduled meeting/hearing dates: None Scheduled

D) Date agency anticipates First Notice: October 2004

E) Affect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

m) Part(s) (Heading and Code Citations): Certificates of Title, Registration of Vehicles, 92 Ill. Admin Code 1010

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JULY 2004 REGULATORY AGENDA

- 1) Rulemaking: Amendment
 - A) Description: This rule is being amended to reflect changes made to the Illinois Vehicle Code related to custom vehicles and street rods. In addition, changes to the Illinois Vehicle Code related to the registration of fleet vehicles and related audits will be addressed.
 - B) Statutory Authority: Implementing changes to the Illinois Vehicle Code (625 ILCS 5) and authorized by the Illinois Vehicle Code (625 ILCS 5/2-104(b))
 - C) Scheduled meeting/hearing dates: None Scheduled
 - D) Date agency anticipates First Notice: October 2004
 - E) Affect on small businesses, small municipalities or not for profit corporations: None
 - F) Agency contact person for information:

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Secretary of State
298 Howlett Building
Springfield IL 62701
Fax 217/524-1689
nmaddox@ilsos.net
 - G) Related rulemakings and other pertinent information: None
- n) Part(s) (Heading and Code Citation): Regulations Under Illinois Business Brokers Act of 1995, 14 Ill. Admin. Code 140
 - 1) Rulemaking:
 - A) Description: Amend rules and draft rules generally to conform regulations to legislative enactments and federal laws and regulations as necessary.
 - B) Statutory Authority: Illinois Business Broker Act, 815 ILCS 307/10-1
 - C) Scheduled Meeting/Hearing Dates: None

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JULY 2004 REGULATORY AGENDA

D) Date Agency Anticipates First Notice: Unknown

E) Affect on Small Business, Small Municipalities or Not for Profit Corporations: Unknown

F) Agency Contact Person for Information:

Tanya Solov, Director
Illinois Securities Department
Office of the Secretary of State
69 W. Washington Street, Suite 1220
Chicago IL 60602
312/793-3384
Fax 312/793-1202
tsolov@ilsos.net

G) Related Rulemaking and Other Pertinent Information: None

o) Part(s) (Heading and Code Citation): Regulations Under Illinois Securities Law of 1953, 14 Ill. Admin. Code 130

1) Rulemaking:

A) Description: Amend and draft rules generally to conform regulations to legislative enactments. Update and draft rules to implement North American Securities Administrators Association (NASAA) model rules for the sale of securities outside traditional securities venues. Amend rules to conform with federal legislative enactments.

B) Statutory Authority: Illinois Securities Law of 1953, 815 ILCS 5/1

C) Scheduled Meeting/Hearing Dates: None

D) Date the Agency Anticipates First Notice: Unknown

E) Impact on Small Business, Small Municipalities or Not For Profit Corporations: Unknown

F) Agency Contact Person for Information:

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

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tsolov@ilsos.net

G) Related Rulemaking and Other Pertinent Information: None

p) Part(s) (Heading and Code Citation): Regulations Under Illinois Business Opportunity Sales Law of 1995, 14 Ill. Admin. Code 135

1) Rulemaking:

A) Description: Amend and draft rules generally to conform regulations to legislative enactments and federal laws and regulations as necessary.

B) Statutory Authority: Illinois Business Opportunity Sales Law of 1995, 815 ILCS 602/5-1

C) Schedule Meeting/Hearing Dates: None

D) Date the Agency Anticipates First Notice: Unknown

E) Impact on Small Business, Small Municipalities or Not For Profit Corporations: Unknown

F) Agency Contact Person for Information:

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G) Related Rulemaking and Other Pertinent Information: None

q) Part(s) (Heading and Code Citation): Illinois Loan Brokers Act of 1995, 14 Ill. Admin. Code 145.

1) Rulemaking:

A) Description: Amend and draft rules generally to conform regulations to legislative changes and federal laws and regulations as necessary.

B) Statutory Authority: Illinois Loan Brokers Act of 1995, 815 ILCS 175/15-1

C) Scheduled Meeting/Hearing Dates: None

D) Date the Agency Anticipates First Notice: Unknown

E) Impact on Small Businesses, Small Municipalities or Not For Profit Corporations: Unknown

F) Agency Contact Person for Information:

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69 W. Washington Street, Suite 1220
Chicago IL 60602
312/793-3384
Fax 312/793-1202
tsolov@ilsos.net

G) Related Rulemaking and Other Pertinent Information: None

r) Part(s) (Heading and Code Citation): Procedures and Standards; 92 Ill. Admin. Code 1001.10, et seq.

1) Rulemaking:

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

- A) Description: Section 1001.442(e)(14) {new}. Upon the effective date of this rule, new BAIID installation's must include a BAIID which uses as its anti-circumvention method one of the following technologies: either a positive>negative>positive air pressure test requirement; or a mid-test hum tone requirement. BAIIDs installed and in use as of the effective date of this rule which do not use one of these anti-circumvention methods must be replaced with BAIIDs that use one of these methods within 60 days of the effective date of this rule. After the effective date of this rule BAIID providers may introduce for approval to the Secretary new anti-circumvention technologies. Upon approval of the Secretary, these technologies shall be included with the previously mentioned anti-circumvention technologies as acceptable for usage by BAIID providers.

We also anticipate revising §1001.441(i)(1) and (j)(2), so that the sanction imposed for the conduct or omission recited in those subsections is consistent. It does not make sense to not cancel the permit of a BAIID permittee who fails to take in a vehicle equipped with an interlock for timely monitor reports (see (i)(1)), while canceling the permit of a BAIID permittee who has a device removed or who is deinstalled for failure to pay for a device (see (j)(2)).

- B) Statutory Authority: 625 ILCS 5/2-104
- C) Scheduled Meeting/Hearing Dates: None as yet
- D) Date the Agency Anticipates First Notice: Fall 2004 (Note that this Department has a rulemaking pending. It was published at 28 Ill. Reg. 6033 (Issue 16, 16 April 2004).)
- E) Impact on Small Business, Small Municipalities or Not For Profit Corporations: We anticipate some impact on small businesses which provide interlock device services.
- F) Agency Contact Person for Information:

Marc Christopher Loro
Legal Advisor
Administrative Hearings
Office of the Secretary of State
Howlett Building, Room 200

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

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G) Related Rulemaking and Other Pertinent Information: None

s) Part(s) (Heading and Code Citation): Illinois State Library, Library Services Division,
(23 Ill. Admin. Code 3010)

1) Rulemaking:

A) Description: Section 3010.60 regarding the costs of photocopies will be applied to material printed from public access computer workstations.

B) Statutory Authority: Implementing and authorized by the State Library Act (15 ILCS 320)

C) Scheduled Meeting/Hearing Date: No hearing scheduled

D) Date Agency Anticipates First Notice: July 2004

E) Impact on Small Businesses, Small Municipalities or Not For Profit Corporations: None

F) Agency Contact Person for Information:

Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield IL 62701-1796
Fax 217-557-6737
jnatale@ilsos.net

G) Related Information and Other Pertinent Information: None

t) Part(s) (Heading and Code Citation): Illinois State Library Talking Book and Braille Service, 23 Ill. Admin. Code 3025

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

1) Rulemaking:

- A) Description: In conjunction with the reorganization of the Illinois Library System Act (23 Ill. Admin. Code 3030), references to state grants to the Talking Book and Braille Service in Section 3030.105 will be referred to or moved to 23 Ill. Admin. Code 3025.
- B) Statutory Authority: Implementing Section 18 of the Illinois State Library Act [15 ILCS 320/18] and authorized by Sections 2 and 8 of Illinois State Act [15 ILCS 320/2] and implementing 36 CFR 710.10
- C) Scheduled Meeting/Hearing Date: January 2005
- D) Date Agency Anticipates First Notice: December 2004
- E) Impact on Small Businesses, Small Municipalities or Not For Profit Corporations: None
- F) Agency Contact Person for Information:

Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield IL 62701-1796
Fax 217-557-6737
jnatale@ilsos.net

- G) Related Information and Other Pertinent Information: None

- u) Part(s) (Heading and Code Citation): Illinois State Library System Act, 23 Ill. Admin. Code 3030

1) Rulemaking:

- A) Description: This Part will be reviewed in order to renumber and reorganize its content to facilitate use.

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

- B) Statutory Authority: Implementing and authorized by the Illinois Library System Act [75 ILCS 10]
- C) Scheduled Meeting/Hearing Date: January 2005
- D) Date Agency Anticipates First Notice: December 2004
- E) Impact on Small Businesses, Small Municipalities or Not For Profit Corporations: None
- F) Agency Contact Person for Information:

Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield IL 62701-1796
Fax 217/557-6737
jnatale@ilsos.net
- G) Related Information and Other Pertinent Information: None
- v) Part(s) (Heading and Code Citation): Public Library Construction Grants, 23 Ill. Admin. Code 3060
- 1) Rulemaking: Amend
- A) Description: Clarify the definition of mini grants, the types of projects eligible for funding, and revised the reimbursement schedule for library construction grants.
- B) Statutory Authority: Implementing Section 3 of the Capital Development Bond Act of 1972 [30 ILCS 420/3] and authorized by Sections 3 and 8 of the Illinois Library System Act [75 ILCS 10/3 and 8]
- C) Scheduled Meeting/Hearing Date: No hearing scheduled
- D) Date Agency Anticipates First Notice: July 2004

SECRETARY OF STATE

JULY 2004 REGULATORY AGENDA

E) Impact on Small Businesses, Small Municipalities or Not For Profit Corporations: None

F) Agency Contact Person for Information:

Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield IL 62701-1796
Fax 217/557-6737
jnatale@ilsos.net

G) Related Information and Other Pertinent Information: None.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF AGENCY RESPONSE TO THE RECOMMENDATION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Child Care
- 2) Code Citation: 89 Ill. Adm. Code 50
- 3) Section Numbers: Action:
50.210 Further rulemaking
50.230
50.235
50.240
50.310
50.320
- 4) Date Notice of Proposed Amendments Published in the Register: 27 Ill. Reg. 13919;
August 22, 2003
- 5) Date JCAR Statement of Recommendation Published in the Register: April 9, 2004;
28 Ill. Reg. 5928
- 6) Summary of Action Taken by the Agency: At its meeting on March 23, 2004, the Joint Committee on Administrative Rules recommended that within six months the Department of Human Services propose amendments to rules titled "Child Care" (89 Ill. Adm. Code 50; 27 Ill. Reg. 13919) to specify all of the standards that must be met and the relevant documentation required to verify legitimate employment or self-employment for child care assistance purposes without regard to where the work is performed.

The Department of Human Services has reviewed the recommendation from the Joint Committee on Administrative Rules regarding the above-proposed rulemaking and accepts the recommendation. The Department will provide rules regarding documentation of self-employment by the six-month period.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF AGENCY RESPONSE TO THE RECOMMENDATION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES**2004-10****EXECUTIVE ORDER ESTABLISHING INTERSTATE 88 BETWEEN STERLING,
ILLINOIS AND THE QUAD CITIES AS THE RONALD REAGAN MEMORIAL
HIGHWAY**

WHEREAS, President Ronald Reagan was a native son of Illinois, born in Tampico, Illinois, on February 6, 1911 in a five-room flat over a bakery, the second son of store clerk John Reagan and seamstress Nelle Reagan; and

WHEREAS, the Reagan family moved to Chicago's South Side, to Monmouth, and back to Tampico before settling in Dixon, Illinois; and

WHEREAS, Ronald Reagan was baptized at the Christian Church of Dixon on July 21, 1922; and

WHEREAS, Ronald Reagan spent seven summers working as a lifeguard at Dixon's Lowell Park, and is credited with saving 77 swimmers from drowning in the Rock River during that time; and

WHEREAS, Ronald Reagan graduated from Dixon High School, where he participated in drama, basketball, football and track, and was elected student body president; and

WHEREAS, Ronald Reagan attended Eureka College in Eureka, Illinois, where he appeared in 14 plays, won letters in football, swimming and track, coached the swim team, and served as study body president during his senior year; and

WHEREAS Ronald Reagan graduated from Eureka College in 1932 with a Bachelor of Arts degree in social science and economics; and

WHEREAS, Ronald Reagan cast his first vote in a national presidential election in Dixon in 1932; and

WHEREAS, the future fortieth president of the United States spent his entire youth in Illinois; and

WHEREAS, President Ronald Reagan had a long and varied career, ranging from the movie screens of Hollywood, to the Governor's mansion in California, and finally to the White House as President of the United States; and

WHEREAS, with his death on June 6, 2004, the United States of America and the State of Illinois have lost a charismatic and inspiring leader. President Ronald Reagan leaves behind a legacy that will clearly resonate in this country and throughout the world for centuries to come; and

WHEREAS, as the Governor of Illinois, I wish to permanently commemorate the distinguished leadership of President Ronald Reagan and his personal connection to the State of Illinois.

THEREFORE, I hereby order the following:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF AGENCY RESPONSE TO THE RECOMMENDATION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

- I. The portion of Interstate 88 commencing in Sterling, Illinois and ending in the Quad Cities shall be designated the Ronald Reagan Memorial Highway.
- II. The Illinois Department of Transportation shall erect appropriate plaques or signs giving notice of the Ronald Reagan Memorial Highway.
- III. This Executive Order shall be in full force and effect upon its filing with the Secretary of State.

Issued by Governor: June 8, 2004

Filed with Secretary of State: June 8, 2004

PROCLAMATIONS

2004-171**Health Care Risk Management Week**

WHEREAS, health care risk managers are responsible for the development and implementation of safe and effective patient care practices at hospitals and health systems throughout the State of Illinois; and

WHEREAS, health care risk managers play important roles on behalf of patients, their communities and the hospitals and health systems they work for, ensuring that safety standards are being met, legislative policies protecting the rights of the healthcare industry are enacted, and that patients are receiving a high standard of care; and

WHEREAS, hospitals and health systems across the State continue to face significant environmental pressures that may have a grave impact on their ability to provide timely and appropriate health care to their patients and communities; and

WHEREAS, these environmental pressures include: increasing liability insurance rates, pharmaceutical and new technology costs, and a decreasing number of nurses and other skilled caregivers in the profession; and

WHEREAS, health care risk managers often use their collective expertise in care-giving, finance, law and advocacy to provide a unique perspective that allows their organizations to develop innovative solutions to meet these environmental pressures and continue providing quality health care to their patients and communities:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim June 21 – 25, 2004 as HEALTH CARE RISK MANAGEMENT WEEK in Illinois, and encourage all citizens to recognize the contributions and efforts of risk managers to improving the safety of our health care systems.

Issued by the Governor June 7, 2004.

Filed by the Secretary of State June 8, 2004.

2004-172**Days to Commemorate the Honorable Ronald Wilson Reagan**

WHEREAS, Ronald Wilson Reagan was born on February 6, 1911 in Tampico, Illinois. He attended high school in Dixon, Illinois and went on to earn a degree in economics and sociology from Eureka College, where he also played on the football team and acted in theatre productions; and

WHEREAS, Reagan began his career as a radio sports announcer. In 1937, a screen test won him a contract in Hollywood, and over the next two decades, he would act in 53 feature films; and

WHEREAS, Reagan's success as an actor, coupled with his strong leadership abilities, earned him the opportunity to serve as President of the Screen Actors Guild. It was in that role that Reagan crafted his political platform; and

WHEREAS, Reagan was elected Governor of California in 1966 by a one million vote margin. He was re-elected to serve a second term in 1970; and

PROCLAMATIONS

WHEREAS, in 1980, Reagan won the Republican Presidential nomination, and in November of that year, he would go on to defeat President Jimmy Carter in the General Election to earn the presidency; and

WHEREAS, on January 20, 1981, Reagan was sworn in as the 40th President of the United States, and was re-elected to a second term in 1984. Among his many accomplishments in office, President Reagan obtained legislation to stimulate economic growth, curb inflation, increase employment, and strengthen national defense. He also made foreign policy a top priority, and sought to achieve “peace through strength,” improving relations with the Soviet Union by conducting several meetings with Soviet leader Mikhail Gorbachev, and eventually negotiating a treaty that would eliminate intermediate range nuclear missiles; and

WHEREAS, President Reagan’s great charisma and people skills earned him the title of “The Great Communicator;” and

WHEREAS, in November of 1994, Reagan publicly announced that he had Alzheimer’s disease. Almost ten years later, on June 5, 2004, he passed away at the age of 93; and

WHEREAS, President Reagan is remembered as a strong and confident leader, and a president who revitalized this country’s stagnant economy. He leaves behind a legacy that will clearly resonate in this country and throughout the world for centuries to come; and

WHEREAS, for a period of 30 days, from June 5, 2004 until July 3, 2004, the State of Illinois will fly flags at half-mast to honor a great man and a “native son” of Illinois:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim June 5, 2004 – July 3, 2004 as DAYS TO COMMEMORATE THE HONORABLE RONALD WILSON REAGAN in Illinois, and order all State facilities to fly flags at half-mast throughout the duration of these 30 days, and re-raise the flags to full-mast on the morning of July 4, 2004.

Issued by the Governor June 7, 2004.

Filed by the Secretary of State June 8, 2004.

2004-172 (Revised)**Days to Commemorate the Honorable Ronald Wilson Reagan**

WHEREAS, Ronald Wilson Reagan was born on February 6, 1911 in Tampico, Illinois. He attended high school in Dixon, Illinois and went on to earn a degree in economics and sociology from Eureka College, where he also played on the football team and acted in theatre productions; and

WHEREAS, Reagan began his career as a radio sports announcer. In 1937, a screen test won him a contract in Hollywood, and over the next two decades, he would act in 53 feature films; and

WHEREAS, Reagan’s success as an actor, coupled with his strong leadership abilities, earned him the opportunity to serve as President of the Screen Actors Guild. It was in that role that Reagan crafted his political platform; and

WHEREAS, Reagan was elected Governor of California in 1966 by a one million vote margin. He was re-elected to serve a second term in 1970; and

WHEREAS, in 1980, Reagan won the Republican Presidential nomination, and in November of that year, he would go on to defeat President Jimmy Carter in the General Election to earn the presidency; and

PROCLAMATIONS

WHEREAS, on January 20, 1981, Reagan was sworn in as the 40th President of the United States, and was re-elected to a second term in 1984. Among his many accomplishments in office, President Reagan obtained legislation to stimulate economic growth, curb inflation, increase employment, and strengthen national defense. He also made foreign policy a top priority, and sought to achieve “peace through strength,” improving relations with the Soviet Union by conducting several meetings with Soviet leader Mikhail Gorbachev, and eventually negotiating a treaty that would eliminate intermediate range nuclear missiles; and

WHEREAS, President Reagan’s great charisma and people skills earned him the title of “The Great Communicator;” and

WHEREAS, in November of 1994, Reagan publicly announced that he had Alzheimer’s disease. Almost ten years later, on June 5, 2004, he passed away at the age of 93; and

WHEREAS, President Reagan is remembered as a strong and confident leader, and a president who revitalized this country’s stagnant economy. He leaves behind a legacy that will clearly resonate in this country and throughout the world for centuries to come; and

WHEREAS, for a period of 30 days, from June 5, 2004 until July 4, 2004, the State of Illinois will fly flags at half-mast to honor a great man and a “native son” of Illinois:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim June 5, 2004 – July 4, 2004 as DAYS TO COMMEMORATE THE HONORABLE RONALD WILSON REAGAN in Illinois, and order all State facilities to fly flags at half-mast throughout the duration of these 30 days, and re-raise the flags to full-mast at sunset on July 4, 2004.

Issued by the Governor June 7, 2004.

Filed by the Secretary of State June 11, 2004.

2004-173**National Marina Day**

WHEREAS, the citizens of Illinois place a high value on our recreation time and our ability to access one of America’s greatest natural resources, its waterways; and

WHEREAS, in 1928, the word “marina” was used for the very first time by the National Association of Engine and Boat Manufacturers to define a recreational boating facility; and

WHEREAS, the State of Illinois is home to over 170 recreational boating facilities that contribute substantially to their communities by providing a safe, reliable gateway to boating for members of the community and welcomed guests; and

WHEREAS, Illinois marinas serve as stewards of the environment, actively seeking to protect the surrounding waterways not only for the enjoyment of this generation, but for generations to come; and

WHEREAS, in 2003, an estimated 72 million people participated in recreational boating activities, similarly to previous years. Sensing a need to burnish the marina industry’s already positive image, the Marine Operators Association of America created National Marina Day in 2001 and will be hosting National Marina Day 2004 in conjunction with the National Marine Manufacturers Association; and

WHEREAS, the goal of National Marina Day is to educate governmental leaders and the public on the value of the marina industry to cities and towns across America:

PROCLAMATIONS

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim August 14, 2004 as NATIONAL MARINA DAY in Illinois, and encourage all citizens to recognize the important role marinas play in providing fun, exciting recreation to our communities.

Issued by the Governor June 10, 2004.

Filed by the Secretary of State June 11, 2004.

2004-174**La Saint-Jean-Baptiste Day**

WHEREAS, Canada and the United States have forged a strong alliance over the years as Québec continues to grow and define itself as a major contributor to the business world and to the trade production; and

WHEREAS, Québec ranks seventh among the United States' trading partners, while the United States is Québec's largest trading partner, buying 85 percent of Québec's international exports; and

WHEREAS, the alliance between the two territories has been powerful in strengthening the relationship that had already existed between Illinois and Québec, which originated four centuries ago when voyagers and missionaries left Québec City and Montreal to explore and eventually settle in Illinois; and

WHEREAS, today, this relationship still exists, as Québec and a second Canadian territory, Ontario, have formed a partnership with Illinois and seven other Great Lakes states to develop initiatives that will improve the environment and economy of the Great Lakes region; and

WHEREAS, in light of the numerous connections that link this State and Québec, it is with pleasure that we join the Quebecois in celebration of la Saint-Jean-Baptiste or Saint Jean Baptiste Day, in honor of the patron saint of French Canada, St. John the Baptist; and

WHEREAS, this day, commonly referred to as the national holiday of Québec, has evolved from that of its earlier origins as pagan celebration to a celebration of Québec culture. For over 175 years, la Saint-Jean-Baptiste has remained a celebration of Québec identity, pride, and solidarity:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim June 24, 2004 as LA SAINT-JEAN-BAPTISTE DAY in Illinois, and encourage all citizens to recognize the significant contributions Canada has made to positively impact the economy and international relations in the State.

Issued by the Governor June 10, 2004.

Filed by the Secretary of State June 11, 2004.

ILLINOIS ADMINISTRATIVE CODE

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