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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Egg and Egg Products Act
- 2) Code Citation: 8 Ill. Adm. Code 65
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
65.10	Amend
65.30	Amend
65.50	Amend
65.60	Amend
65.100	Amend
65.110	Amend
65.130	Amend
65.140	Amend
65.150	Amend
65.170	Amend
65.190	Amend
69.200	Amend
65.210	Amend
65.220	Amend
- 4) Statutory Authority: Illinois Egg and Egg Products Act [410 ILCS 615/13]
- 5) A Complete Description of the Subjects and Issues Involved: In Section 65.10, the Department is clarifying the definition of "eggs sold at retail"; Section 65.30 will be amended to clarify that the consumer container labeling on each carton of eggs must include julian code numbers instead of letters, as well as clarify that the 30 day expiration date should be marked on each carton; Section 65.50 is amended to reflect that the labeling is done where the eggs are packed in order to have traceable information and include numbers and date of pack on the labels; Section 65.60 clarifies the requirements for organic labeling consistent with the National Organic Program; Section 65.110 is being amended to eliminate retailer licenses; Section 65.130 allows for eggs to be traced back to their origin in case of contamination and also requires the inspection fees to be on all invoices. It also requires a business location to keep a copy of the invoice for shell eggs on the premises for a period of 30 days. In Section 65.170 the Department is clarifying where the samples are taken from and when the eggs are removed from the original case, carton or container, and Section 65.210 clarifies that a second inspection fee needs to be paid to the Department if eggs are removed from their origin case, carton or container.
- 6) Will this rulemaking replace an emergency rulemaking in effect? No

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- 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 for receiving comments from the public will begin on the day this notice of rulemaking appears in the *Illinois Register*. Written comments should be sent to the attention of:

Linda Rhodes
Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield, IL 62794-9281

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: Egg packers or handlers; although they already voluntarily put the 30-day expiration on egg cartons. This amendment will ensure that eggs being sold for human consumption are fresh.
- 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 2005

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 65
EGG AND EGG PRODUCTS ACT

Section	
65.10	Definitions
65.20	Packaging Material, Master Containers, Packing Material and Consumer-Size Containers
65.30	Consumer Container Labeling Requirements
65.40	Restrictions
65.50	Master Container Labeling Requirements
65.60	Advertising
65.70	Brand or Firm Name
65.80	Food Preparation
65.90	Holding Temperature
65.100	Application for License or Renewal; Revocation or Suspension of License
65.110	Licenses
65.120	Surety Bond or Certificate of Deposit (Repealed)
65.130	Required Forms and Records
65.140	Minimum Sanitation, Building and Labeling Requirements for Egg Breaking Establishments
65.150	Minimum Sanitation and Operating Requirements for Shell Egg Grading Plants, Not Under Federal Inspection, Engaged in the Grading, Storage, Packaging and Distribution of Eggs
65.160	Minimum Sanitation Requirements for Retailers and Institutional Consumers
65.170	Retail Egg Inspection
65.180	Enforcement
65.190	Restricted Eggs (Definition, Labeling, Handling, Disposition)
65.200	Denaturants
65.210	Egg Inspection Fee
65.220	Illinois Grade Standards
65.230	Administrative Hearings (Repealed)

AUTHORITY: Implementing and authorized by Section 13 of the Illinois Egg and Egg Products Act [410 ILCS 615/13].

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SOURCE: Rules and Regulations for the Illinois Egg and Egg Products Act, filed October 28, 1975, effective November 1, 1975; amended March 2, 1976, effective March 12, 1976; amended December 29, 1976, effective January 1, 1977; codified at 5 Ill. Reg. 10449; amended at 7 Ill. Reg. 2311, effective February 14, 1983; amended at 17 Ill. Reg. 6749, effective April 27, 1993; amended at 19 Ill. Reg. 16933, effective January 1, 1996; amended at 21 Ill. Reg. 900, effective January 7, 1997; amended at 28 Ill. Reg. 2072, effective February 1, 2004; amended at 29 Ill. Reg. _____, effective _____.

Section 65.10 Definitions

Words in the singular form shall be deemed to include the plural, words in the masculine form shall be deemed to include the feminine form, and vice versa, as the case may require. As used in these rules the following terms shall have the meanings specified:

"Act" means The Illinois Egg and Egg ~~Products~~Product Act (~~Ill. Rev. Stat. 1991, ch. 56½, par. 55-1 et seq.~~) [410 ILCS 615/4].

"Deceptive" – Any arrangement of the contents of any consumer-size container or master container, or of any lot, load or display in which the eggs in the outer layer or in any portion exposed to view are in quality, size, condition or in any other respect superior to those in the interior or unexposed portion as to materially misrepresent the contents or any part thereof as to size, quality, condition or any other respects.

"Eggs sold at retail" – It shall be considered that shell eggs are being sold at retail when they are offered for sale or sold to a consumer off the premises where the flock is maintained. The provision of this Act shall apply in all retail transactions except those specifically exempted by the Act.

"First receiver" means the first recipient of the eggs from a producer.

"Mislabel" – The placing or presence of any false, deceptive or misleading mark, term, statement, design, device, inscription or any other designation upon a consumer-size container or master container of eggs or upon the label, lining or wrapper thereof, or upon a placard or sign used in connection therewith, or in connection with any display having reference to eggs.

"Sufficient strength and durability" means that the master container must be rigid and capable of supporting 4 or 5 full master containers when stacked as commonly occurs when such master containers are shipped.

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(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.30 Consumer Container Labeling Requirements

- a) All shell eggs sold by a producer-dealer, packer, handler, or distributor to a retailer for resale to a consumer shall be labeled on the consumer-size container with the grade and size. Labeling shall be in bold type with letters not less than $\frac{3}{8}$ inch in height, no abbreviations permitted.
- b) Labeling on each consumer-size container must show the name and address of the packer or the name and address of the distributor or retailer under whose authority the eggs were packed. This identification must be permanent either by stamping or printing in bold type with letters not less than $\frac{1}{8}$ inch in height.
- c) Each consumer-size container must include in its label numbers expressed in a three-digit Julian code~~with letters~~ not less than $\frac{1}{8}$ inch in height ~~a number~~ indicating the exact consecutive day of the year on which the determination of grade and size was made. Predating is not permitted. Illegible dates shall be considered as no dates. Candling dates must be separated from any other codes ~~that~~which may appear on the carton.
- d) In addition to the above labeling requirements, ~~it shall be allowable to include~~ expiration dates are required in the labeling of consumer-size containers at retail. An expiration date, or other similar language as specified by USDA standards, that is not later than 30 days from the candling date for Grade A eggs and not later than the 15 days from the candling date for Grade AA eggs shall be used, provided that the expiration date be within a thirty day period from the date of candling. The expression of this date must be as follows: EXP. DAY, MONTH, or EXP. MONTH, DAY. Eggs with an expiration date marked on the container shall not be offered for sale or sold to a consumer after the date marked on the container.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.50 Master Container Labeling Requirements

- a) All master containers, whether full or partial containing bulk (loose) eggs offered, exposed or packed for sale, or transported for sale within the State shall bear a label stamped on the container or a removable tag affixed to the container on the

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top rung showing the following information in a conspicuous manner:

- 1) Grade and size – in letters not less than ½ inch in height.
 - 2) Name and address of packer or Illinois ~~Egg License~~egg license number or ~~USDA U.S.D.A.~~ plant number or egg license number from another state where eggs were packed, in letters not less than ¼ inch in height.
 - 3) The exact date on which the eggs were candled and graded. This candling date must be legible and accurate and appear in letters and numbers in Julian date code or exact date of pack not less than ¼ inch in height. Predating is not permitted. Illegible dates shall be considered as no dates.
 - 4) In addition to the above labeling requirements, an expiration date shall be required on all loose pack master containers. Use of qualifying prefixes required by USDA standards is allowable.
- b) Wire or plastic baskets (master containers) containing consumer-size cartons with the labeling information required by 8 Ill. Adm. Code 65.30 exposed to view are exempt from labeling the master container itself.
- c) Master containers, containing consumer-size containers where the labeling information is not exposed to view, must be labeled with one of the following means of identification:
- 1) name and address of packer,
 - 2) state license number,
 - 3) ~~USDA U.S.D.A.~~ plant number, or
 - 4) egg license number from another state.
- d) A packer shall notify the Department in writing if he elects to use the state egg license number or ~~USDA U.S. Department of Agriculture~~ plant number instead of his name and address.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.60 Advertising

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- a) No person other than those persons who sell only nest run eggs produced by their own flocks shall sell, offer for sale or advertise for sale shell eggs as "fresh eggs", "hennery eggs", or "strictly fresh eggs", any eggs which do not meet the minimum requirements for consumer Grade A as prescribed in the Department standards for individual shell eggs (see 8 Ill. Adm. Code 65.220).
- b) No eggs shall be advertised or labeled as "organic eggs" or "fertile eggs", including but not limited to any other claims of unusual interior quality or superiority, until a statement of proof is submitted to the Director and inspection to confirm the claim is made. An egg shall be considered a fertile egg when the ratio of roosters to hens is not less than 8 roosters per 100 hens. An egg may be advertised as an organic egg when [it has been certified organic by a USDA accredited certifying agency for having met all the conditions of the National Organic Program](#)~~the feed that is fed the flock contains no chemically formulated fertilizer, pesticide and/or synthetic additive.~~
- c) Eggs shall not be advertised when a price is stated or implied without also designating the correct grade and size. In accordance with the provisions of Sections 7 and 17(a) and (b) of the Act and 8 Ill. Adm. Code 65.10, advertising information shall not be misleading or deceptive. This ~~subsection~~**rule** applies to all forms of advertising including, but not limited to newspaper, periodical, window, display case, radio, television, and handbill.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.100 Application for License or Renewal; Revocation or Suspension of License

- a) Except for those businesses exempted in Section 8 of the Act, applications for a license to operate as a handler, egg breaking establishment or any other business which buys, sells, trades or traffics in eggs, such as, egg packing, handling and processing plants, shall be made on forms supplied by the Department. Persons who ship shell eggs into Illinois from any other state via their own trucks, leased trucks, or common carrier must have Illinois Egg Licenses. All shipments of such eggs shall meet Federal standards (21 ~~USCA~~**U.S.C.A.** 1031 et seq. and 7 CFR 56 (~~2004~~**January 1, 1995**) and 7 CFR 59 (~~2004~~**January 1, 1995**)) and be in compliance with this Part. Egg breaking establishments located in this State or located outside the State but who sell or purchase shell eggs in Illinois must obtain an Illinois Egg License and thereby become subject to all provisions of the Act and to the rules governing the sale and purchase of shell eggs in this Part.

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- b) New applicants for licenses shall state the type of license desired (Section 65.110) when requesting an application form. Applications for renewal of licenses shall be mailed by the Department to the licensee at the address on the application. The application for an egg license shall include the name to appear on the license, and the address where the applicant engages in the business of buying eggs, information as to the type of license being applied for, name under which the license was previously issued and license number if it is a request for renewal of license and information on officers or partners, if applicable.
- c) The application for license to operate an egg breaking establishment shall request the name to appear on the license and the address of the business. Applicant's business must meet standards as set forth in Section 65.140.
- d) Inaccurate or missing information on the application will be grounds for revoking or refusing to issue a license. Before refusing to issue or renew or before suspending or revoking a license or refusing to issue or revoking a grace period for renewal, the Department shall comply with the provisions of Section 11.5 of the Act. The administrative hearing shall be conducted in accordance with Section 18.5 of the Act.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.110 Licenses

- a) The classifications of egg licenses and license fees for Illinois Egg Licenses (~~Full~~ and ~~Limited~~) are:
- 1) Illinois Egg License (Full) is required for the following business:
 - A) Producer-dealer (as defined in Section 3.29 of the Act and who sells eggs from other than his own production of 3,000 or more birds) – \$50.
 - B) Grading station (candles and grades nest run eggs from various producers) – \$50.
 - C) Jobber or broker (as defined in Section 3.2 of the Act) – \$50.
 - D) Distributor (as defined in Section 3.11 of the Act) – \$50.

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- E) ~~Retailer (as defined in Section 3.31 of the Act and who purchases 150 cases (master containers containing 30 dozen eggs in each container) or more of nest run eggs per year) — \$50.~~
- 2) Illinois Egg License (Limited) is required for ~~the following businesses:~~ ~~A) Retailer (as defined in Section 3.31 of the Act and who purchases less than 150 cases (master containers containing 30 dozen eggs in each container) of nest run eggs per year) — \$15.~~ ~~B) a producer~~ ~~Producer~~-dealer (as defined in Section 3.29 of the Act and who sells only graded eggs produced by his own flock of 3,000 birds or ~~fewer~~ ~~less~~) — \$15.
- 3) Egg Breaker's License (egg breaking establishment as defined in Section 16 of the Act). The license fee as set in Section 16 of the Act is \$200.
- b) A license will be issued if the applicant complies with the requirements of Sections 9 and 16 of the Act (as applicable to the type of license desired) and this Part.
- c) Illinois Egg Licenses must be posted conspicuously at the place of business of the holder ~~thereof~~ so the license may be seen by the public and by the inspectors of the Department of Agriculture at any and all hours of the working day.
- d) Truckers purchasing eggs from an Illinois producer are required to have an Illinois Egg ~~License~~ ~~license~~ or photostatic copy of the license displayed in the cab.
- e) A separate license must be obtained for each business location.
- f) A place of business means a location where any person buys eggs from producers, or buys from or sells to institutional consumers, retailers, manufacturers or handlers. A truck or vehicle shall be considered a place of business provided no building is used for this purpose. Any person who operates his business from a vehicle in the State must provide to the Department a legal address for contact.
- g) Licenses are non-transferable. In the event of a sale of a licensed business, the purchaser will be required to make application for a new license.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.130 Required Forms and Records

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a) Grade Buying Slip:

- 1) When eggs are purchased from the producer on a graded basis, a grade buying slip shall be issued by the purchaser to the producer showing that eggs are of one or more of the following grade and size designations stating the quantity of each. Every grade buying slip shall carry a minimum of these six designations:

A Large	B Grade
A Medium	Restricted
A Small	Loss

- 2) The grade buying slip must identify the producer and the purchaser and show the date of purchase and the date of grading. Eggs purchased from producers on a graded basis shall be candled and graded by the first receiver before the close of the fifth business day after receipt of the eggs at the grading facility, unless otherwise agreed to by both parties, and, unless they are sold as "Nest Run Eggs", in which event they must be assigned a nest run grade and a weight class as defined in 7 CFR 56.230, 56.231, and 56.232 ([2004 January 1, 1995](#)) in the Federal standards for shell eggs.
- 3) If quality factors preclude the assignment of a nest run grade, ~~that grade~~ must be ~~so~~ stated on the invoice accompanying the sale of the eggs to the second receiver.
- 4) Other grade and size classifications may be used in addition to those specified in subsection (a)(1)~~the above compulsory ones~~. When other grades are added ~~to the above list~~, they must conform with the Federal egg grading standards adopted in Section 65.220. The term "restricted" shall be used to designate all edible eggs below B quality (see Section 65.190(a)). A quantitative breakdown of the various types (i.e., checks, dirties, etc.) of restricted eggs shall be shown.

b) Invoice:

- 1) When eggs are sold by a licensed handler to another handler or retailer for ultimate resale to consumers, or to an institutional consumer or manufacturer for use in preparation of food for human consumption, an

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invoice or other accounting document must accompany the eggs.

- 2) The invoice or other accounting document must show the name and address of the seller, including the physical address from where the eggs were shipped (P.O. boxes are not acceptable), the name and address of the purchaser, and the exact grade and size of the eggs sold according to State grade standards (see Section 65.220). The handler paying the inspection fee shall charge, on each sales invoice, the amount of the inspection fee as the transaction in addition to the price of the eggs (see Section 65.210).
- 3) Both seller and buyer must keep a copy of this invoice or other accounting ~~documents~~document on file, for a period of 30 days, at the location where the eggs are being held or sold~~their respective places of business for a period of 30 days~~.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.140 Minimum Sanitation, Building and Labeling Requirements for Egg Breaking Establishments

Illinois standards for sanitation, building and labeling requirements for egg breaking establishments shall be those as required by the Federal Egg Products Inspection Act (21 ~~USCA~~U.S.C.A. 1035 and 1036) and its rules (7 CFR 59 (~~2004~~January 1, 1995)).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.150 Minimum Sanitation and Operating Requirements for Shell Egg Grading Plants, Not Under Federal Inspection, Engaged in the Grading, Storage, Packaging and Distribution of Eggs

- a) Buildings shall be of sound construction so as to prevent the entrance or harboring of vermin.
- b) All areas and rooms in which eggs are handled, graded, and packed shall be kept reasonably clean during working hours and shall be thoroughly cleaned at the end of each operating day.
- c) Cooler rooms shall be free from objectionable odors, such as ~~;~~ mustiness or a rotten odor, and shall be maintained in a clean sanitary condition.

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- d) Oil processing of shell eggs to preserve quality shall be conducted in a manner as will avoid contamination of the eggs. The temperature of the processing oil must be warmer than the temperature of the eggs to which it is applied.
- 1) Oil having any off odor or oil that is obviously contaminated shall not be used. Processing oil that has been previously used and ~~that~~which has become contaminated shall be filtered and heated to 180° F. for three minutes prior to reuse.
 - 2) Oil treating equipment shall be washed, rinsed and treated with a bactericidal agent each time the oil is removed. It is preferable to filter and heat treat processing oil, and clean processing equipment daily when in use. Equipment shall be covered when not in use to keep it clean.
 - 3) Eggs with apparent moisture on the shell shall not be oil treated.
- e) Egg cleaning equipment shall be kept in good repair and shall be thoroughly cleaned after each day's use or more often if necessary to maintain a sanitary condition. The wash water shall be potable and maintained at a temperature of 90° F. minimum. The wash water temperature must be at least 20° greater than the egg temperature. The wash water shall be replaced frequently and the detergent and sanitizer shall be kept at an effective level at all times.
- 1) During any rest period, or at any time when the equipment is not in operation, the eggs shall be removed from the washing and rinsing area of the egg washer and from the scanning area whenever there is a build-up of heat.
 - 2) Only USDA or Federal approved cleaning and sanitizing compounds may be used (7 CFR 59.515 (~~2004~~January 1, 1995)). Washed eggs shall be reasonably dry before cartoning or casing.
- f) Washing eggs by hand, or by any other method ~~in which~~whereby the water temperature, cleaning and sanitizing agents, and bacterial contamination cannot be controlled, is prohibited.
- g) Motor driven rotary cleaning pads, hand sanding, or other "dry cleaning" devices may be used to clean eggs, but they are not recommended. Dry cleaning pulverizes the dirt, thereby spreading it over all adjoining surfaces, including eggs. In the absence of an adequate air filtering system, the process shall be

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considered as air pollution and a health hazard for persons handling the eggs.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.170 Retail Egg Inspection

- a) When an inspector selects inspection samples to ascertain compliance with the Egg and Egg Products Act and ~~this Part~~ ~~the rules~~ as they apply to grade and size of shell eggs, such samples shall be taken from ~~either the holding area or display area~~ ~~the same areas or lots immediately available and offered for sale to retail customers~~.
- b) If a disproportionate number of checks and leakers are found indicating the lack of reasonable store surveillance of the egg display, the inspector will issue a violation notice. In determining if a violation exists, the inspector will consider the damage possibly inflicted by the store's patrons, past inspection history indicating previous lack of surveillance of the egg display, and whether the number of checks and leakers exceed minimum federal egg grading standards (7 CFR 56 (~~2004~~ ~~January 1, 1995~~)).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.190 Restricted Eggs (Definition, Labeling, Handling, Disposition)

- a) "Restricted eggs" means shell eggs ~~that~~ ~~which~~ are checks, dirties, incubator rejects, inedibles, leakers or loss. Except for the producer exemption ~~as~~ provided in ~~subsection~~ ~~paragraph~~ (c), checks and dirties may be used for human food provided they are processed and pasteurized in an official plant.
- b) "Capable ~~of~~ ~~as~~ use as human food" means any egg or egg product, unless it is denatured, or otherwise identified as required by Federal regulation, ~~to~~ deter its use as human food (7 CFR 59 (~~2004~~ ~~January 1, 1995~~)).
- c) Within the classifications of eggs defined as restricted eggs, only checks and dirties are capable of use as human food, unless they are destroyed or identified and labeled for animal food. Checks and dirties shall be sold ~~directly~~ ~~direct~~ or ~~indirectly~~ ~~indirect~~ only to an official plant. However, a producer may sell on his own premises, where eggs are produced, checks and dirties directly to household consumers, for ~~use by the consumer~~ ~~such consumer's personal use~~ and ~~the consumer's~~ ~~his~~ non-paying guests.

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- d) Producer-dealers, packers, handlers, distributors, or retailers shall not sell on or off the premises within the State any restricted eggs to any person, including consumers, institutional consumers or employees.
- e) Restricted eggs will not be given free, for use as human food, to any person, including but not limited to institutional consumers, charitable organizations, or any employee ~~whereby they may be used for human food~~.
- f) Restricted eggs may be designated for animal food only when properly decharacterized or denatured to preclude their use in food for human consumption, and each container or receptacle shall be labeled "Restricted eggs, Not to be used as human food". However, restricted eggs ~~that~~which are not decharacterized or denatured may be moved from one ~~USDAU.S. Department of Agriculture~~ licensed plant to another ~~USDAU.S.D.A.~~ licensed plant.
- g) Inedible and loss eggs must be denatured at the point and time of segregation. If the liquid is removed from the shells, approved denaturant must be placed in the receptacle provided, before the liquid is added. If loss eggs are placed on fillerflats or in flats and fillers, or in any other manner, each layer of eggs must be denatured before another one is started. However, inedible and loss eggs under ~~USDAU.S. Department of Agriculture~~ inspection and control shall be handled in accordance with ~~USDAU.S.D.A.~~ recommendations.
- h) Checks and dirties must be conspicuously labeled at the point and time of segregation with a placard or other device. Full or partial master cases containing checks and dirties must be labeled before transfer to the cooler.
- i) Producer-dealers with ~~fewer~~less than 3000 birds, or any producers, regardless of size, who do no candling and grading, are not required to register under the Federal Egg Products Inspection Act. Producer-dealers with ~~fewer~~less than 3000 birds who candle and grade eggs must be licensed by the State and ~~are~~therefore be subject to ~~this Part~~these rules as ~~it applies~~they apply to restricted eggs.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.200 Denaturants

Illinois standards for use of denaturants shall be those ~~as~~ required by the Federal Egg Products Inspection Act (21 ~~USCAU.S.C.A.~~ 1039) and its rules (7 CFR 59.504(c) (~~2004~~January 1, 1995)).

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(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.210 Egg Inspection Fee

- a) An inspection fee of 6¢ per case (30 dozen equals a case) or fraction ~~of a case thereof~~ shall be imposed on all eggs bearing a designated size and grade ~~that which~~ are offered for sale or sold in the State of Illinois.
- b) The first handler in Illinois who packed and sold the eggs shall pay the prescribed inspection fee on ~~the such~~ eggs. In the event that the eggs are shipped into Illinois, the handler who invoiced the eggs to Illinois shall pay the fee.
- c) The handler paying the inspection fee shall charge on each sales invoice the amount of the inspection fee as the transaction in addition to the price of the eggs.
- d) Eggs sold or shipped out of the State of Illinois are exempt from inspection fees.
- e) The inspection fee shall be paid only once on the same quantity of eggs, so long as ~~the said~~ eggs maintain their identity by remaining in their original case, carton or container. If eggs are removed from the original case, carton or container, they are now reidentified, and a second inspection fee (same rate as the first fee) shall be paid on the eggs to the Department.
- f) Persons responsible for the payment of the inspection fees shall report every three months the number of master containers (cases of 30 dozen eggs per case) of eggs subject to the inspection fee on forms supplied by the Department. Exception: Persons selling less than 600 master containers of eggs per year subject to the inspection fee shall report the number of master containers sold and remit fees on an annual basis at the time of license renewal. Such reports shall be accompanied by a remittance in an amount corresponding to ~~the said~~ number of master containers at the rate prescribed per master container.
 - 1) ~~The~~In the events below, the Director shall summon the delinquent person or firm to an administrative hearing in Springfield in which the~~whereby~~ ~~his~~ license may be suspended or revoked if:
 - A) the quarterly report is established as being false or incorrect~~;~~ or
 - B) the report is not received within 30 days ~~after~~ the due date.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 2) The quarters are as follows: January 1 to March 31; April 1 to June 30; July 1 to September 30; October 1 to December 31.
- g) The inspection fee applies to all eggs identified with a consumer Grade "AA", "A", or "B" packed loose or packaged in cartons.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 65.220 Illinois Grade Standards

The standards for shell eggs for the State of Illinois shall be those standards as set by the United States Department of Agriculture for shell eggs (see 7 CFR 56 ([2004 January 1, 1995](#))).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Internal Security Standard and Fidelity Bonds
- 2) Code Citation: 50 Ill. Adm. Code 904
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
904.5	Amendment
904.10	Amendment
904.30	Amendment
904.50	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].
- 5) A Complete Description of the Subjects and Issues Involved: Section 904.5 of this Part is being amended to delete certain types of entities to reflect statutory changes and to include other types of entities currently covered by 50 Ill. Adm. Code 5460, which is being repealed. Housekeeping changes are being made to other Sections of this Part as well.
- 6) Will this proposed rulemaking replace any emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Eve Blackwell-Lewis
Staff Attorney
Department of Financial and
Professional Regulation
Division of Insurance

or

Barb Smith
Rules Coordinator
Department of Financial and
Professional Regulation
320 West Washington

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

320 West Washington
Springfield, Illinois 62767-0001

Springfield, Illinois 62767-0001

(217) 785-0813

(217) 782-2867

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this proposed rulemaking was summarized: July 2003

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION~~INSURANCE~~

SUBCHAPTER I: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 904

INTERNAL SECURITY STANDARD AND FIDELITY BONDS

Section

904.5	Authority and Purpose
904.10	Registration of Securities
904.20	Custody, Care and Disposition of Securities
904.30	Signature of Checks – Facsimile Signatures
904.40	Bank Balance Verification
904.50	Bond Requirements

AUTHORITY: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Filed October 15, 1971; amended at 2 Ill. Reg. 29, p. 161, effective July 17, 1978; codified at 6 Ill. Reg. 12461; amended at 16 Ill. Reg. 12561, effective July 27, 1992; amended at 17 Ill. Reg. 15584, effective September 14, 1993; amended at 29 Ill. Reg. _____, effective _____.

Section 904.5 Authority and Purpose

- a) ~~This~~The following ~~Part~~Rule is promulgated and adopted pursuant to and in accordance with the provisions of Section 401 of the Illinois Insurance Code.
- b) All domestic insurance companies, as well as domestic health maintenance organizations, limited health service organizations, dental service plan corporations, nonprofit hospital service corporations, medical service plan corporations and health services plan corporations, ~~hereinafter~~ referred to in this Part as "such companies", are ~~hereby~~ directed and required, ~~either prior to effective date of this Rule as hereinafter fixed or as soon thereafter as possible~~, by resolution of ~~their~~the Board of Directors ~~thereof~~ or other appropriate action, to conform their internal functions to this Part, the following minimum standards:

(Source: Amended at 29 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 904.10 Registration of Securities

All bonds, stocks, notes, shares, debentures, evidences of indebtedness, certificates of interest or participation, certificates of deposit for a security and other securities, whether negotiable or not, ~~hereinafter~~ referred to in this Part as "such securities", belonging to or in the possession, custody or control of any such company shall be registered, issued to, and carried in the name of such company except:

- a) Securities pledged or hypothecated with such company as security for ~~indebtedness~~indebtness or obligations to such company;
- b) Securities deposited by or with such company as collateral on fidelity or surety bonds written for or by such company;
- c) Securities ~~that~~which are only issued to the bearer~~issuable~~ in bearer form, i.e., securities ~~that~~which cannot be issued in registered form;
- d) Securities in "custodial" accounts maintained with a bank or trust company licensed by the United States or any state ~~and thereof which said bank or trust company is~~ regularly examined by the licensing authority,³ provided ~~that~~such "custodial" accounts shall be the undivided responsibility of the depository and provided further that ~~the~~such "custodial" account shall be established conformably with and conducted in compliance with Section 904.20 ~~of this Rule~~;
- e) Securities in street form and in the custody of a registered dealer in securities, for a period not exceeding 30 days ~~as to any security~~, provided that no such registered dealer in securities shall be an officer, director, agent or employee of the owner of such securities and provided further that accounts with ~~the dealers~~such dealers shall be established conformably with and conducted in compliance with Section 904.20 ~~of this Rule~~;
- f) Securities deposited with any state insurance department or similar authority pursuant to any requirement for such deposit if such deposit may be made in "bearer" securities.*

*NOTE Illinois will not accept "bearer" securities as a part of a company's deposit.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 904.30 Signature of Checks – Facsimile Signatures

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- a) All checks, except as ~~hereinafter~~ provided in this subsection (a), issued for the disbursement of funds belonging to such company shall require the signature of at least two officers or employees of the company who shall have been so authorized by the Board of Directors of such company. This dual signature requirement shall not apply to drafts.
- 1) Checks in amounts less than \$5,000 may, if, and to the extent, authorized by the Board, be issued without ~~such~~ dual signatures if the procedure to be followed pursuant to ~~the~~such authorization requires an officer or employee, other than the authorized signer, to approve ~~such~~ payment prior to the issuance of ~~the~~such check.
 - 2) Checks for payment of claims only, in amounts of \$5,000 ~~to or more and less than~~ \$20,000, may, if, and to the extent, authorized by the Board, be issued without ~~such~~ dual signatures provided the requirements of subsection (a)(1)~~above~~ are met, and further provided that:
 - A) The company has prepared a list of authorized signers by name or job classification, with approved limits of authority for each authorized signer. This list must be approved by the Board and a copy must be kept on file and available for review by the Department of Financial and Professional Regulation-Division of Insurance examiners.
 - B) Verification of compliance with ~~this subsection (a)~~these procedures must be documented by the company's outside independent certified public accountants or the internal audit staff of the company, provided ~~the~~such staff report directly to an audit committee appointed by the Board of Directors. This compliance review must be performed annually.
- b) Facsimile signatures may be affixed to checks or drafts if ~~that~~such procedure has been authorized by the Board of Directors and adequate controls over the use of ~~facsimile~~such signatures have been established. Control procedures shall be reduced to writing and shall provide for written approval of the disbursement of funds by officers or ~~employees~~employes other than those affixing ~~such~~ facsimile signatures, for supervision and policing of the machines or appliances used for affixing ~~facsimile~~such signatures, and for the recording of checks and drafts to which ~~facsimile~~such signatures have been affixed. Written control procedures

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

shall be kept on file and available for review by examiners.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 904.50 Bond Requirements

- a) All such companies shall procure and maintain in force surety bonds on employees, officers or positions in an amount not less than the amount set forth in the column in subsection (d) headed "Minimum Amount of Bond", based on the amount of admitted assets of the company (as determined from year to year hereafter) stated in the annual statement of such company as filed with the Illinois Insurance Department Division of Insurance. All suretysuch bonds shall be written with at least a one year discovery period and, if written with less than a 3 year discovery period, shall contain a provision that no cancellation or termination of the bond, whether by or at the request of the insured or by the underwriter, shall take effect prior to the expiration of 90 days after written notice of such cancellation or termination has been filed with the DivisionIllinois Department of Insurance unless an earlier date of such cancellation or termination is approved by thesaid DivisionDepartment of Insurance.
- b) SuretySuch bonds required by this Section shall include all employees, officers or positions for the following perils, which may be covered under separate policies:
- 1) Dishonesty of employees and officers;
 - 2) Robbery, burglary, larceny, theft, false pretense, holdup, misplacement, mysterious disappearance, and damage or destruction while property is in any bank or any recognized place of safe deposit, or in transit;
 - 3) Forgery or alteration.
- c) ASuch surety bond may be written under a deductible form, the amount of the deductible to be not more than the greatest of either:
- 1) $\frac{1}{2}$ of 1% of the capital and surplus, if a stock company, and, if a company other than stock, its surplus over all liabilities (as determined from year to year hereafter) stated in the annual statement of such company filed with the Division ofIllinois Insurance Department; or
 - 2) 10% of the total bond requirement as provided in subsectionsub paragraph

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(a) ~~of this Section.~~

Provided, however, the deductible amount shall not in any case exceed \$500,000-00.

d) If the total bond requirement of a company ~~under subsections provided in subparagraph (a) of this Section~~ is in excess of \$100,000, ~~the such~~ excess may be written on an excess of loss basis to cover only the peril of dishonesty and may be limited to cover the following officers or employees:

1) All officers and employees authorized by the Board of Directors to act under the terms and provisions of 904.20 of this Part;

TOTAL ADMITTED ASSETS		MINIMUM AMOUNT OF BOND			
Under \$100,000		\$2,000 plus 8% of total assets			
MORE THAN	BUT NOT MORE THAN				
\$ 100,000	\$ 600,000	\$ 10,000	plus 4% of assets over	\$ 100	
600,000	1,200,000	30,000	plus 3 1/3% of assets over	600	
1,200,000	3,200,000	50,000	plus 2 1/2% of assets over	1,200	
3,200,000	4,450,000	100,000	plus 2% of assets over	3,200	
4,450,000	6,450,000	125,000	plus 1 1/4% of assets over	4,450	
6,450,000	90,450,000	150,000	plus 5/8% of assets over	6,450	
90,450,000	350,450,000	675,000	plus 3/8% of assets over	90,450	
350,450,000	1,070,450,000	1,625,000	plus 3/16% of assets over	350,450	
1,070,450,000	—	3,075,000	plus 3/32% of assets over	1,070,450	
until total bond equals \$5,000,000.					

2) Officers and employees authorized by the Board of Directors to act under the terms of Section 904.30 ~~of this Rule~~, except that one or more of the employees of this category may be excluded by action of the Board of Directors;

3) Such other officers or employees as may be included in the resolution of the Board of Directors authorizing the procurement of coverage on ~~the such~~ excess of loss basis.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- e) Surety bonds covering affiliated and/or subsidiary companies ~~which are~~ substantially under the same management and control may be written to cover ~~thesuch~~ affiliated and/or subsidiary companies jointly. The total admitted assets of the affiliated and/or subsidiary company having the largest total admitted assets shall be used in calculating the amount of surety cover required under ~~subsections~~~~sub-paragraph (a) of this Section.~~
- f) Surety bonds for any company shall not be procured by such company from affiliated and/or subsidiary companies ~~which are~~ substantially under the same management and control as the company being bonded.
- g) Notwithstanding any other provision of ~~this~~ Section ~~904.50 of this Rule~~, any such company may elect to self insure the required surety bond if:
- 1) the company has, and maintains at all times while self insured, net admitted assets, in excess of all reserves and other liabilities, of more than \$25,000,000;
 - 2) such self insurance does not cover any officer or director of the company;
 - 3) the total number of employees covered under such self insurance is not more than 1% of the employees of such company, exclusive of all officers and directors; and
 - 4) such self insurance is evidenced by a "Certificate of Self Insurance" in an appropriate form, specifically setting forth the liabilities and responsibilities of the company ~~in regard thereto~~ in accordance with this Section and including an addendum setting forth, by name or position, each employee covered, at any time, under ~~thesuch~~ self insurance.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Internal Security Standard and Fidelity Bonds
- 2) Code Citation: 50 Ill. Adm. Code 5460
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
5460.5	Repeal
5460.10	Repeal
5460.20	Repeal
5460.30	Repeal
5460.40	Repeal
5460.50	Repeal
- 4) Statutory Authority: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being repealed because it is nearly identical to 50 Ill. Adm. Code 904, which creates confusion regarding the applicability of each of the two Parts. The duplication was the result of a previous recodification. Part 904 is simultaneously being amended to extend its applicability to several types of entities currently covered by Part 5460 through its inclusion under Subchapter kkk of the Division's administrative regulations.
- 6) Will this repealer replace an emergency rule currently in effect? No
- 7) Does this repealer contain an automatic repeal date? No
- 8) Does this repealer contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This repealer will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed repealer may submit written comments no later than 45 days after the publication of this Notice to:

Eve Blackwell-Lewis
Staff Attorney

Barb Smith
Rules Coordinator

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

Department of Financial and
Professional Regulation
Division of Insurance
320 West Washington
Springfield, Illinois 62767-0001

or

Department of Financial and
Professional Regulation
320 West Washington
Springfield, Illinois 62767-0001

(217) 785-8220

(217) 782-2867

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this repealer was summarized: July 2003

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF ~~FINANCIAL AND PROFESSIONAL
REGULATION~~INSURANCE

SUBCHAPTER kkk: HEALTH CARE SERVICE PLANS

PART 5460

INTERNAL SECURITY STANDARD AND FIDELITY BONDS ~~(REPEALED)~~

Section

5460.5	Authority and Purpose
5460.10	Registration of Securities
5460.20	Custody, Care and Disposition of Securities
5460.30	Signature of Checks – Facsimile Signatures
5460.40	Bank Balance Verification
5460.50	Bond Requirements

AUTHORITY: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Filed October 15, 1971; amended at 2 Ill. Reg. 29, p. 161, effective July 17, 1978; codified at 7 Ill. Reg. 904; recodified at 20 Ill. Reg. 6593; repealed at 29 Ill. Reg. _____, effective _____.

Section 5460.5 Authority and Purpose

- a) The following Part is promulgated and adopted pursuant to and in accordance with the provisions of Section 401 of the Illinois Insurance Code.
- b) All domestic insurance companies as well as domestic nonprofit hospital service corporations, medical service plan corporations and health services plan corporations hereinafter referred to as "such companies" are hereby directed and required, either prior to effective date of this Part as hereinafter fixed or as soon thereafter as possible, by resolution of the Board of Directors thereof or other appropriate action, to conform their internal functions to the following minimum standards:

Section 5460.10 Registration of Securities

All bonds, stocks, notes, shares, debentures, evidences of indebtedness, certificates of interest or participation, certificates of deposit for a security and other securities, whether negotiable or not,

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

hereinafter referred to as "such securities", belonging to or in the possession, custody or control of any such company shall be registered, issued to, and carried in the name of such company except:

- a) Securities pledged or hypothecated with such company as security for indebtedness or obligations to such company;
- b) Securities deposited by or with such company as collateral on fidelity or surety bonds written for or by such company;
- c) Securities which are only issuable in bearer form, i.e., securities which cannot be issued in registered form;
- d) Securities in "custodial" accounts maintained with a bank or trust company licensed by the United States or any state thereof which said bank or trust company is regularly examined by the licensing authority; provided such "custodial" accounts shall be the undivided responsibility of the depository and provided further that such "custodial" account shall be established conformably with and conducted in compliance with Section 5460.20 of this Part;
- e) Securities in street form and in the custody of a registered dealer in securities, for a period not exceeding 30 days as to any security, provided that no such registered dealer in securities shall be an officer, director, agent or employee of the owner of such securities and provided further that accounts with such dealers shall be established conformably with and conducted in compliance with Section 5460.20 of this Part;
- f) Securities deposited with any state insurance department or similar authority pursuant to any requirement for such deposit if such deposit may be made in "bearer" securities.*

*NOTE: Illinois will not accept "bearer" securities as a part of a company's deposit.

Section 5460.20 Custody, Care and Disposition of Securities

- a) Transfer, sale, assignment or disposition of any security belonging to any such company, other than upon the surrender thereof for payment at maturity or under an option of the maker thereof to repay the same shall first have been authorized by the Board of Directors, or by a committee thereof charged with the duty of supervising investments and loans.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

- b) Any instrument for the assignment, sale, transfer or disposition of any such securities and all checks or other orders for disbursement of funds of the company in connection with the purchase of any such securities, shall require the signature of at least two officers or employees who shall have been so authorized by the Board of Directors, or by a committee thereof charged with the duty of supervising investments and loans.
- c) Access to any and all vaults or other repositories on the premises of any company containing securities of the company and access to any safe deposit boxes containing such securities shall be limited to officers and employees designated by the Board of Directors and such designation shall require that at least two of the persons so designated shall be present at the time of entry and during the access to such vault, repository or safe deposit box.

Section 5460.30 Signature of Checks – Facsimile Signatures

- a) All checks, except as hereinafter provided, issued for the disbursement of funds belonging to such company shall require the signature of at least two officers or employees of the company who shall have been so authorized by the Board of Directors of such company. Checks in amounts less than \$5,000 may, if, and to the extent, authorized by the Board, be issued without such dual signatures if the procedure to be followed pursuant to such authorization requires an officer or employee other than the authorized signer, to approve such payment prior to the issuance of such check. This dual signature requirement shall not apply to drafts.
- b) Facsimile signatures may be affixed to checks or drafts if such procedure has been authorized by the Board of Directors and adequate controls over the use of such signatures have been established. Control procedures shall be reduced to writing and shall provide for written approval of the disbursement of funds by officers or employees other than those affixing such facsimile signatures, for supervision and policing of the machines or appliances used for affixing such signatures and for the recording of checks and drafts to which such signatures have been affixed. Written control procedures shall be kept on file and available for review by examiners.

*NOTE: Illinois will not accept "bearer" securities as a part of a company's deposit.

Section 5460.40 Bank Balance Verification

Verification of bank account balances and reconciliation of bank account statements shall be made by an officer or employee not empowered or authorized to approve payment of drafts or to

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

make withdrawals from or charges against such accounts.

Section 5460.50 Bond Requirements

- a) All such companies shall procure and maintain in force surety bonds on employees, officers or positions in an amount not less than the amount set forth in the column "Minimum Amount of Bond", based on the amount of admitted assets of the company (as determined from year to year hereafter) stated in the annual statement of such company as filed with the Illinois Insurance Department. All such bonds shall be written with at least a one year discovery period and if written with less than a 3 year discovery period shall contain a provision that no cancellation or termination of the bond, whether by or at the request of the insured or by the underwriter, shall take effect prior to the expiration of 90 days after written notice of such cancellation or termination has been filed with the Illinois Department of Insurance unless an earlier date of such cancellation or termination is approved by said Department of Insurance.
- b) Such bonds shall include all employees, officers or positions for the following perils which may be covered under separate policies:
 - 1) Dishonesty of employees and officers;
 - 2) Robbery, burglary, larceny, theft, false pretense, holdup, misplacement, mysterious disappearance, and damage or destruction while property is in any bank or any recognized place of safe deposit, or in any recognized place of safe deposit, or in transit;
 - 3) Forgery or alteration.
- c) Such surety bond may be written under a deductible form, the amount of the deductible to be not more than the greater of either:
 - 1) $\frac{1}{2}$ of 1% of the capital and surplus, if a stock company, and if a company other than stock, its surplus over all liabilities (as determined from year to year hereafter) stated in the annual statement of such company filed with the Illinois Insurance Department;
 - 2) 10% of the total bond requirement as provided in sub-paragraph (a) of this Section. Provided, however, the deductible amount shall not in any case exceed \$500,000.00.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

d) If the total bond requirement of a company as provided in sub-paragraph (a) of this Section is in excess of \$100,000, such excess may be written on an excess of loss basis to cover only the peril of dishonesty and may be limited to cover the following officers or employees:

1) All officers and employees authorized by the Board of Directors to act under the terms and provisions of 5460.20 of this Part;

TOTAL ADMITTED ASSETS		MINIMUM AMOUNT OF BOND		
Under \$100,000		\$2,000 plus 8% of total assets		
MORE THAN	BUT NOT			
\$ 100,000	\$ 600,000	\$ 10,000 plus	4% of assets over	\$ 100,000
600,000	1,200,000	30,000 plus	3 1/3% of assets over	600,000
1,200,000	3,200,000	50,000 plus	2 1/2% of assets over	1,200,000
3,200,000	4,450,000	100,000 plus	2% of assets over	3,200,000
4,450,000	6,450,000	125,000 plus	1 1/4% of assets over	4,450,000
6,450,000	90,450,000	150,000 plus	5/8% of assets over	6,450,000
90,450,000	350,450,000	675,000 plus	3/8% of assets over	90,450,000
350,450,000	1,070,450,000	1,625,000 plus	3/16% of assets over	350,450,000
1,070,450,000	-----	3,075,000 plus	3/32% of assets over	1,070,450,000

until total bond equals \$5,000,000.

2) Officers and employees authorized by the Board of Directors to act under the terms of Section 5460.30 of this Part, except that one or more of the employees of this category may be excluded by action of the Board of Directors;

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED REPEALER

- 3) Such other officers or employees as may be included in the resolution of the Board of Directors authorizing the procurement of coverage on such excess of loss basis.
- e) Surety bonds covering affiliated and/or subsidiary companies which are substantially under the same management and control may be written to cover such affiliated and/or subsidiary companies jointly. The total admitted assets of the affiliated and/or subsidiary company having the largest total admitted assets shall be used in calculating the amount of surety cover required under subparagraph (a) of this Section.
- f) Surety bonds for any company shall not be procured by such company from affiliated and/or subsidiary companies which are substantially under the same management and control as the company being bonded.
- g) Notwithstanding any other provision of Section 5460.50 of this Part, any such company may elect to self insure the required surety bond if:
 - 1) the company has, and maintains at all times while self insured, net admitted assets, in excess of all reserves and other liabilities, of more than \$25,000,000;
 - 2) such self insurance does not cover any officer or director of the company;
 - 3) the total number of employees covered under such self insurance is not more than 1% of the employees of such company, exclusive of all officers and directors; and
 - 4) such self insurance is evidenced by a "Certificate of Self Insurance" in an appropriate form, specifically setting forth the liabilities and responsibilities of the company in regard thereto in accordance with this Section and including an addendum setting forth, by name or position, each employee covered, at any time, under such self insurance.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting
- 2) Code Citation: 17 Ill. Adm. Code 530
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
530.70	Amendment
530.80	Amendment
530.85	Amendment
530.95	Amendment
530.105	Amendment
530.110	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].
- 5) A Complete Description of the Subjects and Issues Involved: Amendments to this Part are being proposed to update permit reservation procedures, regulations, sites and dates.
- 6) Will this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

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

DEPARTMENT OF NATURAL RESOURCES

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217/782-1809

- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2005

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

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TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 530

COCK PHEASANT, HUNGARIAN PARTRIDGE,
BOBWHITE QUAIL, AND RABBIT HUNTING

Section	
530.10	Statewide General Regulations
530.20	Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations
530.30	Statewide Hungarian Partridge Regulations (Repealed)
530.40	Statewide Bobwhite Quail Regulations (Repealed)
530.50	Statewide Rabbit Regulations (Repealed)
530.60	Statewide Crow Regulations (Repealed)
530.70	Permit Requirements for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites
530.80	Regulations for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites
530.85	Youth Pheasant Hunting Permit Requirements
530.90	Illinois Youth Pheasant Hunting Sites Permit Requirements (Repealed)
530.95	Youth Pheasant Hunting Regulations
530.100	Illinois Youth Pheasant Hunting Regulations (Repealed)
530.105	Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites
530.110	Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites
530.115	Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites
530.120	Regulations for Hunting Crow at Various Department-Owned or -Managed Sites (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

SOURCE: Adopted at 5 Ill. Reg. 8777, effective August 25, 1981; codified at 5 Ill. Reg. 10634; amended at 6 Ill. Reg. 10667, effective August 20, 1982; amended at 7 Ill. Reg. 10755, effective August 24, 1983; amended at 8 Ill. Reg. 21574, effective October 23, 1984; amended at 9 Ill.

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Reg. 15846, effective October 8, 1985; amended at 10 Ill. Reg. 15579, effective September 16, 1986; emergency amendment at 10 Ill. Reg. 18822, effective October 16, 1986, for a maximum of 150 days; emergency expired March 15, 1987; amended at 11 Ill. Reg. 10546, effective May 21, 1987; amended at 12 Ill. Reg. 12016, effective July 7, 1988; amended at 13 Ill. Reg. 12796, effective July 21, 1989; emergency amendment at 13 Ill. Reg. 12985, effective July 31, 1989, for a maximum of 150 days; emergency expired December 28, 1989; amended at 13 Ill. Reg. 17348, effective October 27, 1989; amended at 14 Ill. Reg. 10775, effective June 20, 1990; emergency amendment at 14 Ill. Reg. 18324, effective October 29, 1990, for a maximum of 150 days; emergency expired March 28, 1991; amended at 15 Ill. Reg. 9924, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 16124, effective October 25, 1991, for a maximum of 150 days; emergency expired March 23, 1992; amended at 15 Ill. Reg. 18138, effective December 6, 1991; amended at 16 Ill. Reg. 12470, effective July 28, 1992; amended at 16 Ill. Reg. 18951, effective December 1, 1992; amended at 17 Ill. Reg. 15534, effective September 10, 1993; amended at 18 Ill. Reg. 12628, effective August 9, 1994; amended at 19 Ill. Reg. 12615, effective August 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12397, effective August 30, 1996; amended at 21 Ill. Reg. 9042, effective June 26, 1997; amended at 22 Ill. Reg. 14762, effective August 3, 1998; amended at 23 Ill. Reg. 9012, effective July 28, 1999; amended at 24 Ill. Reg. 12496, effective August 7, 2000; amended at 25 Ill. Reg. 11119, effective August 21, 2001; amended at 26 Ill. Reg. 16210, effective October 18, 2002; amended at 27 Ill. Reg. 15381, effective September 18, 2003; amended at 28 Ill. Reg. 12835, effective September 1, 2004; amended at 29 Ill. Reg. _____, effective _____.

Section 530.70 Permit Requirements for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites

- a) Applicants must contact the Department of Natural Resources (Department or DNR) ~~Springfield Permit Office or the reservation concessionaire~~ to obtain a permit reservation. ~~For~~~~However, for~~ Silver Springs State Park, Ramsey Lake State Park, Horseshoe Lake State Park (Madison County) and Chain O'Lakes State Park, applicants must contact the public/private partnership area concessionaire. Should the concessionaire, for any reason, fail to operate the concession, applicants must contact ~~the~~ DNR.) Applications for reservations will be accepted on the first Monday of August until 48 hours before the last hunt date. Methods for making reservations are available on the Department's Website at: <http://dnr.state.il.us>, ~~by email at:~~ pheasant@dnrmail.state.il.us or ~~by writing to/from~~ the Department's ~~Division of Parks and Recreation~~~~permit office~~. Only applications for reservations submitted by Illinois residents will be ~~accepted~~~~processed~~ during the first two weeks of the application period. Reservations will be confirmed. Providing false information on the application is

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a Class A misdemeanor (see 520 ILCS 5/2.38).

- b) Permits will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 80 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) For all DNR operated sites the permit is valid for the permit holder and up to three hunting partners. The hunting partners cannot hunt without the permit holder being present to hunt. Methods for changing hunting reservations and transferring permits will be provided on the Department's Website at: <http://dnr.state.il.us>. ~~by email at: pheasant@dnrmail.state.il.us or by writing~~ or write to:
- Illinois Department of Natural Resources
Division of Parks and Recreation – Pheasant
One Natural Resources Way
P.O. Box 19457
Springfield IL 62702-1271, Illinois 62794-9457
- d) Reservations for pheasant hunting will be issued ~~by the Department from the reservation concessionaire or Springfield Permit Office~~ for the Des Plaines Conservation Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area, Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit, Kankakee River State Park, Lee County Conservation Area (Green River), Moraine View State Park, Sand Ridge State Forest and Wayne Fitzgerald State Park.
- e) The Department will operate a conveyance for disabled hunters possessing a current Standing Vehicle Permit at some controlled pheasant hunting sites. Reservations for this conveyance must be made at least 2 days in advance, and shall be on a first come-first served basis. Sites where the conveyance will be available as well as dates of operation shall be provided on the Department's Controlled Pheasant Hunting Website and/or publicly announced.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 530.80 Regulations for Fee Hunting of Pheasant, Quail and Rabbit at Controlled Permit Hunting Sites

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a) Hunting Seasons:

- 1) The following controlled pheasant hunting areas shall be closed to pheasant permit hunting on every Monday and Tuesday during the controlled hunting season and on December 25. ~~With authorization from the Director, controlled pheasant hunting may be scheduled on Monday and Tuesday on DNR-operated areas.~~

Chain O'Lakes State Park

Des Plaines Conservation Area

Eldon Hazlet State Park (Carlyle Lake)

Horseshoe Lake State Park – Madison County

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit

Kankakee River State Park

Moraine View State Park

Ramsey Lake State Park

Sand Ridge State Forest

Silver Springs State Park

Wayne Fitzgerald State Park (Rend Lake)

- 2) The following controlled pheasant hunting areas are open to the Illinois Youth Pheasant Hunting Program only on the first Sunday of the site's controlled pheasant hunting season.

Chain O'Lakes State Park

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Des Plaines Conservation Area

Eldon Hazlet State Park (Carlyle Lake)

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit

Lee County Conservation Area (Green River State Wildlife Area)

Moraine View State Park

Sand Ridge State Forest

Wayne Fitzgerald State Park (Rend Lake)

- 3) The controlled hunting season on Lee County Conservation Area (Green River) is November ~~6, 7, 13, 14, 21, 27, 28, 7, 8, 14, 15, 22, 28, 29~~ and December ~~5, 11, 12, 18, 19, 20, 6, 12, 13, 19, 20, 21~~.

- 4) Controlled ~~On the following area the controlled~~ pheasant hunting seasons ~~are listed below~~ ~~season is the Wednesday before the first Saturday of November through the seventh Sunday following~~; exceptions are in parentheses; with written authorization from the Director, captive-reared game bird hunting may be scheduled during the season authorized by statute (see 520 ILCS 5/2.6) on the following DNR operated areas:

Des Plaines Conservation Area (closed during the November 3-day firearm deer season) and Moraine View State Park – the Wednesday before the first Saturday of November through the ninth Sunday following

Eldon Hazlet State Park and Wayne Fitzgerald State Park – the Wednesday following the first Saturday of November through the ninth Sunday following

Horseshoe Lake State Park-Madison County (closed New Year's Day) – the first hunting day after the close of the central zone duck season through the next following January 31

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Iroquois County Conservation Area (closed during the November 3-day firearm deer season) and Chain O'Lakes State Park – the Wednesday before the first Saturday in November through the following seventh and sixth Sundays, respectively

Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit (closed during the November and December firearm deer seasons), Kankakee River State Park (closed New Year's Day), Ramsey Lake State Park (closed New Year's Day), Sand Ridge State Forest (closed New Year's Day) – season dates are those specified in Section 530.20

Silver Springs State Park (closed New Year's Day) – the third Saturday of October through the next following January 8

- 5) ~~On the following areas the controlled pheasant hunting season is the Wednesday before the first Saturday of November through the ninth Sunday following; exceptions are in parentheses:~~

~~Des Plaines Conservation Area (closed during the November 3-day firearm deer season)~~

~~Moraine View State Park~~

- 6) ~~On the following areas the controlled pheasant hunting season is the Wednesday following the first Saturday of November through the ninth Sunday following:~~

~~Eldon Hazlet State Park~~

~~Wayne Fitzgerald State Park~~

- 7) ~~On the following areas the controlled pheasant hunting season is the first Saturday in November through the next following January 15; exceptions are in parentheses:~~

~~Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit (closed during the November and December firearm deer seasons)~~

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~~Ramsey Lake State Park (closed New Year's Day)~~~~Sand Ridge State Forest (closed New Year's Day)~~

- 8) ~~On the following area the controlled pheasant hunting season is the Wednesday before the first Saturday in November through the sixth Sunday following:~~

~~Chain O'Lakes State Park~~

- 9) ~~On the following area the controlled pheasant hunting season is the third Saturday of October through the next following January 8:~~

~~Silver Springs State Park (closed New Year's Day)~~

- 10) ~~On the following area the controlled pheasant hunting season is the first hunting day (Wednesday-Sunday) after the close of the central zone duck season through the next following January 31:~~

~~Horseshoe Lake State Park—Madison County (closed New Year's Day)~~

- 11) ~~On the following area the controlled pheasant hunting season is the first Saturday in November through the next following January 8, exceptions are in parentheses:~~

~~Kankakee River State Park (closed New Year's Day)~~

- b) Hunting hours are listed below, exceptions in parentheses. Hunters with reservations are required to check in at the check station on the following sites at the listed times. Hunters with reservations that check in after the required check-in time may not be allowed to hunt if the site hunter quota has been filled.

Site Name	Check-In Times	Hunting Hours
Chain O'Lakes State Park	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m. <u>(Thanksgiving Day – 9:00 a.m.-1:00 p.m.)</u>

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Des Plaines Conservation Area	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Eldon Hazlet State Park (Carlyle Lake)	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Horseshoe Lake State Park (Madison County)	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Iroquois County Conservation Area	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Jim Edgar Panther Creek State Fish and Wildlife Area (Controlled Unit)	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m. (Thanksgiving Day – 9:00 a.m.-1:00 p.m.)
Kankakee River State Park	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m. (Thanksgiving Day – 9:00 a.m.- 1:00 p.m.)
Lee County Conservation Area (Green River State Wildlife Area)	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Moraine View State Park	7:00-8:00 a.m.	9:00 a.m.-4:00 p.m.
Ramsey Lake State Park	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Sand Ridge State Forest	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m. (Thanksgiving Day – 9:00 a.m.-1:00 p.m.)
Silver Springs State Park	8:00-8:30 a.m.	9:00 a.m.-4:00 p.m.
Wayne Fitzgerald State Park (Rend Lake)	7:00- 8:00 a.m. 12:00 noon	9:00 a.m.-4:00 p.m. <u>(Thanksgiving Day – 9:00 a.m.-1:00 p.m.)</u>

- c) Except for Standing Vehicle Permittees hunting from the Department's disabled conveyance, during the controlled pheasant hunting season when daily quotas are

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not filled, permits shall be issued:

- 1) On a first come-first served basis until 12:00 noon at the following sites:

Des Plaines Conservation Area

Eldon Hazlet State Park

Iroquois County Conservation Area

Lee County Conservation Area (Green River)

Moraine View State Park

Wayne Fitzgerald State Park

- 2) By drawing held at the conclusion of check-in time and if daily quotas remain unfilled at the conclusion of the drawing, on a first come-first served basis until 12:00 noon at the following sites:

Jim Edgar Panther Creek State Fish and Wildlife Area

Kankakee River State Park

Sand Ridge State Forest

- d) Hunting licenses, daily usage stamps and fees:

- 1) During the controlled pheasant hunting season, hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.
- 2) At the Lee County Conservation Area (Green River) and the Iroquois County Conservation Area hunters must obtain a daily usage stamp from the Department prior to hunting, except on the Sunday following Thanksgiving Day hunters under 16 are not required to obtain a stamp.

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- 3) At Des Plaines Conservation Area, Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit, Kankakee River State Park, Moraine View State Park, Eldon Hazlet State Park (Carlyle Lake), Wayne Fitzgerald State Park and Sand Ridge State Forest, hunters must obtain a daily usage stamp from the Department prior to hunting, except on the Sunday following Thanksgiving Day and the Friday between Christmas Day and New Year's Day hunters under 16 are not required to obtain a stamp.
- 4) Fees in the listed amounts must be paid to the public/private partnership area concessionaire at the following sites. In the event of a weather anomaly, such as drought, the listed fees may be increased:

Chain O'Lakes State Park – not more than \$22 per hunting permit

Horseshoe Lake State Park (Madison County) and Ramsey Lake State Park – not more than \$20 for a 2 pheasant hunting permit, \$28 for a 3 pheasant hunting permit, and \$35 for a 4 pheasant hunting permit

Silver Springs State Park – not more than \$22 for a 2 pheasant hunting permit, \$28 for a 3 pheasant hunting permit, and \$36 for a 4 pheasant hunting permit

- e) During the controlled pheasant hunting season, hunters must wear a back patch issued by the check station.
- f) Anyone who has killed game previously and has it in ~~his~~ possession or in ~~their~~ vehicle must declare it with the person in charge of the area ~~during check-when he checks~~ in. All ~~such~~ game found in a hunter's possession after ~~he has started~~ hunting ~~has started~~ on the area shall be considered illegally taken if the hunter has not declared it prior to going ~~afield~~ into the field.
- g) All hunting must be done with shotguns or bow and arrow. Only shot shells with a shot size of No. 5 lead, tungsten-iron, tungsten-polymer, tungsten-matrix, No. 4 bismuth, No. 3 steel or tin, or smaller may be used except at Chain O' Lakes State Park, Lee County Conservation Area (Green River), Wayne Fitzgerald State Park and Eldon Hazlet State Park where only nontoxic shot approved by the U.S. Fish and Wildlife Service may be possessed and only shot shells with a shot size of No. 3 steel or tin, No. 4 bismuth, or No. 5 tungsten-iron, tungsten-polymer,

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tungsten-matrix or smaller may be used or in possession. Flu flu arrows only may be used or in possession by bow and arrow hunters.

- h) Non-hunters are not allowed in the field, ~~(except at special hunts publicly announced by the Department where non-hunters authorized by the Department shall be allowed in the field, and except for operators of Department conveyances and of Standing Vehicle Permittees and a single dog handler for the Permittee).~~
- i) Hunters under 16 years of age must be accompanied by an adult hunter.
- j) Daily limits – On the following areas, hunters may obtain one permit each day; a permit authorizes the harvest of two pheasants of either sex per hunter; exceptions are in parentheses; with written authorization from the Director, the limits provided for in 520 ILCS 5/3.28 shall apply for Illinois Conservation Foundation sponsored hunts:

Chain O'Lakes State Park (2 pheasant permits per hunter each day)

Des Plaines Conservation Area

Eldon Hazlet State Park

Lee County Conservation Area (2 cock pheasants per permit hunter)

Horseshoe Lake State Park-Madison County (two 2 pheasant permits or one 3 or 4 pheasant permit per hunter each day; additionally, first day only, 4 quail and 2 rabbits per hunter)

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area (additionally, 8 bobwhite quail opening day through the following third Sunday only and 4 rabbits per hunter)

Kankakee River State Park (additionally, 8 bobwhite quail and 4 rabbits per hunter)

Moraine View State Park

Ramsey Lake State Park (2 pheasant permits or one 3 or 4 pheasant permit

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per hunter each day; additionally, 8 bobwhite quail and 4 rabbits per hunter)

Sand Ridge State Forest (additionally, 8 bobwhite quail and 4 rabbits per hunter)

Silver Springs State Park (2 pheasant permits or one 3 or 4 pheasant permit per hunter each day)

Wayne Fitzgerald State Park

- 1) ~~Two pheasants of either sex at Eldon Hazlet State Park, Iroquois County Conservation Area, Wayne Fitzgerald State Park, and the Des Plaines Conservation Area.~~
- 2) ~~Two pheasants of either sex, 8 bobwhite quail and 4 rabbits at Kankakee River State Park and Sand Ridge State Forest.~~
- 3) ~~Two pheasants of either sex, 8 bobwhite quail (opening day through the third Sunday following) and 4 rabbits at Jim Edgar Panther Creek State Fish and Wildlife Area.~~
- 4) ~~Four pheasants of either sex at Chain O' Lakes State Park; 2 pheasants of either sex may be taken per permit with a maximum of 2 permits per hunter per day.~~
- 5) ~~Four pheasants of either sex; each hunter may obtain a 2 pheasant permit with a maximum of 2 of these permits per day or a 3 or 4 pheasant permit with a maximum of one of either of these permits per day (except that on the first day of fee hunting, each hunter will also be allowed to harvest 4 quail and 2 rabbits) at Horseshoe Lake State Park (Madison County).~~
- 6) ~~Four pheasants of either sex; each hunter may obtain a 2 pheasant permit with a maximum of 2 of these permits per day or a 3 or 4 pheasant permit with a maximum of one of either of these permits per day; 8 bobwhite quail and 4 rabbits at Ramsey Lake State Park.~~
- 7) ~~Two pheasants of either sex at Moraine View State Park.~~
- 8) ~~Two cock pheasants at the Lee County Conservation Area (Green River).~~

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~~9) Four pheasants of either sex; each hunter may obtain a 2 pheasant permit with a maximum of 2 of these permits per day or a 3 or 4 pheasant permit with a maximum of one of either of these permits per day at Silver Springs State Park.~~

- k) Tagging of birds.
During the controlled pheasant hunting season, all pheasants must be affixed with a Department tag before they are removed from the area during the controlled pheasant hunting season. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.
- l) During the controlled pheasant hunting season, hunters may not leave the confines of any permit area and return to hunt on the permit area during the same day.
- m) Any person who violates any provision of this Part or 17 Ill. Adm. Code 510.10(c)(1), (4) and (6) or 510.10(d)(7) or Section 2.33(n), (x) or (z) of the Wildlife Code [520 ILCS 5/2.33(n), (x) or (z)] shall be subject to arrest and/or removal from the premises for the remainder of the controlled pheasant hunting season under applicable statutes including 720 ILCS 5/21-5, Criminal Trespass to State Supported Land. Hunters may request a hearing within ten days after the citation by written request addressed to: Legal Division, Department of Natural Resources, One Natural Resources Way, Springfield IL 62702-1271. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.
- n) Violation of a site regulation is a petty offense (see 520 ILCS 5/2.6, 2.7, 2.13 or 2.27).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 530.85 Youth Pheasant Hunting Permit Requirements

- a) Applicants must contact the ~~Department of Natural Resources (Department or DNR) Department's Springfield Permit Office or the reservation concessionaire~~ to obtain a permit reservation. ~~Should the concessionaire, for any reason, fail to operate the concession, applicants must contact the Department.~~ Applications for reservations will be accepted on the first Monday of August until 48 hours before the hunt date. Methods for making reservations are available on the Department's Website at: <http://dnr.state.il.us>, by email at: pheasant@dnrmail.state.il.us or by

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~~writing to~~from the Department's Division of Parks and Recreation~~Permit Office~~. Only applications for reservations submitted by Illinois residents will be ~~accepted~~processed during the first two weeks of the application period. Reservations will be confirmed. Providing false information on the application is a Class A misdemeanor (see 520 ILCS 5/2.38).

- b) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) Methods for transferring permits will be provided on the Department's Website at: <http://dnr.state.il.us>, by email at: pheasant@dnrmail.state.il.us or by ~~writing~~write to:

Illinois Department of Natural Resources
Division of Parks and Recreation – Youth Pheasant Hunt
One Natural Resources Way
P.O. Box 19457
Springfield IL 62702-1271~~62794-9457~~

- d) Reservations for the Illinois Youth Pheasant Hunt permits will be issued ~~from the Springfield Permit Office~~ for Chain O'Lakes State Park, Clinton Lake State Recreation Area, Des Plaines Conservation Area, Edward R. Madigan State Park, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area, Lee County Conservation Area (Green River), Moraine View State Park, Wayne Fitzgerald (Rend Lake) State Park, Mackinaw River State Fish and Wildlife Area, Horseshoe Lake State Park (Madison County), Sand Ridge State Forest, Sangchris Lake State Park and Jim Edgar Panther Creek State Fish and Wildlife Area ~~(Controlled Area)~~.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 530.95 Youth Pheasant Hunting Regulations

- a) At the following sites, the Illinois Youth Pheasant Hunt will be held on:
- 1) the Saturday preceding the opening of the statewide upland game season:

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Clinton Lake State Recreation Area

Mackinaw River State Fish and Wildlife Area

2) ~~the first Sunday of the site's controlled pheasant hunting season:~~

~~Chain O'Lakes State Park~~

~~Des Plaines Conservation Area~~

~~Eldon Hazlet State Park (Carlyle Lake)~~

~~Lee County Conservation Area (Green River)~~

~~Iroquois County Conservation Area~~

~~Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit~~

~~Moraine View State Park~~

~~Sand Ridge State Forest~~

~~Wayne Fitzgerald State Park (Rend Lake)~~

2)3) the Sunday following the opening of the statewide upland game season:

Chain O'Lakes State Park

Des Plaines Conservation Area

Edward R. Madigan State Park

Lee County Conservation Area (Green River)

Iroquois County Conservation Area

Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit

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Moraine View State Park

Sand Ridge State Forest

Sangchris Lake State Park

3)4 the second Sunday following the opening of the statewide upland game season:

Eldon Hazlet State Park (Carlyle Lake)

Horseshoe Lake State Park (Madison County)

Wayne Fitzgerald State Park (Rend Lake)

- b) Hunting hours are from 9:00 a.m. to 4:00 p.m., except at Sangchris Lake hunting hours are from 11:00 a.m. to 4:00 p.m. Hunters with reservations or permits are required to check in at the check station between 7:00 and 8:00 a.m. (between 10:00 and 10:30 a.m. at Sangchris Lake State Park).
- c) All hunters must be between the ages of 10-15 inclusive and have a youth hunting permit. Stand-by permits will not be available except at Sangchris Lake and Edward R. Madigan State Park.
- d) All hunters are required to deposit their hunting licenses in the check station while hunting. Each permit holder must be accompanied by a non-hunting supervisory adult. If the hunter does not have a valid Firearm Owner's Identification (FOID) card, the supervisory adult is required to have a valid FOID card. Only one supervisory adult in a hunting party is required to have a valid FOID card if the hunters in the hunting party stay under the immediate control (accompany youth hunter at all times) of the supervisory adult possessing the valid FOID card. The supervising adult shall be criminally liable for the actions of the youth in the hunting party and shall be subject to the criminal penalties provided by law.
- e) Supervising adults are required to wear a cap and upper outer garment of solid and vivid blaze orange of a least 400 square inches. Hunters must wear a back patch issued by the check station.

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- f) ~~Persons~~~~Anyone~~ who ~~have~~~~has~~ killed game previously and ~~have~~~~has~~ it in ~~their~~~~his~~ possession or in ~~their~~~~his~~ vehicle must declare it with the person in charge of the area prior to hunting on the area. All previously killed game found in a hunter's possession after ~~he has started~~ hunting ~~has started~~ on the area will be considered illegally taken if the hunter has not declared it prior to going ~~afield~~~~into the field~~.
- g) All hunting must be done with shotguns. Only shot shells with a shot size of #5 lead, tungsten-iron, tungsten-polymer, tungsten-matrix, #4 bismuth, or #3 steel or tin or smaller may be used, except at Chain O'Lakes State Park, Eldon Hazlet State Park, Lee County Conservation Area (Green River) and Wayne Fitzgerald State Park where only shot shells approved as nontoxic by the U.S. Fish and Wildlife Service with a shot size of #3 steel or tin, #4 bismuth, #5 tungsten-iron, tungsten-polymer, tungsten-matrix or smaller may be used.
- h) Daily limit.
- 1) Two pheasants of either sex at Chain O'Lakes State Park, Des Plaines Conservation Area, Eldon Hazlet State Park, Iroquois County Conservation Area, Horseshoe Lake State Park (Madison County), Moraine View State Park, Sand Ridge State Forest, and Wayne Fitzgerald State Park.
 - 2) Two cock pheasants only at [Clinton Lake State Recreation Area](#), Lee County Conservation Area (Green River) and Mackinaw River State Fish and Wildlife Area.
 - 3) Statewide upland game limits at Sangchris Lake State Park and Edward R. Madigan State Park.
 - 4) Two pheasants of either sex, eight quail and four rabbits at Jim Edgar Panther Creek State Fish and Wildlife Area Controlled Unit.
- i) All pheasants must be affixed with a Department tag before they are removed from the area. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.
- j) Violation of this Section is a petty offense (see 520 ILCS 5/2.6).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Section 530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) All areas are closed to fee upland game hunting Mondays and Tuesdays, Christmas Day and New Year's Day. ~~With authorization from the Director, controlled pheasant hunting may be scheduled on Monday or Tuesday on DNR operated areas.~~
- c) Hunting hours are 9:00 a.m. to 4:00 p.m.; on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m.
- d) All hunting must be done with shotgun or bow and arrow. At Johnson-Sauk Trail State Park only nontoxic shot approved by the U.S. Fish and Wildlife Service may be possessed and only shot shells with a shot size of #3 steel or tin, #4 bismuth, or #5 tungsten-iron, tungsten-polymer, tungsten-matrix, or smaller may be used or in possession. Flu flu arrows only may be used or in possession by bow and arrow hunters.
- e) All pheasants must be affixed with a Department tag before they are removed from the area. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.
- f) Hunter quota selection, daily usage stamp requirements and exemptions and hunter age requirements:
 - 1) A drawing shall be held at the site to fill hunter quotas.
 - 2) A daily usage stamp is required prior to hunting opening date through the day following the final game bird release.
 - 3) Hunters under 16 are not required to obtain a daily usage stamp at Johnson-Sauk Trail State Park on the Sunday following Thanksgiving Day and on the Friday between Christmas Day and New Year's Day.
 - 4) Hunters under 16 years of age must be accompanied by an adult hunter.
- g) When daily quotas are not filled, hunters are allowed to check in on a first come-

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first served basis until 12:00 noon.

- h) The Department shall publicly announce the registration time and quota to be filled.
- i) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.
- j) A back patch issued at the check station must be worn while hunting.
- k) Non-hunters are not allowed in the field (except at special hunts publicly announced by the Department where non-hunters authorized by the Department shall be allowed in the field).
- l) Hunters must not leave the site without first checking out.
- m) With written authorization from the Director, the limits provided for in 520 ILCS 5/3.28 shall apply for Illinois Conservation Foundation sponsored hunts. Daily Limit:
 - Pheasant – 2 (either sex may be harvested)
 - Bobwhite Quail – 8
 - Hungarian Partridge – 2
 - Rabbit – 4
- n) Statewide regulations as provided for in this Part apply at the following Controlled Daily Drawing Pheasant Hunting sites, except as noted above and in parentheses below. With written authorization from the Director, captive-reared game bird hunting may be scheduled during the season authorized by statute (see 520 ILCS 5/2.6) on the following DNR operated areas:
 - Johnson-Sauk Trail State Park
- o) Any person who violates any provision of this Part or 17 Ill. Adm. Code 510.10(c)(1), (4) and (6) or 510.10(d)(7) or Section 2.33(n), (x) or (z) of the Wildlife Code [520 ILCS 5/2.33(n), (x) or (z)] shall be subject to arrest and/or removal from the premises for the remainder of the controlled pheasant hunting

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season under applicable statutes including 720 ILCS 5/21-5, Criminal Trespass to State Supported Land. Hunters may request a hearing within ten days of the citation by written request addressed to: Legal Division, Department of Natural Resources, One Natural Resources Way, Springfield IL 62702-1271. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

- p) Violation of a site regulation is a petty offense (see 520 ILCS 5/2.6, 2.7, 2.13 or 2.27).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites

- a) General Site Regulations
- 1) All regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping – apply in this Section, unless this Section is more restrictive.
 - 2) Only flu flu arrows may be used by bow and arrow hunters; broadheads are not allowed.
 - 3) On sites which are indicated by (1), hunters must check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
 - 4) On sites which are indicated by (2), only nontoxic shot approved by the U.S. Fish and Wildlife Service of size #3 steel or #5 bismuth shot or smaller may be used or possessed with a shot size of #3 steel or tin, #4 bismuth, #5 tungsten-iron, tungsten-polymer, tungsten-matrix or smaller may be used.
 - 5) Site specific rules or exceptions are noted in parentheses after each site.
- b) Site Specific Regulations
- 1) Statewide regulations apply at the following sites:
 - Anderson Lake Conservation Area (1)
 - Apple River Canyon State Park – Salem and Thompson Units

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(rabbits only; closed during firearm deer season) (1)

Argyle Lake State Park (closed during firearm deer season) (1)

Banner Marsh State Fish and Wildlife Area (opens the day after the close of the central zone duck season) (1)

Big Bend State Fish and Wildlife Area (hunting for bobwhite quail will terminate at the close of legal shooting hours on December 14) (1)

Big River State Forest (closed during firearm deer season) (1)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters (Corps of Engineers Managed Lands)

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Chain O'Lakes State Park (open Wednesday after controlled pheasant hunting season for 5 consecutive days, closed December 25; hunting hours 8 a.m. to 4 p.m.) (1)

Crawford County Conservation Area (1)

Cypress Pond State Natural Area (1)

[Deer Pond State Natural Area \(1\)](#)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (1)

Eagle Creek State Park (open only January 16-22)

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Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch only) (1)

Falling Down Prairie (1)

Ferne Clyffe State Park (1)

Fort de Chartres Historic Site (hunting with muzzleloading shotgun or bow and arrow only) (1)

Ft. Massac State Park (1)

Fulton County Goose Management Area (opens the day after the close of the Central Illinois Quota Zone goose season) (1)

Giant City State Park (1)

Hamilton County Conservation Area (1)

Hanover Bluff State Natural Area (1)

Horseshoe Lake Conservation Area (Alexander County) (Public Hunting Area) (1)

Horseshoe Lake Conservation Area (Controlled Hunting Area; closed prior to and during the Canada goose season) (1)

~~I-24 Wildlife Management Area (1)~~

Jubilee College State Park (opens second day of statewide season; pheasant and quail close the Sunday after Thanksgiving) (1)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season) (1)

Kinkaid Lake Fish and Wildlife Area (1)

Marseilles State Fish and Wildlife Area (closed during the site's firearm deer season) (1)

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Marshall Fish and Wildlife Area (closed during firearm deer season) (1)

Mazonia State Fish and Wildlife Area (upland season does not open until the day after the close of the site's waterfowl season; the site is closed Mondays, Tuesdays, Christmas Day and New Year's Day) (1)

Mermet Lake Fish and Wildlife Area (1)

Mississippi River Pools 16, 17, 18

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 21, 22, 24

Mt. Vernon Game Propagation Center (hunting from January 1 to the end of season; rabbits only) (1)

Nauvoo State Park (Max Rowe Unit only)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (West Subunit only) (1)

Pyramid State Park (1)

Ramsey Lake State Park (8:00 a.m. to 4:00 p.m.; rabbits and quail only may be hunted on Mondays and Tuesdays during the fee pheasant season) (1)

Randolph County Conservation Area (1)

Ray Norbut State Fish and Wildlife Area (~~all hunting closes December 15 in Eagle Roost Area~~) (1)

Red Hills State Park (1)

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Rend Lake Project Lands and Waters

Sahara Woods State Fish and Wildlife Area (1)

Saline County Conservation Area (1)

Sam Dale Lake Conservation Area (8:00 a.m. to 4:00 p.m.) (1)

Sam Parr State Park (8:00 a.m. to 4:00 p.m.) (1)

Sangamon County Conservation Area

Shawnee National Forest, Oakwood Bottoms (2)

Sielbeck Forest Natural Area (1)

[Skinner Farm State Habitat Area \(1\)](#)

Snakeden Hollow State Fish and Wildlife Area (opens the day after the close of the Central Illinois Quota zone goose season) (1)

~~[Snakeden Hollow State Fish and Wildlife Area — Ives Unit \(1\)](#)~~

[Spoon River State Forest \(1\)](#)

Stephen A. Forbes State Park (8:00 a.m. to 4:00 p.m.) (1)

Tapley Woods State Natural Area (closed during firearm and muzzleloading rifle deer seasons) (1)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area (Firing Line Management Area only) (1) (2)

Washington County Conservation Area (1)

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Weinberg-King State Park (1)

Weinberg-King State Park (Cecil White Unit)

Weinberg-King State Park (Scripps Unit) (1)

Weinberg-King State Park (Spunky Bottoms Unit) (1)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (rabbit only; opens after second firearm deer season) (1)

Wolf Creek State Park (open only January 16-22)

- 2) Statewide regulations apply at the following sites except that hunters must obtain a free site permit from site office; this permit must be in possession while hunting at the site. The permit must be returned, and harvest reported, by February 15 or the hunter will forfeit hunting privileges at the site for the following year:

Chauncey Marsh (obtain permit at Red Hills State Park headquarters)

Clinton Lake State Recreation Area (4:00 p.m. daily closing)

Fox Ridge State Park (4:00 p.m. daily closing; closed during firearm deer season)

Hidden Springs State Forest (no hunting during firearm deer season; 4:00 p.m. daily closing)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit

Jim Edgar Panther Creek State Fish and Wildlife Area (Open Unit)

Kickapoo State Park (4:00 p.m. daily closing; closed during firearm deer season)

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Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

[Meeker Habitat Area \(obtain permit at Sam Parr State Park headquarters\)](#)

Middle Fork Fish and Wildlife Area (4:00 p.m. daily closing; closed during firearm deer season)

Moraine View State Park (rabbit hunting permitted Mondays and Tuesdays during the site controlled hunting program and from Wednesday after the permit pheasant season until the end of the Northern Zone Rabbit Season. Quail and pheasant hunting are permitted Wednesday through Sunday following the permit pheasant season; 2 cock pheasants may be taken. All hunting is 8 a.m. to 4 p.m. only.)

Newton Lake Fish and Wildlife Area (closed during firearm deer season)

Pyramid State Park – Galum Unit

Sanganois State Fish and Wildlife Area

Ten Mile Creek State Fish and Wildlife Area (nontoxic shot only on posted waterfowl rest areas)

- 3) Hunting is permitted on the following areas only on the dates listed in parentheses; or on sites indicated by (3), hunting will be permitted on the first and second day of the statewide upland game season and on each subsequent Wednesday and Saturday in November, and on each Thursday and Sunday in December, through December 24. On sites indicated by (4), hunting will be permitted on the first and second day of the statewide upland game season and on each subsequent Wednesday and Saturday in November and on each Thursday and Sunday in December, through December 24, except closed during the firearm deer seasons and open December 27 and 29. Daily hunting permits filled by drawing through DNR Permit Office. Procedures for application and drawings will be publicly announced. Illinois residents will have preference. Only one permit per person will be issued. Each permit authorizes the holder to

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bring the number of additional hunting partners listed in parentheses for the day's hunt. The permit must be returned and harvest reported by February 15 or permit holders will forfeit hunting privileges at the sites covered in this Section for the following year:

Bradford Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Clifton Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Dublin Highlands Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Eagle Creek State Park (each permit authorizes the holder to bring 3 hunting partners) (3)

Edward R. Madigan State Park (open on Mondays from the opening of upland game season until Christmas Day; each permit authorizes the holder to bring 3 hunting partners; check in required before hunting)

Freeman Mine (open every Wednesday in November and December starting with opening day of upland game season except during firearm deer season and December 24 and 25; each permit authorizes holder to bring 3 hunting partners; hunting hours 8 a.m. to 4 p.m.; daily bag limit is 2 cock pheasants, 4 quail, and 2 rabbits)

Franklin Creek State Natural Area – Nachusa Prairie Sand Farm
(each permit authorizes the holder to bring 3 hunting partners) (3)

Green River State Wildlife Area (open only November 5, 9, 10, 12, 16, 23, 26, 10, 11, 13, 17, 24, 27 and December 7, 8, 10, 14, 15, 17, 21, 22, 24, 9, 11, 15, 16, 18, 22, 23; each permit authorizes the holder to bring 5 hunting partners) (1) (2)

Hallsville Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

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Harry "Babe" Woodyard State Natural Area (each permit authorizes the holder to bring 3 hunting partners; 8 a.m. to 4 p.m. hunting hours) (4)

Herschel Workman Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Hindsboro Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Hurricane Creek Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (4)

Jim Edgar Panther Creek State Fish and Wildlife Area (Quail Management Area) (open every Tuesday and Saturday in November, December and January starting with opening day of upland game season except during firearm deer season and December 24 and 25; each permit authorizes holder to bring 3 hunting partners)

Loda Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Mackinaw State Fish and Wildlife Area (each permit authorizes the holder to bring 3 hunting partners) (4)

Manito Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Maytown Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Perdueville Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Pyramid State Park – Captain Unit (open only November 5, 9, 12, 16, 23, 26, 30, ~~7, 10, 13, 17, 24, 27~~; December 7, 10, 14, 17, 21, 24, 28, 31, ~~4, 12, 15, 18, 22, 26, 29~~; and January 4, 7, 9, 11, 14, ~~5, 8, 10, 12, 15~~; each permit authorizes the holder to bring 2 hunting partners)

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Pyramid State Park – Denmark Unit (open only November 6, 9, 12, 16, 23, 26, 30~~6, 10, 13, 17, 24, 27~~; December 7, 11, 14, 17, 21, 24, 28, 31~~1, 8, 11, 15, 18, 22, 26, 29~~; and January 4, 7, 9, 11, 14~~1, 5, 8, 10, 12, 15~~; each permit authorizes the holder to bring 2 hunting partners)

Pyramid State Park – East Conant Unit (open only November 5, 9, 12, 16, 23, 26, 30~~6, 10, 13, 17, 24, 27~~; December 7, 10, 14, 17, 21, 24, 28, 31~~1, 8, 11, 15, 18, 22, 26, 29~~; and January 4, 7, 9, 11, 14~~1, 5, 8, 10, 12, 15~~; each permit authorizes the holder to bring 2 hunting partners)

Sand Prairie Pheasant Habitat Area (each permit authorizes the holder to bring 5 hunting partners) (3)

Sand Ridge State Forest (Sparks Pond Land and Water Reserve Area) (open on Saturdays and Tuesdays from the opening of the upland game season through the end of December except during firearm deer season; each permit authorizes holder to bring 3 hunting partners)

Sangchris Lake State Park (open every Wednesday and Saturday in November and December after the opening day of upland game season except December 24 and 25; each permit authorizes holder to bring 3 hunting partners; hunting hours 11:00 a.m. to sunset; check in required before hunting)

Saybrook Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Sibley Pheasant Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Siloam Springs State Park – Scripps Unit (open only the first and third days of firearm deer season and every Tuesday and Saturday thereafter until close of the statewide quail season; each permit authorizes the holder to bring 3 hunting partners)

Steward Pheasant Habitat Area (each permit authorizes the holder

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to bring 3 hunting partners) (3)

Victoria Pheasant Habitat Area (each permit authorizes the holder to bring 5 hunting partners) (3)

Willow Creek Habitat Area (each permit authorizes the holder to bring 3 hunting partners) (3)

Wolf Creek State Park (each permit authorizes the holder to bring 3 hunting partners) (4)

- 4) The following sites will be open for pheasant, quail, rabbit and partridge hunting following the site's controlled pheasant hunting season; pheasants of either sex may be taken; all hen pheasants must be tagged by DNR before leaving sites; hunting hours are 8:00 a.m.-4:00 p.m.; hunting dates are noted in parentheses:

Des Plaines Conservation Area (dates are 5 days following the close of the site's permit pheasant season excluding Mondays, Tuesdays and Christmas) (1)

Eldon Hazlet State Park (controlled pheasant hunting area and for 5 consecutive days only) (1)

Iroquois County Wildlife Management Area (open Wednesday through Sunday following permit pheasant season) (1)

Kankakee River State Park (no quail hunting)

- c) Violation of a site regulation is a petty offense (see 520 ILCS 5/2.6, 2.7, 2.13 or 2.27).

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Business Corporation Act of 1983
- 2) Code Citation: 14 Ill. Adm. Code 150
- 3)

<u>Section Numbers</u>	<u>Proposed Action</u>
150.725	New
150.730	New
- 4) Statutory Authority: Implementing and authorized by Section 2.05 of the Illinois Business Corporation Act [805 ILCS 5/2.05] to be consistent with Section 178.35 of the Limited Liability Company Act. (14 Ill. Adm. Code 178)
- 5) A Complete Description of the Subjects and Issues Involved: New Section 150.725 provides guidelines when a corporation acts as an incorporator.

New Section 150.730 sets forth hours of business for the Springfield office of the Department of Business Services.
- 6) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporation by reference? No
- 9) Are there any other amendments pending on this part? No
- 10) Statement of Statewide Policy Objective: These proposed amendments do not affect units of local government.
- 11) Time, Place and Manner In Which Interested Persons May Comment On This Proposed Rulemaking. Written comments may be submitted within 45 days to:

Robert Durchholz
Department of Business Services
Room 328, Howlett Building
Springfield, Illinois 62756

217/782-4909

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- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which these rulemakings were summarized: January 2005

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

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NOTICE OF PROPOSED AMENDMENTS

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATEPART 150
BUSINESS CORPORATION ACT

SUBPART A: HEARING PROCEDURES

Section

150.10	Applicability
150.20	Definitions
150.30	Right to Counsel
150.40	Appearance of Attorney
150.50	Special Appearance
150.60	Substitution of Parties or Attorneys
150.70	Commencement of Action; Notice of Hearing
150.80	Motions
150.90	Form of Papers
150.100	Conduct of Hearings
150.110	Orders
150.120	Record of Hearings
150.130	Invalidity

SUBPART B: SALE AND RELEASE OF INFORMATION

Section

150.200	Annual List of Corporations
150.210	Monthly List of Corporations
150.220	Daily List of Corporations
150.230	Computer Access to Information
150.240	Abstracts of Corporate Record
150.250	Invalidity

SUBPART C: ERRORS, REFUNDS, CORRECTIONS, ADJUSTMENTS,
OBJECTIONS, AND OTHER RELIEF

Section

150.300	Errors or Defects
150.305	Financial Data as Support Documentation

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150.310 Invalidity

SUBPART D: NAMES

Section

150.400 Preliminary Determination of Availability
150.405 Final Determination of Availability
150.410 Response as to Basis of Unavailability
150.415 Reconsideration Procedure
150.420 Effect of Final Determination
150.425 Applicability
150.430 Availability of Names: Statutory Requirements
150.435 Standards – Conflicting Names
150.440 Distinguishable – Defined
150.445 Matters not Considered
150.450 Significant Differences
150.455 Surnames
150.460 Alphabet Names
150.465 Government Affiliation
150.470 Restricted and Professional Words
150.475 Acceptable Characters of Print
150.480 Invalidity
150.485 Improper Names

SUBPART E: SERVICE OF PROCESS ON THE SECRETARY OF STATE

Section

150.500 Preamble
150.510 Manner of Service
150.520 Place of Service
150.530 Payment of Fees
150.540 Invalidity

SUBPART F: FEES, FRANCHISE TAX AND LICENSE FEES: ANNUAL REPORT

Section

150.600 Payment of Fees, Franchise Tax and License Fee
150.610 Definitions
150.620 Annual Report
150.621 Confidentiality of Annual Report Financial Data

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150.630 Shares Having a Par Value
150.640 Invalidity

SUBPART G: INTERPRETIVE COMMENTS AND GENERAL PROVISIONS

Section
150.700 Interpretive Comments Applicable Generally
150.705 Paid-In Capital
150.710 Advice to the Public
150.720 Incorporating Licensed Professionals
[150.725 Corporation Acting as an Incorporator](#)
[150.730 Business Hours](#)

AUTHORITY: Implementing and authorized by the Business Corporation Act of 1983 [805 ILCS 5].

SOURCE: Adopted at 9 Ill. Reg. 1433, effective February 1, 1985; amended at 10 Ill. Reg. 5146, effective March 21, 1986; amended at 11 Ill. Reg. 10302, effective June 1, 1987; amended at 17 Ill. Reg. 11571, effective July 15, 1993; amended at 18 Ill. Reg. 7783, effective May 15, 1994; amended at 20 Ill. Reg. 7026, effective May 8, 1996; amended at 21 Ill. Reg. 16173, effective December 1, 1997; amended at 27 Ill. Reg. 550, effective December 27, 2002; amended at 28 Ill. Reg. 3504, effective February 3, 2004; amended at 29 Ill. Reg. _____, effective _____.

SUBPART G: INTERPRETIVE COMMENTS AND GENERAL PROVISIONS

Section 150.725 Corporation Acting as an Incorporator

A corporation acting as an incorporator must set forth its corporate name and state or country of incorporation on the articles of incorporation. A duly authorized officer of the corporation acting as the incorporator must sign the articles of incorporation and print his or her name and title beneath the signature.

(Source: Added at 29 Ill. Reg. _____, effective _____)

Section 150.730 Business Hours

In Springfield, the Department of Business Services business hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays.

SECRETARY OF STATE

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(Source: Added at 29 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits
- 2) Code Citation: 92 Ill. Adm. Code 1040
- 3) Section Number: 1040.111 Proposed Action: New Section
- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Code [625 ILCS 5/2-104(b)], Section 11-908(a-1) of the Illinois Vehicle Code [625 ILCS 5/11-908(a-1)].
- 5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking implements Public Act 92-0872 that became effective January 3, 2003, allowing for the suspension of driver's license for failure to yield right of way upon entering a construction or maintenance zone when workers are present.
- 6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1040.32	Amendment	29 Ill. Reg. 5933; April 29, 2005
1040.109	New Section	29 Ill. Reg. 5933; April 29, 2005

- 10) Statement of Statewide Policy Objectives: This proposed rulemaking will not create or enlarge a state mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Text of the proposed amendment is posted on Secretary of State's web site, www.sos.state.il.us/departments/index/home as part of the *Illinois Register*. Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to the:

Office of the Secretary of State
 Driver Services Department
 JoAnn Wilson, Legislative Liaison
 c/o Director's Office
 2701 South Dirksen Parkway
 Springfield, IL 62723

SECRETARY OF STATE

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(217) 785-1441

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

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

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NOTICE OF PROPOSED AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.29	2 or More Traffic Offenses Committed within 24 Months by a Person Under the Age of 21 Years
1040.30	3 or More Traffic Offenses Committed Within 12 Months
1040.31	Operating a Motor Vehicle During a Period of Suspension or Revocation
1040.32	Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.33	Suspension or Revocation of Driver's Licenses/Permits for Fictitious or Unlawfully Altered Person-with-Disabilities License Plate or Parking Decal or Device or Fraudulent Person-with-Disabilities License Plate or Parking Decal or Device
1040.35	Commission of an Offense Requiring Mandatory Revocation or Discretionary Suspension or Revocation Upon Conviction
1040.36	Suspension for Violation of Restrictions on Driver's License
1040.37	Suspension for Violation of Restrictions on Instruction Permit
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension of License of Commercial Vehicle Driver
1040.52	Driver Remedial Education Course
1040.55	Suspension for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	Problem Driver Pointer System
1040.80	Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card

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1040.100	Rescissions
1040.101	Reinstatement Fees
1040.102	Bankruptcy for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions
1040.105	Suspension for 5 or More Tollway Violations and/or Evasions
1040.107	Suspension for Violation of 625 ILCS 5/11-907, Approaching a Stationary Emergency Vehicle
1040.108	Suspension for Failure to Make Report of Vehicle Accident Violations
1040.110	Bribery
<u>1040.111</u>	<u>Suspension for Violation of 625 ILCS 5/11-908(a-1) for Failure to Yield upon Entering a Construction or Maintenance Zone when Workers Are Present</u>

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII] 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 September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 7, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective March 22, 1990; amended at 14 Ill. Reg. 14177, effective August 21, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 8512, effective May 27, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993; amended at 17 Ill. Reg. 12782, effective July 21, 1993; amended at 18 Ill. Reg. 7447, effective May 3, 1994; amended at 18 Ill. Reg. 10853, effective June 27, 1994; amended at 18 Ill. Reg. 11644, effective July 7, 1994; amended at 18 Ill. Reg. 16443, effective October 24, 1994; amended at 20 Ill. Reg. 2558,

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effective January 26, 1996; amended at 21 Ill. Reg. 8398, effective June 30, 1997; amended at 21 Ill. Reg. 10985, effective July 29, 1997; amended at 21 Ill. Reg. 12249, effective August 26, 1997; amended at 21 Ill. Reg. 12609, effective August 29, 1997; amended at 22 Ill. Reg. 1438, effective January 1, 1998; amended at 22 Ill. Reg. 5083, effective February 26, 1998; amended at 22 Ill. Reg. 13834, effective July 10, 1998; amended at 24 Ill. Reg. 1655, effective January 11, 2000; emergency amendment at 24 Ill. Reg. 8398, effective June 2, 2000, for a maximum of 150 days; emergency expired October 29, 2000; emergency amendment at 24 Ill. Reg. 16096, effective October 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 16689, effective October 30, 2000; amended at 25 Ill. Reg. 2723, effective January 31, 2001; amended at 25 Ill. Reg. 6402, effective April 26, 2001; emergency amendment at 26 Ill. Reg. 2044, effective February 1, 2002, for a maximum of 150 days; emergency expired June 30, 2002; emergency amendment at 26 Ill. Reg. 3753, effective February 21, 2002, for a maximum of 150 days; emergency expired July 20, 2002; amended at 26 Ill. Reg. 12373, effective July 25, 2002; amended at 26 Ill. Reg. 13684, effective August 28, 2002; amended at 29 Ill. Reg. 2441, effective January 25, 2005; amended at 29 Ill. Reg. _____, effective _____.

Section 1040.111 Suspension for Violation of 625 ILCS 5/11-908(a-1) for Failure to Yield upon Entering a Construction or Maintenance Zone when Workers Are Present

- a) Defined Terms – For purposes of this Section, the following terms have the meanings ascribed in this subsection (a):
- 1) "Conviction" – An adjudication of guilty as defined in Section 6-100 of the Illinois Vehicle Code [625 ILCS 5/6-100].
 - 2) "Department" – Department of Driver Services within the Office of the Secretary of State.
 - 3) "Miscellaneous Suspension" – A suspension with no provisional termination date. Miscellaneous suspensions include the following:
 - A) "Auto Emissions Suspension" – Suspension for failing to have a vehicle tested in accordance with Section 13A-101 of the Vehicle Emissions Inspection Law of the Illinois Vehicle Code [625 ILCS 5/13A-101].
 - B) "Curfew Violation Suspension" – Suspension when a minor operates a vehicle on a highway during the prescribed hours without an adult or as otherwise provided for in Section 1 of the

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Child Curfew Act [720 ILCS 555/1] in accordance with Section 6-206(a)(13) of the Illinois Vehicle Code [625 ILCS 5/6-206(a)(13)].

- C) "Failure to Appear Suspension" – Suspension for failing to pay fine or appear in court following the issuance of a traffic ticket in accordance with Section 6-306.3 of the Illinois Vehicle Code [625 ILCS 5/6-306.3].
- D) "Family Financial Responsibility Suspension" – A suspension in accordance with Section 7-702 and/or Section 7-704 of the Illinois Safety and Family Responsibility Law of the Illinois Vehicle Code [625 ILCS 5/7-702 and/or 7-704].
- E) "Financial Responsibility Suspension" – A suspension in accordance with Section 7-304 and/or Section 7-305 of the Illinois Safety and Family Responsibility Law of the Illinois Vehicle Code [625 ILCS 5/7-304 and/or 7-305].
- F) "Safety Responsibility Suspension" – Suspension in accordance with Section 7-205 or 7-208 of the Illinois Safety and Family Responsibility Law of the Illinois Vehicle Code [625 ILCS 5/7-205 or 7-208].
- G) "Tollway Suspension" – Suspension of a driver's license and/or driving privileges for failure to satisfy fines or penalties for 5 or more tollway violations, tollway evasions or any combination thereof, as outlined in Section 10(a-5) of the Toll Highway Act [605 ILCS 10/10(a-5)].
- 4) "Unsatisfied Judgment Suspension" – Suspension in accordance with Section 7-303 or 7-313 of the Illinois Safety and Family Responsibility Law of the Illinois Vehicle Code [625 ILCS 5/7-303 or 7-313].
- 5) "Parking Warrant/Traffic Suspension" – Suspension for arrest warrants issued for failure to pay fines for traffic or parking violations [625 ILCS 5/6-306.5].
- 6) "Open Revocation" – A revocation that appears on the driving record that is in effect.

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- 7) "Open Suspension" – A suspension that appears on the driving record that is in effect.
 - 8) "Pending Revocation" – A revocation that appears on the driving record that is not in effect.
 - 9) "Pending Suspension" – A suspension that appears on the driving record that is not in effect.
 - 10) "Record of Judgment" – An adjudication by the court that the defendant is guilty, including the sentence pronounced by the court.
 - 11) "Revocation" – The termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways. The termination shall not be subject to renewal or restoration, except that an application for a new license may be presented and acted upon by the Secretary after expiration of at least one year after the date of revocation as provided for in Section 1040.20 of this Part, and as defined in Section 1-176 of the Illinois Vehicle Code [625 ILCS 5/1-176].
 - 12) "Suspension" – The temporary withdrawal by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, for a period specifically designated by the Secretary as provided for in Section 1040.20 of this Part, and as defined in Section 1-204 of the Illinois Vehicle Code [625 ILCS 5/1-204].
- b) If a person has no open or pending suspensions or revocations and a conviction for violation of Section 11-908(a-1) of the Illinois Vehicle Code is received, the Department shall enter a 3-month suspension for a first or subsequent conviction or, if a record of judgment is received, the length of the suspension shall be entered for the period specified by the court.
 - c) If a person has one or more open or pending revocations and a conviction for violation of Section 11-908(a-1) of the Illinois Vehicle Code is received, the Department shall enter a 3- month suspension for a first or subsequent conviction or, if a record of judgment is received, the length of the suspension shall be entered for the period specified by the court.
 - d) If a person has one or more open or pending suspensions (excluding miscellaneous suspensions) and a conviction for a violation of Section 11-908(a-1) of the Illinois

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Vehicle Code is received, the Department shall enter a 3-month suspension or, if a record of judgment is received, the length of the suspension shall be entered for the period specified by the court. The suspension would become effective upon the latest provisional or projected termination date of the suspension on record.

- e) If a person has one or more open or pending suspensions (excluding miscellaneous suspensions) and an open or pending revocation and a conviction for a violation of Section 11-908(a-1) of the Illinois Vehicle Code is received, the Department shall enter a 3-month suspension for the first or subsequent conviction or, if a record of judgment is received, the length of suspension shall be entered for the period specified by the court. The suspension would become effective upon the latest provisional or projected termination date of the suspension on record.
- f) If the provisional termination date of an open suspension is in the past, the Department shall enter a 3-month suspension for the first or subsequent conviction or, if a record of judgment is received, the length of the suspension shall be entered for the period specified by the court.

(Source: Added at 29 Ill. Reg. _____, effective _____)

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: The Administration and Operation of the Teachers' Retirement System
- 2) Code Citation: 80 Ill. Adm. Code 1650
- 3) Section Number: 1650.201 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Article 16 [40 ILCS 5/16] and Article 1, Section 119 [40 ILCS 5/1-119] of the Illinois Pension Code.
- 5) A Complete Description of the Subjects and Issues Involved: This amendment clarifies that if a member fails to submit all required medical documentation to perfect a disability or occupational disability claim within 6 months after his or her written notification of disability, benefits will not become payable until the date all such required documentation is submitted to the System.
- 6) Will this proposed rulemaking replace any emergency amendmens currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed 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 will not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed amendment may be submitted in writing for a period of 45 days following publication of this Notice to:

Thomas S. Gray, General Counsel
Teachers' Retirement System
2815 West Washington, P. O. Box 19253
Springfield, Illinois 62794-9253

(217) 753-0375

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- 12) Initial Regulatory Flexibility Analysis: These rules will not affect small businesses.
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: The rulemaking was originally summarized on the System's 1999 Regulatory Agenda. The need for clarification of the operation of the clause in question arose when staff discovered a formatting error in the existing rule (i.e clauses in question were not intended to be a part of subsections (d) 3) and (e) (2), but rather to stand alone relating to the payment start dates.)

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

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE D: RETIREMENT SYSTEMS
CHAPTER III: TEACHERS' RETIREMENT SYSTEM OF
THE STATE OF ILLINOIS

PART 1650
THE ADMINISTRATION AND OPERATION OF THE
TEACHERS' RETIREMENT SYSTEM

SUBPART A: REPORTS BY BOARD OF TRUSTEES

Section
1650.10 Annual Financial Report (Repealed)

SUBPART B: BASIC RECORDS AND ACCOUNTS

Section
1650.110 Membership Records
1650.120 Claims Records (Repealed)
1650.130 Individual Accounts (Repealed)
1650.140 Ledger and Accounts Books (Repealed)
1650.150 Statistics (Repealed)
1650.160 Confidentiality of Records
1650.180 Filing and Payment Requirements
1650.181 Early Retirement Incentive Payment Requirements
1650.182 Waiver of Additional Amounts Due
1650.183 Definition of Employer's Normal Cost

SUBPART C: FILING OF CLAIMS

Section
1650.201 Disability Benefits – Application Procedure
1650.202 Disability and Occupational Disability Benefits – Definitions
1650.203 Disability Retirement Annuity – Definitions
1650.204 Gainful Employment – Consequences
1650.205 Medical Examinations and Investigation of Disability Claims
1650.206 Physician Certificates
1650.207 Disability Due to Pregnancy
1650.208 Disability Payments
1650.209 Computation of Annual Salary When Member Has Different Semester Salary

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

Rates

1650.210	Claim Applications
1650.211	Disability Recipient Eligible to Receive an Age or Disability Retirement Annuity
1650.220	Reclassification of Disability Claim (Repealed)
1650.221	When Member Becomes Annuitant
1650.222	Death Out of Service
1650.230	Medical Examinations and Investigations of Claims (Repealed)
1650.240	Refunds; Impermissible Refunds; Canceled Service; Repayment
1650.250	Death Benefits
1650.260	Evidence of Age
1650.270	Reversionary Annuity – Evidence of Dependency
1650.271	Evidence of Parentage
1650.272	Eligible Child Dependent By Reason of a Physical or Mental Disability
1650.280	Evidence of Marriage
1650.290	Offsets

SUBPART D: MEMBERSHIP AND SERVICE CREDITS

Section

1650.310	Effective Date of Membership
1650.320	Method of Calculating Service Credits
1650.325	Method of Calculating Service Credit for Recipients of a Disability Benefit or Occupational Disability Benefit
1650.330	Duplicate Service Credit
1650.340	Service Credit for Leaves of Absence
1650.341	Service Credit for Involuntary Layoffs
1650.345	Service Credit for Periods Away From Teaching Due to Pregnancy
1650.346	Service Credit for Periods Away From Teaching Due to Adoption
1650.350	Service Credit for Unused Accumulated Sick Leave Upon Retirement
1650.355	Purchase of Optional Service – Required Minimum Payment
1650.356	Payroll Deduction Program (Repealed)
1650.357	Employer Payment of Member's Optional Service and/or Upgrade Contribution Balance (Repealed)
1650.360	Settlement Agreements and Judgments
1650.370	Calculation of Average Salary (Renumbered)
1650.380	Definition of Actuarial Equivalent
1650.390	Independent Contractors
1650.391	Optional 2.2 Upgrade of Earned and Credited Service
1650.392	2.2 Upgrade of Optional Service Not Credited at Initial Upgrade

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section

1650.410	Return of Contributions for Duplicate or Excess Service
1650.415	Return of Optional Increase in Retirement Annuity Contributions
1650.416	Optional Increase in Retirement Annuity – 1% Contribution Reduction
1650.420	Interest on Deficiencies (Repealed)
1650.430	Installment Payments (Repealed)
1650.440	Small Deficiencies, Credits or Death Benefit Payments
1650.450	Definition of Salary
1650.451	Reporting of Conditional Payments
1650.460	Calculation of Average Salary
1650.470	Rollover Distributions
1650.480	Rollovers to the System

SUBPART F: RULES GOVERNING ANNUITANTS AND BENEFICIARIES

Section

1650.505	Beneficiary (Repealed)
1650.510	Re-entry Into Service
1650.520	Suspension of Benefits
1650.530	Power of Attorney
1650.540	Conservators/Guardians
1650.550	Presumption of Death
1650.560	Benefits Payable on Death
1650.570	Survivors' Benefits
1650.571	Payment of Monthly Survivor Benefits to a Trust
1650.575	Full-time Student – Receipt of Survivors Benefits Until Age 22
1650.580	Evidence of Eligibility
1650.590	Comptroller Offset
1650.595	Overpayments

SUBPART G: ATTORNEY GENERALS' OPINION

Section

1650.605	Policy of the Board Concerning Attorney Generals' Opinion (Repealed)
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SUBPART H: ADMINISTRATIVE REVIEW

Section

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

1650.610	Staff Responsibility
1650.620	Right of Appeal
1650.630	Form of Written Request
1650.635	Presiding Hearing Officer – Duties and Responsibilities
1650.640	Prehearing Procedure
1650.641	Claims Hearing Committee Hearing Packet
1650.650	Hearing Procedure
1650.660	Rules of Evidence (Repealed)

SUBPART I: AMENDMENTS TO BYLAWS AND RULES

Section	
1650.710	Amendments

SUBPART J: RULES OF ORDER

Section	
1650.810	Parliamentary Procedure

SUBPART K: FREEDOM OF INFORMATION ACT REQUESTS

Section	
1650.910	Summary and Purpose
1650.920	Definitions
1650.930	Submission of Requests
1650.940	Form and Content of FOIA Requests
1650.950	Appeal of a Denial
1650.960	Executive Director's Response to Appeal
1650.970	Response to FOIA Requests
1650.980	Inspection of Records at System Office
1650.990	Copies of Public Records
1650.995	Materials Available Under Section 4 of FOIA

SUBPART L: BOARD ELECTION PROCEDURES

Section	
1650.1000	Nomination of Candidates
1650.1001	Elections Date/Election Day – Defined
1650.1010	Petitions
1650.1020	Eligible Voters

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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- 1650.1030 Election Materials
- 1650.1040 Marking of Ballots
- 1650.1050 Return of Ballots
- 1650.1060 Observation of Ballot Counting
- 1650.1070 Certification of Ballot Counting
- 1650.1080 Challenges to Ballot Counting

SUBPART M: QUALIFIED ILLINOIS DOMESTIC RELATIONS ORDERS

Section

- 1650.1110 Definitions
- 1650.1111 Requirements for a Valid Qualified Illinois Domestic Relations Order
- 1650.1112 Curing Minor Deficiencies
- 1650.1113 Required Form
- 1650.1114 Filing a QILDRO with the System
- 1650.1115 Benefits Affected by a QILDRO
- 1650.1116 Effect of a Valid QILDRO
- 1650.1117 QILDROs Against Persons Who Became Members Prior to July 1, 1999
- 1650.1118 Alternate Payee's Address
- 1650.1119 Electing Form of Payment
- 1650.1120 Automatic Annual Increases
- 1650.1121 Reciprocal Systems QILDRO Policy Statement
- 1650.1122 Providing Benefit Information for Divorce Purposes
- 1650.1123 Suspension and Expiration of a QILDRO

SUBPART N: PAYROLL DEDUCTION PROGRAM

Section

- 1650.1200 Payroll Deduction Program Guidelines
- 1650.1201 Employer Responsibility Under the Payroll Deduction Program Upon Execution of a Payroll Deduction Agreement
- 1650.1202 Payroll Deduction Agreements – Suspensions and Terminations
- 1650.1203 Payroll Deduction Program – Full Time Employment Defined
- 1650.1204 Payroll Deduction Program – Disability Defined
- 1650.1205 Employer Payment of Member's Optional Service, Refund and/or Upgrade Contribution Balance

SUBPART O: RETIRMENT BENEFITS

Section

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENT

1650.2900 Excess Benefit Arrangement

AUTHORITY: Implementing and authorized by Articles 1 and 16 of the Illinois Pension Code [40 ILCS 5/Arts. 1 and 16]; Freedom of Information Act [5 ILCS 140]; Internal Revenue Code (26 USC 1 et seq.); Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Filed June 20, 1958; emergency rules adopted at 2 Ill. Reg. 49, p. 249, effective November 29, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 9, p. 1, effective March 3, 1979; codified at 8 Ill. Reg. 16350; amended at 9 Ill. Reg. 20885, effective December 17, 1985; amended at 12 Ill. Reg. 16896, effective October 3, 1988; amended at 14 Ill. Reg. 18305, effective October 29, 1990; amended at 15 Ill. Reg. 16731, effective November 5, 1991; amended at 17 Ill. Reg. 1631, effective January 22, 1993; amended at 18 Ill. Reg. 6349, effective April 15, 1994; emergency amendment at 18 Ill. Reg. 8949, effective May 24, 1994, for a maximum of 150 days; emergency modified at 18 Ill. Reg. 12880; amended at 18 Ill. Reg. 15154, effective September 27, 1994; amended at 20 Ill. Reg. 3118, effective February 5, 1996; emergency amendment at 21 Ill. Reg. 483, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 2422, effective January 31, 1997; amended at 21 Ill. Reg. 4844, effective March 27, 1997; emergency amendment at 21 Ill. Reg. 17159, effective December 9, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 7243, effective April 9, 1998; emergency amendment at 22 Ill. Reg. 7314, effective April 9, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 9374, effective May 14, 1998, for a maximum of 150 days; emergency rule modified in response to JCAR Objection at 22 Ill. Reg. 11640; emergency amendment at 22 Ill. Reg. 13151, effective June 29, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 15620, effective August 17, 1998; amended at 22 Ill. Reg. 19079, effective October 1, 1998; amended at 22 Ill. Reg. 22090, effective December 1, 1998; amended at 23 Ill. Reg. 3079, effective February 23, 1999; amended at 24 Ill. Reg. 2440, effective January 27, 2000; amended at 24 Ill. Reg. 10300, effective June 26, 2000; amended at 25 Ill. Reg. 203, effective December 22, 2000; amended at 26 Ill. Reg. 2758, effective February 11, 2002; amended at 26 Ill. Reg. 11476, effective July 11, 2002; amended at 27 Ill. Reg. 1668, effective January 17, 2003; amended at 27 Ill. Reg. 9209, effective May 28, 2003; amended at 28 Ill. Reg. 10055, effective June 29, 2004; amended at 29 Ill. Reg. 1546, effective January 14, 2005; amended at 29 Ill. Reg. _____, effective _____.

SUBPART C: FILING OF CLAIMS

Section 1650.201 Disability Benefits – Application Procedure

- a) Any individual claiming a disability benefit under 40 ILCS 5/16-149, 16-149.1 or 16-149.2 shall begin the process by filing a written notice with the System by letter or telefax.

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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- b) For purposes of 40 ILCS 5/16-149 and 16-149.1, if a member files his or her written notice of disability within 90 days after the commencement of disability or the date eligibility for salary ceases, benefits shall be payable from the date the disability commenced or eligibility for salary ceased.
- c) For purposes of 40 ILCS 5/16-149 and 16-149.1, if a member files his or her written notice of disability later than 90 days from the commencement of disability or the date eligibility for salary ceases, benefits may be payable from the member's date of application subject to provisions of subsection (d)(3).
- d) Disability benefits under the provisions of 40 ILCS 5/16-149 shall become payable the later of:
- 1) the 31st calendar day the member is absent from teaching due to the disability for which benefits are sought;
 - 2) ~~upon~~ exhaustion of the member's sick leave, or if sick leave is not paid by the employer, the date upon which the sick leave would have been exhausted had the member been paid by the employer; ~~or~~
 - 3) the date the System receives written notification of disability if more than 90 days have elapsed from the later of:
 - A) commencement of disability; or
 - B) the last day for which salary is payable including payment for sick leave days, whether or not the sick leave days are actually paid for by the employer; or
 - 4) ~~the~~ the date on which all documentation required under 40 ILCS 5/16-149 is received by the System, if the receipt of the documentation is more than six months after the date notice is filed pursuant to subsection (a).
- e) Occupational disability benefits under the provisions of 40 ILCS 5/16-149.1 shall become payable from the later of:
- 1) ~~the~~The date after the last day for which salary is paid; ~~or~~
 - 2) ~~the~~The date the System receives written notification of disability if more

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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than 90 days have elapsed from the later of:

- A) the commencement of the disability; or
 - B) the last day for which salary is paid; or
 - ~~3)C~~ the date on which all documentation required under 40 ILCS 5/16-149 is received by the System, if the receipt of the documentation is more than six months after the date notice is filed pursuant to subsection (a).
- f) When an individual claiming disability benefits is employed under an agreement for less than 12 full months, neither the 31-day waiting period nor the utilization of sick leave requirement, as contained in subsection (d) ~~above~~, is satisfied during periods not covered by the agreement. For purposes of granting disability benefits, it will be presumed that all employment agreements cover one full school term and are automatically renewable at the commencement of the next school term. Satisfactory evidence must be presented of an employment agreement covering a longer period than a full school term (e.g., 10, 11 or 12 months).
- g) Whenever a member becomes ineligible to receive a disability or occupational disability benefit due to gainful employment but is subsequently disabled for the same cause within 90 days after the member's or annuitant's last date of eligibility for benefits, benefits shall be reinstated at the previous benefit rate upon written application. Benefits shall commence the day following the last day the member is eligible to receive salary. If more than 90 days have elapsed, benefits shall be reinstated based on the greater of the member's most recent annual contract salary rate at the time the disability benefit becomes payable or the member's annual contract rate on the date the disability commenced.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Voluntary Mediation Practice
- 2) Code Citation: 83 Ill. Adm. Code 201
- 3) Section Number: 201.110 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Section 10-101.1 of the Public Utilities Act [220 ILCS 5/10-101.1]
- 5) Effective date of amendment: June 1, 2005
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the Commission's Springfield office and is available for public inspection.
- 9) Notice of Proposal published in Illinois Register: 1/21/05; 29 Ill. Reg. 1096
- 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 rulemaking replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of amendment: The amendment will remove an inconsistency from Section 201.110(b)(2) by deleting an unnecessary statement concerning a proceeding being before the Commission.
- 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 b: PROVISIONS APPLICABLE TO MORE THAN
ONE KIND OF UTILITY

PART 201
VOLUNTARY MEDIATION PRACTICE

SUBPART A: GENERAL PROVISIONS

Section	
201.10	Procedure Governed
201.20	Definitions
201.30	Appointment of Mediator
201.40	Participation of Commission Staff
201.50	Participation of Intervenor

SUBPART B: REQUEST FOR MEDIATION

Section	
201.100	Request for Mediation
201.110	Submitting a Request for Mediation
201.120	Notice of Mediation
201.130	Scheduling of Mediation

SUBPART C: MEDIATION PROCEDURE

Section	
201.200	Authority of a Mediation Participant's Representative
201.210	Role of Counsel
201.220	Role of Mediator
201.230	Adjournment
201.240	Supervision of Exchange of Information
201.250	Privilege Against Disclosure; Admissibility; Discovery
201.251	Waiver and Preclusion of Privilege
201.252	Exceptions to Privilege
201.260	Duration of Mediation
201.270	Settlement Shall be Reduced to Writing
201.280	Document Retention

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

SUBPART D: POST-MEDIATION PROCEDURE

Section

201.300

Failure to Agree

201.310

Enforcement of Settlement Agreement

SUBPART E: EFFECT OF A MEDIATED AGREEMENT

Section

201.400

Continuing Authority of the Commission

AUTHORITY: Implementing and authorized by Section 10-101.1 of the Public Utilities Act [220 ILCS 5/10-101.1].

SOURCE: Adopted at 28 Ill. Reg. 16321, effective December 1, 2004; amended at 29 Ill. Reg. 7212, effective June 1, 2005.

SUBPART B: REQUEST FOR MEDIATION

Section 201.110 Submitting a Request for Mediation

- a) A request for mediation shall be in writing and shall be jointly submitted to the Chief Clerk of the Commission by agreement of all persons party to the dispute.
- b) A request for mediation shall include:
 - 1) A brief statement of the issues to be addressed in the mediation;
 - 2) Disclosure of whether any of the issues for which mediation is sought is the subject of any pending ~~formal docketed~~ proceeding ~~before the Commission~~ and, if so:
 - A) the docket number of the docketed proceeding before the Commission, or
 - B) the case name, docket number, and forum if a civil court matter;
 - 3) Disclosure of whether any of the issues for which mediation is sought has been the subject of an informal complaint with the Commission's

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Consumer Services Division, and, if so, the informal complaint number assigned by the Consumer Services Division;

- 4) The name, address, telephone number, and, if available, the facsimile number and e-mail address of each mediation participant or an alternate contact person for each mediation participant submitting the request for mediation;
 - 5) The location where the mediation participants prefer the mediation to occur (i.e., Springfield or Chicago);
 - 6) The specific relief requested by each mediation participant; and
 - 7) An express statement that the mediation is being requested under 83 Ill. Adm. Code 201.
- c) A request for mediation may include any additional documents that the mediation participants believe are pertinent to the matter.

(Source: Amended at 29 Ill. Reg. 7212, effective June 1, 2005)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Peremptory Action:
 310.230 Amendment
 310.Appendix A Table P Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services is amending the Pay Plan 80 Ill. Adm. Code 310.230 and 310.Appendix A, Table P, to reflect two Memoranda of Understanding between the Department of Central Management Services and the Illinois Federation of Public Employees (IFPE) Local 4408. One was signed April 20, 2005, and another signed April 7, 2005. Both became effective April 1, 2005 with the approval of the Civil Service Commission. Effective January 1, 2005, the part time positions in the Apiary Inspector title are represented by IFPE. Effective April 1, 2005, the Elevator Inspector title was established and is represented by IFPE.
- 5) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 6) Effective Date: May 6, 2005
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.230 (Part-Time Daily or Hourly Special Services Rate), the Apiary Inspector title and rates are removed given the IFPE representation of the part-time employees in the title.

Section 310.Appendix A, Table P, is amended to reflect the IFPE representation of the part-time positions within the Apiary Inspector title, and all positions within the Elevator Inspector title. The Apiary Inspector part-time hourly salary is based on the Step 1 rate for full-time Apiary Inspector title divided by 174 work hours in a month. The Elevator Inspector title pay range is specified in the Memorandum of Understanding as:

STEP							
1	2	3	4	5	6	7	8
3612	3796	3975	4161	4334	4516	4789	4933

- 8) Does this rulemaking contain an automatic repeal date? No

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

- 9) Date filed with the Index Department: The Peremptory Amendments will be filed when the certificate is signed.
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?
Yes
- 12) Are there any other proposed amendments pending on this Part?

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.Appendix A Table D	Amend	28 Ill. Reg. 13949, 10/29/04
310.Appendix A Table E	Amend	28 Ill. Reg. 13949, 10/29/04
310.Appendix A Table F	Amend	28 Ill. Reg. 13949, 10/29/04
310.210	Amend	29 Ill. Reg. 2105, 2/14/05
310.230	Amend	29 Ill. Reg. 2105, 2/14/05
310.280	Amend	29 Ill. Reg. 2105, 2/14/05
310.290	Amend	29 Ill. Reg. 2105, 2/14/05
310.Appendix A Table L	Amend	29 Ill. Reg. 2105, 2/14/05
310.Appendix A Table W	Amend	29 Ill. Reg. 2105, 2/14/05
310.Appendix A Table Y	Amend	29 Ill. Reg. 2105, 2/14/05
310.100	Amend	29 Ill. Reg. 2884, 2/25/05
310.490	Amend	29 Ill. Reg. 2884, 2/25/05
310.Appendix A Table W	Amend	29 Ill. Reg. 2884, 2/25/05
310.100	Amend	29 Ill. Reg. 4186, 3/18/05
310.110	Amend	29 Ill. Reg. 4186, 3/18/05
310.130	Amend	29 Ill. Reg. 4186, 3/18/05
310.280	Amend	29 Ill. Reg. 4186, 3/18/05
310.290	Amend	29 Ill. Reg. 4186, 3/18/05
310.530	Amend	29 Ill. Reg. 4186, 3/18/05
310.540	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table G	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table H	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table I	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table J	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table K	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table M	Amend	29 Ill. Reg. 4186, 3/18/05

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.Appendix A Table N	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table O	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table P	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table Q	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table R	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table V	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table W	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table X	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix A Table Z	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix B	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix C	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix D	Amend	29 Ill. Reg. 4186, 3/18/05
310.Appendix G	Amend	29 Ill. Reg. 4186, 3/18/05
310.230	Amend	29 Ill. Reg. 6148, 5/6/05
310.280	Amend	29 Ill. Reg. 6148, 5/6/05
310.320	Amend	29 Ill. Reg. 6148, 5/6/05
310.410	Amend	29 Ill. Reg. 6148, 5/6/05
310. Appendix A Table W	Amend	29 Ill. Reg. 6148, 5/6/05

- 13) Statement of Statewide Policy Objective: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.
- 14) Information and questions regarding these preemptory amendments shall be directed to:

Ms. Anne McElroy
 Deputy Director
 Department of Central Management Services
 503 William G. Stratton Building
 Springfield IL 62706

217/524-8773
 Fax: 217/558-4497

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY 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 2005
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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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 2005
- 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) (Repealed)
- 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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NOTICE OF PEREMPTORY AMENDMENTS

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) (Repealed)
310.APPENDIX B	Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2005
310.APPENDIX C	Medical Administrator Rates for Fiscal Year 2005
310.APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2005
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 2005

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;

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emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27,

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1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective

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August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory 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; preemptory 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; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory 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; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 14, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005.

SUBPART B: SCHEDULE OF RATES

Section 310.230 Part-Time Daily or Hourly Special Services Rate

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

<u>Position</u>	<u>Rates</u>
Account Technician II	14.10 to 19.49 (hourly)
Apiary Inspector	8.28 to 10.15 (hourly)
Building/Grounds Laborer	5.50 to 6.00 (hourly)
Building/Grounds Lead I	5.50 to 7.00 (hourly)
Building/Grounds Lead II	5.50 to 8.00 (hourly)
Building/Grounds Maintenance Worker	5.50 to 6.00 (hourly)
Chaplain I	44 to 70 (daily)
Chemist I	44 to 45 (daily)
Conservation/Historic Preservation Worker	5.50 to 9.00 (hourly)
Conservation/Historic Preservation Worker (2nd season – site interpretation)	5.50 to 9.00 (hourly)
Conservation/Historic Preservation Worker (3rd season – site interpretation)	5.50 to 9.00 (hourly)
Dentist I	70 to 150 (daily)
Dentist II	100 to 185 (daily)
Educator	44 to 85 (daily)
Educator Aide	44 (daily)
Guard II	67 to 84 (daily)
Guard III	75 to 96 (daily)
Hearing and Speech Advanced Specialist	15 to 30 (hourly)
Hearings Referee	75 to 200 (daily)
Janitor I	5.50 (hourly)
Labor Maintenance Lead Worker	5.50 to 6.00 (hourly)
Laborer (Maintenance)	7.05 to 8.00 (hourly)
Maintenance Worker	5.50 (hourly)
Occupational Therapist Program Coordinator	44 to 160 (daily)
Office Aide	10.45 to 13.46 (hourly)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Office Assistant	78 to 101 (daily) 12.18 to 16.04 (hourly) 91 to 120 (daily)
Office Associate	12.24 to 16.42 (hourly) 92 to 123 (daily)
Office Clerk	11.55 to 15.08 (hourly) 87 to 113 (daily)
Optometrist	15 to 35 (hourly) 50 to 160 (daily)
Physician	100 to 300 (daily)
Physician Specialist (A)	20 to 60 (hourly) 100 to 325 (daily)
Physician Specialist (B)	20 to 70 (hourly) 100 to 350 (daily)
Physician Specialist (C)	20 to 105 (hourly) 100 to 360 (daily)
Physician Specialist (D)	20 to 115 (hourly) 100 to 370 (daily)
Podiatrist	50 to 125 (daily)
Psychologist I	44 to 80 (daily)
Psychologist II	44 to 125 (daily)
Psychologist III	44 to 150 (daily)
Recreation Worker I	5.50 (hourly) 44 to 45 (daily)
Registered Nurse I	44 to 54 (daily)
Registered Nurse I (2nd or 3rd shift)	44 to 56 (daily)
Registered Nurse I (Cook County)	44 to 58 (daily)
Registered Nurse I (Cook County – 2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II	44 to 58 (daily)
Registered Nurse II (2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II (Cook County)	45 to 60 (daily)
Registered Nurse II (Cook County – 2nd or 3rd shift)	47 to 62 (daily)
Revenue Tax Specialist I	14.10 to 19.49 (hourly) 106 to 146 (daily)
Social Worker II	44 to 75 (daily)
Social Worker III	44 to 80 (daily)
Student Worker	5.50 to 8.00 (hourly)
Technical Advisor II	32 to 35 (hourly)
Technical Advisor III	32 to 60 (hourly)
Veterinarian II	95 to 130 (daily)

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NOTICE OF PEREMPTORY AMENDMENTS

(Source: Amended by peremptory rulemaking at 29 Ill. Reg. 7217, effective May 6, 2005)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)**

Effective July 1, 2004

	S T E P S							
	1	2	3	4	5	6	7	8
Agricultural Products Promoter	2783	2889	2998	3108	3223	3403	3470	3574
Animal and Animal Products Investigator	2907	3020	3152	3267	3391	3588	3661	3771
Apiary Inspector	2077	2131	2180	2241	2290	2388	2427	2500
Breath Alcohol Analysis Technician	3184	3324	3463	3607	3751	3973	4053	4175
Commodities Inspector	2486	2561	2645	2728	2814	2957	3011	3101
Drug Compliance Investigator	4966	5225	5476	5729	5988	6363	6491	6686
Environmental Protection Legal Investigator I	2681	2771	2874	2968	3077	3243	3305	3404
Environmental Protection Legal Investigator II	2907	3020	3152	3267	3391	3588	3661	3771
Environmental Protection Legal Investigator Specialist	3038	3164	3288	3423	3550	3763	3837	3952
Explosives Inspector I	2907	3020	3152	3267	3391	3588	3661	3771
Explosives Inspector II	3340	3494	3642	3789	3943	4178	4262	4390
Fingerprint Technician	2681	2771	2874	2968	3077	3243	3305	3404
Fire Prevention Inspector I	3038	3164	3288	3423	3550	3763	3837	3952
Fire Prevention Inspector II	3522	3686	3853	4011	4172	4421	4508	4643
Guard I	2133	2191	2248	2302	2358	2455	2497	2572
Guard II	2324	2393	2469	2535	2608	2731	2779	2862
Guard III	2573	2656	2751	2842	2930	3085	3145	3239
Licensing Assistant	2253	2319	2384	2449	2517	2631	2677	2757
Licensing Investigator I	2573	2656	2751	2842	2930	3085	3145	3239
Licensing Investigator II	2907	3020	3152	3267	3391	3588	3661	3771
Licensing Investigator III	3038	3164	3288	3423	3550	3763	3837	3952
Licensing Investigator IV	3340	3494	3642	3789	3943	4178	4262	4390
Liquor Control Special Agent I	2784	2894	3005	3114	3229	3410	3477	3581
Motorist Assistant Specialist	2253	2319	2384	2449	2517	2631	2677	2757
Plant & Pesticide Specialist I	3184	3324	3463	3607	3751	3973	4053	4175
Plant & Pesticide Specialist II	3522	3686	3853	4011	4172	4421	4508	4643

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Plumbing Inspector	3722	3897	4079	4249	4427	4695	4787	4931
Polygraph Examiner I	3522	3686	3853	4011	4172	4421	4508	4643
Polygraph Examiner II	3931	4114	4309	4496	4681	4967	5066	5218
Polygraph Examiner III	4394	4609	4827	5050	5261	5587	5699	5870
Products & Standards Inspector	2907	3020	3152	3267	3391	3588	3661	3771
Security Officer	2681	2771	2874	2968	3077	3243	3305	3404
Security Officer Sergeant	2783	2889	2998	3108	3223	3403	3470	3574
Seed Analyst I	2573	2656	2751	2842	2930	3085	3145	3239
Seed Analyst II	2681	2771	2874	2968	3077	3243	3305	3404
Site Security Officer	2324	2393	2469	2535	2608	2731	2779	2862
Truck Weighing Inspector	2486	2561	2645	2728	2814	2957	3011	3101
Vehicle Compliance Inspector	3184	3324	3463	3607	3751	3973	4053	4175
Vehicle Emissions Compliance Inspector	2783	2889	2998	3108	3223	3403	3470	3574
Vehicle Emissions Quality Assurance Auditor	2681	2771	2874	2968	3077	3243	3305	3404
Vital Records Quality Control Inspector	2681	2771	2874	2968	3077	3243	3305	3404
Warehouse Claims Specialist	3722	3897	4079	4249	4427	4695	4787	4931
Warehouse Examiner	3038	3164	3288	3423	3550	3763	3837	3952
Warehouse Examiner Specialist	3340	3494	3642	3789	3943	4178	4262	4390
Well Inspector I	2907	3020	3152	3267	3391	3588	3661	3771
Well Inspector II	3340	3494	3642	3789	3943	4178	4262	4390

RC-029 Alternative Retirement Formula Schedule

Effective July 1, 2004

	S T E P S							
	1	2	3	4	5	6	7	8
Arson Investigator I	3424	3568	3714	3864	4092	4175	4259	4387
Arson Investigator II	3797	3970	4133	4297	4553	4644	4737	4879
Arson Investigator II (Lead Worker)	3922	4095	4258	4422	4678	4769	4862	5004
Commerce Commission Police Officer I	3424	3568	3714	3864	4092	4175	4259	4387
Commerce Commission Police Officer II	3797	3970	4133	4297	4553	4644	4737	4879
Licensing Investigator III	3125	3255	3386	3527	3656	3875	3950	4069

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NOTICE OF PEREMPTORY AMENDMENTS

Police Officer I	3424	3568	3714	3864	4092	4175	4259	4387
Police Officer II	3797	3970	4133	4297	4553	4644	4737	4879
Police Officer III	4049	4238	4439	4630	4822	5117	5218	5375
Polygraph Examiner III	4526	4748	4971	5201	5419	5755	5871	6047
Security Officer	2752	2844	2954	3053	3166	3337	3404	3506
Security Officer Sergeant	2857	2969	3085	3197	3316	3505	3574	3681

Note: The Step 8 rate shall be increased by \$50 per month for those employees (non-sworn) who attain 15 years of service and have 3 or more years of creditable service on Step 8 in the same pay grade.

The Arson Investigator I, II, Commerce Commission Police Officer I, II, Police Officer I, II and III shall be placed in a longevity schedule receiving a salary increase of an additional \$50 per month upon reaching 10 years, 13 years, 15 years and 17 years of service in the same classification series; and after reaching 17 years of service in the same classification series, an increase of an additional \$75 per month shall be granted.

Effective January 1, 2005

	S T E P S							
	1	2	3	4	5	6	7	8
Agricultural Products Promoter	2839	2947	3058	3170	3287	3471	3539	3645
Animal and Animal Products Investigator	2965	3080	3215	3332	3459	3660	3734	3846
Apiary Inspector	2119	2174	2224	2286	2336	2436	2476	2550
Breath Alcohol Analysis Technician	3248	3390	3532	3679	3826	4052	4134	4259
<u>Apiary Inspector (part time) (hourly rate)</u>	<u>12.18</u>							
Commodities Inspector	2536	2612	2698	2783	2870	3016	3071	3163
Drug Compliance Investigator	5065	5330	5586	5844	6108	6490	6621	6820
<u>Elevator Inspector</u>	<u>3612</u>	<u>3796</u>	<u>3975</u>	<u>4161</u>	<u>4334</u>	<u>4516</u>	<u>4789</u>	<u>4933</u>
Environmental Protection Legal Investigator I	2735	2826	2931	3027	3139	3308	3371	3472
Environmental Protection Legal Investigator II	2965	3080	3215	3332	3459	3660	3734	3846
Environmental Protection Legal Investigator Specialist	3099	3227	3354	3491	3621	3838	3914	4031
Explosives Inspector I	2965	3080	3215	3332	3459	3660	3734	3846
Explosives Inspector II	3407	3564	3715	3865	4022	4262	4347	4478

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NOTICE OF PEREMPTORY AMENDMENTS

Fingerprint Technician	2735	2826	2931	3027	3139	3308	3371	3472
Fire Prevention Inspector I	3099	3227	3354	3491	3621	3838	3914	4031
Fire Prevention Inspector II	3592	3760	3930	4091	4255	4509	4598	4736
Guard I	2176	2235	2293	2348	2405	2504	2547	2623
Guard II	2370	2441	2518	2586	2660	2786	2835	2919
Guard III	2624	2709	2806	2899	2989	3147	3208	3304
Licensing Assistant	2298	2365	2432	2498	2567	2684	2731	2812
Licensing Investigator I	2624	2709	2806	2899	2989	3147	3208	3304
Licensing Investigator II	2965	3080	3215	3332	3459	3660	3734	3846
Licensing Investigator III	3099	3227	3354	3491	3621	3838	3914	4031
Licensing Investigator IV	3407	3564	3715	3865	4022	4262	4347	4478
Liquor Control Special Agent I	2840	2952	3065	3176	3294	3478	3547	3653
Motorist Assistant Specialist	2298	2365	2432	2498	2567	2684	2731	2812
Plant & Pesticide Specialist I	3248	3390	3532	3679	3826	4052	4134	4259
Plant & Pesticide Specialist II	3592	3760	3930	4091	4255	4509	4598	4736
Plumbing Inspector	3796	3975	4161	4334	4516	4789	4883	5030
Polygraph Examiner I	3592	3760	3930	4091	4255	4509	4598	4736
Polygraph Examiner II	4010	4196	4395	4586	4775	5066	5167	5322
Polygraph Examiner III	4482	4701	4924	5151	5366	5699	5813	5987
Products & Standards Inspector	2965	3080	3215	3332	3459	3660	3734	3846
Security Officer	2735	2826	2931	3027	3139	3308	3371	3472
Security Officer Sergeant	2839	2947	3058	3170	3287	3471	3539	3645
Seed Analyst I	2624	2709	2806	2899	2989	3147	3208	3304
Seed Analyst II	2735	2826	2931	3027	3139	3308	3371	3472
Site Security Officer	2370	2441	2518	2586	2660	2786	2835	2919
Truck Weighing Inspector	2536	2612	2698	2783	2870	3016	3071	3163
Vehicle Compliance Inspector	3248	3390	3532	3679	3826	4052	4134	4259
Vehicle Emissions Compliance Inspector	2735	2826	2931	3027	3139	3308	3371	3472
Vehicle Emissions Quality Assurance Auditor	2839	2947	3058	3170	3287	3471	3539	3645
Vital Records Quality Control Inspector	2735	2826	2931	3027	3139	3308	3371	3472
Warehouse Claims Specialist	3796	3975	4161	4334	4516	4789	4883	5030
Warehouse Examiner	3099	3227	3354	3491	3621	3838	3914	4031
Warehouse Examiner Specialist	3407	3564	3715	3865	4022	4262	4347	4478
Well Inspector I	2965	3080	3215	3332	3459	3660	3734	3846
Well Inspector II	3407	3564	3715	3865	4022	4262	4347	4478

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NOTICE OF PEREMPTORY AMENDMENTS

RC-029 Alternative Retirement Formula Schedule

	Effective January 1, 2005							
	S T E P S							
	1	2	3	4	5	6	7	8
Arson Investigator I	3518	3666	3816	3970	4205	4290	4376	4508
Arson Investigator II	3901	4079	4247	4415	4678	4772	4867	5013
Arson Investigator II (Lead Worker)	4030	4208	4375	4544	4807	4900	4996	5142
Commerce Commission Police Officer I	3518	3666	3816	3970	4205	4290	4376	4508
Commerce Commission Police Officer II	3901	4079	4247	4415	4678	4772	4867	5013
Licensing Investigator III	3211	3345	3479	3624	3757	3982	4059	4181
Police Officer I	3518	3666	3816	3970	4205	4290	4376	4508
Police Officer II	3901	4079	4247	4415	4678	4772	4867	5013
Police Officer III	4160	4355	4561	4757	4955	5258	5361	5523
Polygraph Examiner III	4650	4879	5108	5344	5568	5913	6032	6213
Security Officer	2828	2922	3035	3137	3253	3429	3498	3602
Security Officer Sergeant	2936	3051	3170	3285	3407	3601	3672	3782

Note: The Step 8 rate shall be increased by \$50 per month for those employees (non-sworn) who attain 15 years of service and have 3 or more years of creditable service on Step 8 in the same pay grade.

The Arson Investigator I, II, Commerce Commission Police Officer I, II, Police Officer I, II and III shall be placed in a longevity schedule receiving a salary increase of an additional \$50 per month upon reaching 10 years, 13 years, 15 years and 17 years of service in the same classification series; and after reaching 17 years of service in the same classification series, an increase of an additional \$75 per month shall be granted.

(Source: Amended by peremptory rulemaking at 29 Ill. Reg. 7217, effective May 6, 2005)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT

- 1) Heading of the Part: Illinois Pharmacy Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1330
- 3) Register Citation to Notice of Proposed Amendment: 29 Ill. Reg. 5823; April 29, 2005
- 4) Date, Time and Location of Public Hearing:

Thursday, June 2, 2005, 10:00 a.m. to 12:00 noon
Bilandic Building
160 No. LaSalle Street, Room N-502
Chicago, Illinois 60601
- 5) Other Pertinent Information: The hearing will be held for the sole purpose of gathering public comments on the Proposed Amendment. Persons interested in presenting testimony at this hearing are advised that the Department of Financial and Professional Regulation will adhere to the following procedures in the conduct of the hearing:
 - 1) Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
 - 2) No oral testimony shall exceed an aggregate of 10 minutes for the presentation.
 - 3) No person will be recognized to speak for a second time until all persons wishing to testify have done so.
 - 4) In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedure, including the order of call of witnesses, as he/she sees fit.
 - 5) Those individuals who are unable to attend the public hearing but wish to comment on the Proposed Amendment should submit written comments by June 13, 2005.
- 6) Name and Address of Agency Contact Person:

Barb Smith, Rules Coordinator
Department of Financial and Professional Regulation
320 West Washington, 3rd Floor
Springfield, IL 62786

217/785-0813
Fax # 217/557-4451

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICE RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 3, 2005 through May 9, 2005 and have been scheduled for review by the Committee at its June 14, 2005 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>
6/15/05	<u>State Universities Retirement System</u> , Universities Retirement (80 Ill. Adm. Code 1600)	2/18/05 29 Ill. Reg. 2677	6/14/05
6/15/05	<u>Secretary of State</u> , Issuance of Licenses (92 Ill. Adm. Code 1030)	3/11/05 29 Ill. Reg. 3865	6/14/05
6/16/05	<u>Illinois Racing Board</u> , Medication (11 Ill. Adm. Code 603)	3/11/05 29 Ill. Reg. 3862	6/14/05
6/16/05	<u>Department of Natural Resources</u> , White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill. Adm. Code 670)	2/25/05 29 Ill. Reg. 2963	6/14/05
6/17/05	<u>Teachers' Retirement System of the State of Illinois</u> , The Administration and Operation of the Teachers' Retirement System (80 Ill. Adm. Code 1650)	3/18/05 29 Ill. Reg. 4344	6/14/05
6/18/05	<u>Department of Revenue</u> , Watercraft Use Tax (86 Ill. Adm. Code 153)	1/28/05 29 Ill. Reg. 1523	6/14/05
6/18/05	<u>Department of Central Management Services</u> , Pay Plan (80 Ill. Adm. Code 310)	3/18/05 29 Ill. Reg. 4186	6/14/05

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICE RECEIVED

6/18/05	<u>Department of Public Aid</u> , Practice in Administrative Hearings (89 Ill. Adm. Code 104)	2/18/05 29 Ill. Reg. 2635	6/14/05
6/18/05	<u>Department of Public Aid</u> , Child Support Enforcement (89 Ill. Adm. Code 160)	2/18/05 29 Ill. Reg. 2675	6/14/05

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302.595 and 302.669, the following water quality criteria have been derived as listed. This listing updates revisions to existing criteria for the period October 1, 2004 through December 31, 2004 and January 1, 2005 through March 31, 2005. The Illinois Environmental Protection Agency now maintains a list of derived water quality criteria on its website at <http://www.epa.state.il.us/water/water-quality-standards/water-quality-criteria.html>.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality criteria were used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7270, May 26, 1995; 19 Ill. Reg. 12527, September 1, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 1996; 20 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 Ill. Reg. 12695, September 12, 1997; 21 Ill. Reg. 16193, December 12, 1997; 22 Ill. Reg. 5131, March 13, 1998; 22 Ill. Reg. 10689, June 12, 1998; 22 Ill. Reg. 16376, September 11, 1998; 22 Ill. Reg. 22423, December 28, 1998; 23 Ill. Reg. 3102, March 12, 1999; 23 Ill. Reg. 6979, June 11, 1999; 23 Ill. Reg. 11774, September 24, 1999; 23 Ill. Reg. 14772, December 27, 1999; 24 Ill. Reg. 4251, March 17, 2000; 24 Ill. Reg. 8146, June 9, 2000; 24 Ill. Reg. 14428, September 29, 2000; 25 Ill. Reg. 270, January 5, 2001; 25 Ill. Reg. 4049, March 16, 2001; 25 Ill. Reg. 7367, June 8, 2001; 25 Ill. Reg. 12186, September 21, 2001; 25 Ill. Reg. 16175, December 14, 2001; 26 Ill. Reg. 4974, March 29, 2002; 26 Ill. Reg. 13370, September 6, 2002; 27 Ill. Reg. 1736, January 31, 2003; 27 Ill. Reg. 7350, April 18, 2003; 27 Ill. Reg. 17128, November 7, 2003; 28 Ill. Reg. 5038, March 19, 2004; 28 Ill. Reg. 8363, June 11, 2004; 28 Ill. Reg. 12943, September 17, 2004, and 29 Ill. Reg. 1449, January 21, 2005.

Chemical: Acenaphthene	CAS #83-32-9
Acute criterion: 120 ug/l	Chronic criterion: 62 ug/l
Date criteria derived: November 14, 1991; revised February 1999	
Applicable waterbodies: Not used during this period.	

Chemical: Acenaphthylene	CAS # 208-96-8
Acute criterion: 190 ug/L	Chronic criterion: 15 ug/L
Date criteria derived: March 1, 1998	
Applicable waterbodies: Not used during this period.	

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Acetone	CAS #67-64-1
Acute criterion: 1,500 mg/l	Chronic criterion: 120 mg/l
Date criteria derived: May 25, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Acetonitrile	CAS #75-05-8
Acute criterion: 380 mg/l	Chronic criterion: 30 mg/l
Date criteria derived: December 7, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Acrylonitrile	CAS #107-13-4
Acute criterion: 910 ug/l	Chronic criterion: 73 ug/l
Human health criterion (HNC): 0.21 ug/l	
Date criteria derived: November 13, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: Anthracene	CAS #120-12-7
Human health criterion (HTC): 35 mg/l	
Date criteria derived: August 18, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Benzo(a)anthracene	CAS #56-55-3
Human health criterion (HNC): 0.16 ug/l	
Date criteria derived: August 10, 1993; revised February 1999	
Applicable waterbodies: Not used during this period.	
Chemical: Benzo(a)pyrene	CAS #50-32-8
Human health criterion (HNC): 0.016 ug/l	
Date criteria derived: August 10, 1993; revised February 1999	
Applicable waterbodies: Not used during this period.	
Chemical: Benzo(b)fluoranthene	CAS # 205-99-2
Human health criterion (HNC): 0.16 ug/l	
Date criteria derived: August 10, 1993; revised February 1999	
Applicable waterbodies: Not used during this period.	
Chemical: Benzo(k)fluoranthene	CAS #207-08-9
Human health criterion (HNC): 1.6 ug/l	
Date criteria derived: August 10, 1993; revised February 1999	
Applicable waterbodies: Not used during this period.	

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Carbon tetrachloride	CAS #56-23-5
Acute criterion: 3,500 ug/l	Chronic criterion: 280 ug/l
Human health criterion (HNC): 1.4 ug/l	
Date criteria derived: June 18, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Chlorobenzene	CAS #108-90-7
Acute criterion: 990 ug/l	Chronic criterion: 79 ug/l
Date criteria derived: December 11, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: Chloroform	CAS #67-66-3
Acute criterion: 1,900 ug/l	Chronic criterion: 150 ug/l
Human health criterion (HNC): 130 ug/l	
Date criteria derived: October 26, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: Chrysene	CAS #218-01-9
Human health criterion (HNC): 16 ug/l	
Date criteria derived: August 10, 1993; revised February 1999	
Applicable waterbodies: Not used during this period.	
Chemical: 1,2-dichlorobenzene	CAS #95-50-1
Acute criterion: 210 ug/l	Chronic criterion: 17 ug/l
Date criteria derived: December 1, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: 1,3-dichlorobenzene	CAS #541-73-1
Acute criterion: 500 ug/l	Chronic criterion: 200 ug/l
Date criteria derived: July 31, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: 1,2-dichloroethane	CAS #107-06-2
Acute criterion: 25 mg/l	Chronic criterion: 4.5 mg/l
Human health criterion (HNC): 23 ug/l	
Date criteria derived: March 19, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: 1,1-dichloroethylene	CAS #75-35-4
Acute criterion: 3,000 ug/l	Chronic criterion: 240 ug/l
Human health criterion (HNC): 0.95 ug/l	
Date criteria derived: March 20, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: 2,4-dichlorophenol	CAS #120-83-2

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Acute criterion: 630 ug/l	Chronic criterion: 83 ug/l
Date criteria derived: November 14, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: 1,2-dichloropropane	CAS #78-87-5
Acute criterion: 4,800 ug/l	Chronic criterion: 380 ug/l
Date criteria derived: December 7, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: 1,3-dichloropropylene	CAS #542-75-6
Acute criterion: 99 ug/l	Chronic criterion: 7.9 ug/l
Date criteria derived: November 13, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: 2,4-dimethyl phenol	CAS #105-67-9
Acute criterion: 740 ug/l	Chronic criterion: 220 ug/l
Date criteria derived: October 26, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: 4,6-dinitro-o-cresol = 2-methyl-4,6-dinitrophenol	CAS #534-52-1
Acute criterion: 29 ug/l	Chronic criterion: 2.3 ug/l
Date criteria derived: November 14, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: 2,4-dinitrophenol	CAS #51-28-5
Acute criterion: 85 ug/l	Chronic criterion: 4.1 ug/l
Date criteria derived: December 1, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: 2,6-dinitrotoluene	CAS #606-20-2
Acute criterion: 1,900 ug/l	Chronic criterion: 150 ug/l
Date criteria derived: February 14, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: Diquat	CAS #85-00-7
Acute criterion: 990 ug/l	Chronic criterion: 80 ug/l
Date criteria derived: January 30, 1996	
Applicable waterbodies: Not used during this period.	
Chemical: Ethyl mercaptan (ethanethiol)	CAS #75-08-1
Acute criterion: 17 ug/l	Chronic criterion: 2 ug/l
Date criteria derived: April 8, 2002	
Applicable waterbodies: Not used during this period.	

ENVIRONMENTAL PROTECTION AGENCY

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LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Fluoranthene	CAS #206-44-0
Human health criterion (HTC): 120 ug/l	
Date criteria derived: August 10, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Formaldehyde	CAS #50-00-0
Acute criterion: 4.9 mg/l	Chronic criterion: 0.39 mg/l
Date criteria derived: January 19, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Hexachlorobenzene	CAS #118-74-1
Human health criterion (HNC): 0.00025 ug/l	
Date criteria derived: November 15, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: Hexachlorobutadiene	CAS #87-68-3
Acute criterion: 35 ug/l	Chronic criterion: 2.8 ug/l
Date criteria derived: March 23, 1992	
Applicable waterbodies: Not used during this period.	
Chemical: Hexachloroethane	CAS #67-72-1
Acute criterion: 380 ug/l	Chronic criterion: 31 ug/l
Human health criterion (HNC): 2.9 ug/l	
Date criteria derived: November 15, 1991	
Applicable waterbodies: Not used during this period.	
Chemical: n-Hexane	CAS #110-54-3
Acute criterion: 250 ug/l	Chronic criterion: 20 ug/l
Date criteria derived: April 8, 2002	
Applicable waterbodies: Not used during this period.	
Chemical: Isobutyl alcohol = 2-methyl-1-propanol	CAS #78-83-1
Acute criterion: 430 mg/l	Chronic criterion: 35 mg/l
Date criteria derived: December 1, 1993	
Applicable waterbodies: Not used during this period.	
Chemical: Methylene chloride	CAS #75-09-2
Acute criterion: 17 mg/l	Chronic criterion: 1.4 mg/l
Human health criterion (HNC): 340 ug/l	
Date criteria derived: January 21, 1992	
Applicable waterbodies: Not used during this period.	

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LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Methyl ethyl ketone Acute criterion: 320 mg/l Date criteria derived: July 1, 1992 Applicable waterbodies: Not used during this period.	CAS #78-93-3 Chronic criterion: 26 mg/l
Chemical: 4-methyl-2-pentanone Acute criterion: 46 mg/l Date criteria derived: January 13, 1992 Applicable waterbodies: Not used during this period.	CAS #108-10-1 Chronic criterion: 1.4 mg/l
Chemical: 2-methyl phenol Acute criterion: 4.7 mg/l Date criteria derived: November 8, 1993 Applicable waterbodies: Not used during this period.	CAS #95-48-7 Chronic criterion: 0.37 mg/l
Chemical: 4-methyl phenol Acute criterion: 670 ug/l Date criteria derived: January 13, 1992 Applicable waterbodies: Not used during this period.	CAS #106-44-5 Chronic criterion: 120 ug/l
Chemical: methyl tert-butyl ether (MTBE) Acute criterion: 67 mg/l Date criteria derived: September 18, 1997 Applicable waterbodies: Not used during this period.	CAS #134-04-4 Chronic criterion: 6.7 mg/l
Chemical: Naphthalene Acute criterion: 510 ug/l Date criteria derived: November 7, 1991; revised February 1999 Applicable waterbodies: Not used during this period.	CAS #91-20-3 Chronic criterion: 68 ug/l
Chemical: 4-nitroaniline Acute criterion: 1.5 mg/l Date criteria derived: May 5, 1996 Applicable waterbodies: Not used during this period.	CAS #100-01-6 Chronic criterion: 0.12 mg/l
Chemical: Nitrobenzene Acute criterion: 15 mg/l Human health criterion (HTC): 0.52 mg/l Date criteria derived: February 14, 1992; revised February 1999 Applicable waterbodies: Not used during this period.	CAS #98-95-3 Chronic criterion: 8.0 mg/l

ENVIRONMENTAL PROTECTION AGENCY

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LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Pentachlorophenol Acute criterion: 20 ug/l Date criteria derived: national criterion at pH of 7.8, September 1986 Applicable waterbodies: Not used during this period.	Chronic criterion: 13 ug/l
Chemical: Phenanthrene Acute criterion: 46 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.	CAS #85-01-8 Chronic criterion: 3.7 ug/l
Chemical: Propylene Acute criterion: 4.0 mg/l Date criteria derived: April 8, 2002 Applicable waterbodies: Not used during this period.	CAS #115-07-1 Chronic criterion 0.40 mg/l
Chemical: Pyrene Human health criterion (HTC): 3.5 mg/l Date criteria derived: December 22, 1992 Applicable waterbodies: Not used during this period.	CAS #120-00-0
Chemical: Tetrachloroethylene Acute criterion: 1,200 ug/l Date criteria derived: March 23, 1992 Applicable waterbodies: Not used during this period.	CAS #127-18-4 Chronic criterion: 150 ug/l
Chemical: Tetrahydrofuran Acute criterion: 220 mg/l Date criteria derived: March 16, 1992 Applicable waterbodies: Not used during this period.	CAS #109-99-9 Chronic criterion: 17 mg/l
Chemical: 1,2,4-trichlorobenzene Acute criterion: 370 ug/l Date criteria derived: December 14, 1993; revised February 1999 Applicable waterbodies: Not used during this period.	CAS #120-82-1 Chronic criterion: 72 ug/l
Chemical: 1,1,1-trichloroethane Acute criterion: 4,900 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.	CAS #71-55-6 Chronic criterion: 390 ug/l

ENVIRONMENTAL PROTECTION AGENCY

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LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: 1,1,2-trichloroethane	CAS #79-00-5
Acute criterion: 19 mg/l	Chronic criterion: 4.4 mg/l
Human health criterion (HNC): 12 ug/l	
Date criteria derived: December 13, 1993; revised February 1999	
Applicable waterbodies: Not used during this period.	
Chemical: Trichloroethylene	CAS #79-01-6
Acute criterion: 12,000 ug/l	Chronic criterion: 940 ug/l
Human health criterion (HNC): 25 ug/l	
Date criteria derived: October 23, 1992	
Applicable waterbodies: Not used during this period.	

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Bob Mosher
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

217/782-3362

PROCLAMATIONS

**2005-158
ADULT DAY SERVICES WEEK**

WHEREAS, adult day centers are structured, comprehensive programs that offer a variety of support services for the purpose of providing personal attention, and promoting social, physical and emotional well-being in a supportive setting; and

WHEREAS, the adult day service centers in Illinois provide these services with professional and compassionate care; and

WHEREAS, through this service, functionally and cognitively impaired adults are able to receive needed care and services in a community environment; and

WHEREAS, adult day centers offer participants an opportunity for enriching, educational, therapeutic and social experiences outside the home; and

WHEREAS, these centers provide much-needed assistance and counseling to caregivers, including anyone involved and dedicated to this noble service; and

WHEREAS, the State of Illinois proudly joins the Illinois Adult Day Service Association in designating May 8-14, 2005 as Adult Day Services Week:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 8-14, 2005 as **ADULT DAY SERVICES WEEK** in Illinois, and encourage all citizens to honor and celebrate these noble caregivers and the communities they enrich.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

**2005-159
NATIONAL NURSES WEEK**

WHEREAS, the more than 2 million nurses in the United States comprise our nation's largest health care profession; and

WHEREAS, there are over 148,000 registered nurses in the State of Illinois; and

WHEREAS, the depth and extensiveness of the registered nursing profession meets the diverse, and emerging health care needs of the American population in a wide range of settings; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality care of hospitalized patients; and

WHEREAS, currently, there is a nursing shortage in the State of Illinois, as well as across the United States, and therefore it is important that we work to encourage people to take up this noble line of work; and

WHEREAS, the future will bring a great demand for registered nursing services due to a large, aging American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and

WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will no doubt become an even more important component to the U.S. health care system in the years to come:

PROCLAMATIONS

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 6-12, 2005 as **NATIONAL NURSES WEEK** in Illinois, and encourage all citizens to recognize and honor nurses in their communities, for the hard work, and invaluable services they provide for citizens.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

2005-160**ALPHA-1 AWARENESS MONTH**

WHEREAS, one of the most common serious hereditary disorders in the world, Alpha-1 Antitrypsin Deficiency, also referred to as Alpha-1, affects 100,000 children and adults in the United States; and

WHEREAS, Alpha-1 is characterized by low levels of Alpha 1-antitrypsin, a protein found in the blood; and

WHEREAS, this deficiency is usually manifested in three forms: lung disease (which is the most common), liver disease, or a skin condition called panniculitis; and

WHEREAS, less than 10 percent of those predicted to have Alpha-1 have been diagnosed. It often takes an average of three doctors and seven years, from the time symptoms first appear, before proper diagnosis is made; and

WHEREAS, lung disease is the most frequent cause of disability and early death among affected persons, and also a major reason for lung transplants; and

WHEREAS, it is extremely important for someone who has been diagnosed with Alpha-1 to immediately stop smoking and drinking. Smoking and excessive alcohol consumption can speed up the progression of lung and liver damage:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 2005 as **ALPHA-1 AWARENESS MONTH** in Illinois and encourage all citizens to become educated on the seriousness of this disease, and the negative impact it has on our communities.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

2005-161**NATIONAL WOMEN'S HEALTH WEEK**

WHEREAS, it is important that women take responsibility for their own health based on their individual backgrounds and risk factors; and

WHEREAS, it may be believed that all women's health can be viewed one dimensionally, but this is far from true. For instance, heart disease is the number one killer among women in general, but cancer ranks first among Asian/Pacific Islander women; and

WHEREAS, when it comes to lung cancer, Caucasian women have the highest mortality rate, while African American women have the highest mortality rate from heart disease; and

PROCLAMATIONS

WHEREAS, there are five health habits that can contribute to the betterment of women's health, including maintaining regular check ups, exercising, maintaining a healthy diet, not smoking, and following general safety rules; and

WHEREAS, the Office of Women's Health (OWH) was created in 1991 and looks "to redress inequities in research, health care services, and education that have historically placed the health of women at risk;" and

WHEREAS, being led by OWH, National Women's Health Week will be celebrated from May 8-14, 2005. A key focus of this week is raising women's awareness on ways in which they can improve their health; and

WHEREAS, as part of the kickoff for National Women's Health Week, National Women's Checkup Day has been instituted to encourage women to visit their health care professionals for regular checkups:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 8-14, 2005 as **NATIONAL WOMEN'S HEALTH WEEK** in Illinois, and encourage all women, during this week, to renew their commitment to their health and well-being.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

2005-162**TAIWANESE AMERICAN HERITAGE WEEK**

WHEREAS, in 1992, President Bush signed legislation that designates May of each year as a month of national celebration and commemoration of the innumerable contributions that Asians and Pacific Islanders have made to American life; and

WHEREAS, this law (HR 5572) proclaiming "Asian Pacific American Heritage Month" was passed unanimously by both the House of Representatives and the Senate; and

WHEREAS, in 1999, President Bill Clinton and Congress specifically designated one week in May as Taiwanese-American Heritage Week. The Heritage Week is dedicated to recognizing and appreciating aspects of Taiwanese-American heritage in the United States; and

WHEREAS, the United States have been continually enriched by the many different people who choose to come here and become citizens, therefore bringing a part of their heritage and traditions to American culture; and

WHEREAS, the State of Illinois is proud to recognize Americans of Taiwanese descent for their rich culture and their vital role in the continued growth of our great nation. From business to the arts, academia and other fields, they have strengthened our nation and enriched our cultural heritage:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 7-15, 2005 as **TAIWANESE AMERICAN HERITAGE WEEK** in Illinois, and encourage all citizens to learn more about the traditions and cultural heritage of the Taiwanese community.

Issued by the Governor May 5, 2005.

PROCLAMATIONS

Filed by the Secretary of State May 5, 2005.

2005-163**PROVIDER APPRECIATION DAY**

WHEREAS, early childhood is the most critical developmental period for all children; and

WHEREAS, 2.8 million people earn a living by teaching and caring for young children or by working in jobs directly related to this field; and

WHEREAS, of the 21 million children under age six in America, 13 million are in child care at least part time. An additional 24 million school-age children are in some form of child care outside of school time; and

WHEREAS, seeing the need for a day to appreciate and recognize child care providers, a group of volunteers in New Jersey started Provider Appreciation Day in 1996; and

WHEREAS, by calling attention to the importance of high quality child care services for all children and families in our State, these provider groups hope to improve the quality and availability of such services:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 6, 2005 as **PROVIDER APPRECIATION DAY** in Illinois and urge all citizens to join me in recognizing Illinois' child care providers for their commitment and dedication to our children.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

2005-164**KAWASAKI DISEASE AWARENESS DAY**

WHEREAS, Kawasaki Disease (Mucocutaneous Lymph Node Syndrome) is an acute febrile illness with inflammation of small and medium-sized blood vessels throughout the body, in particular, the coronary arteries; and

WHEREAS, Kawasaki Disease is named for Dr. Tomisaku Kawasaki, a Japanese physician, who first described the illness in 1967; and

WHEREAS, Kawasaki Disease mainly affects children under the age of four years, but can affect any age child or adult. In the United States, Kawasaki Disease affects people in all racial and ethnic groups, with approximately 3,000-4,000 children diagnosed with this illness each year; and

WHEREAS, an accurate diagnosis and timely treatment are important with Kawasaki Disease as the leading cause of acquired heart disease in children; and

WHEREAS, due to the rarity of Kawasaki Disease and the lack of awareness of the illness and its dangerous effects, children are often diagnosed late or misdiagnosed:

PROCLAMATIONS

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 5, 2005 as **KAWASAKI DISEASE AWARENESS DAY** in Illinois, and encourage all parents and medical personnel to become educated of this potentially fatal illness and its effects.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

2005-165
BUILDING SAFETY WEEK

WHEREAS, building safety affects many aspects of American life. Because of building safety code enforcement, citizens enjoy the comfort of buildings that are safe and structurally sound; and

WHEREAS, building safety and fire prevention officials work with citizens to address building safety and fire prevention concerns everyday; and

WHEREAS, the dedicated members of the International Code Council, including building safety and fire prevention officials, architects, engineers, and others in the construction industry, develop and enforce the codes that safeguard Americans in the buildings where people live, work, play and learn; and

WHEREAS, the International Codes, the most widely adopted building safety and fire prevention codes in the nation, are used by most U. S. cities, counties and states; and

WHEREAS, building safety codes provide safeguards to protect the public from natural disasters that can occur all across the country, such as snowstorms, hurricanes, tornadoes, wild land fires, and earthquakes. Building safety codes also work to minimize other potential building catastrophes; and

WHEREAS, Building Safety Week, sponsored by the International Code Council Foundation, is an opportunity to educate and increase public awareness of the hard work put forth by building safety and fire prevention officials, local and State building departments, and federal agencies; and

WHEREAS, this year's theme, "You Can Be a Part of Building Safety Week," encourages all Americans to raise their awareness of building safety, and to take appropriate steps to ensure that the places where they live, work, play and learn are safe. Countless lives have been saved because of the building safety codes adopted and enforced by local and State agencies; and

WHEREAS, this year, while observing Building Safety Week, we ask all Illinoisans to recognize the local building safety and fire prevention officials and the important role that they play in public safety:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 8-14, 2005 as **BUILDING SAFETY WEEK** in Illinois, and encourage all citizens to recognize the importance of improving building safety in this State.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

PROCLAMATIONS

**2005-166
SALVATION ARMY WEEK**

WHEREAS, over 125 years ago, the Salvation Army marched into the United States battling poverty, hunger, disease, abuse, loneliness and other evils of society; and

WHEREAS, to this day, the Salvation Army continues its crusade to restore hope to countless men, women and children who have no where else to turn; and

WHEREAS, the Salvation Army serves as a symbol of compassion, but more so as an active participant in the provision of services to thousands of Illinois men, women and children across the country; and

WHEREAS, the Salvation Army provides its services to people in need without regard to race, color, creed, sex, or age; and

WHEREAS, the Salvation Army in Illinois provides much more than spiritual counseling and basic human necessities to the needy and hurting on a daily basis. Moreover, the countless hours given to the community have touched the lives of many in immeasurable ways; and

WHEREAS, the State of Illinois proudly recognizes the Salvation Army and everyone who is involved in their invaluable work that so greatly benefits our communities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 9-15, 2005 as **SALVATION ARMY WEEK** in Illinois, and encourage all citizens to celebrate and honor the dedicated men and women who work or volunteer for this noble organization.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

**2005-167
CHICAGO DEFENDER DAY**

WHEREAS, founded by Robert Sengstacke Abbott in 1905 with an initial investment of 25 cents, the Chicago Defender was first published on May 5 of that same year as a four-page handbill. It has since become one of Chicago's most widely-read newspapers, being continually published for 100 amazing years; and

WHEREAS, in the Chicago Defender's early years, Mr. Abbott himself was a reporter and distributor, gathering news from other publications, but also giving the paper a community oriented structure by talking with his fellow citizens throughout the neighborhoods of Chicago and reporting on issues that were important them and their families; and

WHEREAS, from the very beginning, the Chicago Defender has been outspoken on matters of civil rights and equal opportunities for African Americans, tackling such controversial issues as lynching and Jim Crow Laws; and

WHEREAS, the Chicago Defender grew in popularity as the years went on. Despite being banned in several cities, mostly in the southern part of the country, it became the first

PROCLAMATIONS

Black newspaper to reach a circulation in excess of 100,000 copies, and was widely read aloud in barbershops and churches throughout the United States; and

WHEREAS, as World War I began, the Chicago Defender became the nation's most influential Black newspaper, with Abbott and the Defender single-handedly setting into motion the "Great Migration," of African Americans to Chicago. By 1918, nearly 110,000 people migrated to Chicago, which almost tripled the city's African American population; and

WHEREAS, Robert Sengstacke Abbott passed away in 1940, and his nephew, John H.H. Sengstacke took over the reigns to become Editor and Publisher. In 1956, the Chicago Defender began publishing on a daily basis, and in 1965, three papers, the Pittsburgh Courier, the Michigan Chronicle and the Tri State Defender, joined the Sengstacke newspaper chain; and

WHEREAS, the Chicago Defender and its affiliated papers are now owned by Real Times, Incorporated, which is the largest African American owned and operated newspaper chain in the United States. To this day, the Chicago Defender continues to be a strong voice for African Americans in Chicago and throughout the country, and my administration is honored to join in commemorating their milestone 100th anniversary:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 5, 2005 as **CHICAGO DEFENDER DAY** in Illinois, and encourage all citizens to recognize the outstanding achievements of this Chicago institution over the last 100 years.

Issued by the Governor May 5, 2005.

Filed by the Secretary of State May 5, 2005.

ILLINOIS ADMINISTRATIVE CODE

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