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OF GOVERNMENTAL
AGENCIES



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INTRODUCTION

The Illinois Register is the official State document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register. The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings. The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2010

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 21, 2009	January 4, 2010
2	December 28, 2009	January 8, 2010
3	January 4, 2010	January 15, 2010
4	January 11, 2010	January 22, 2010
5	January 19, 2010	January 29, 2010
6	January 25, 2010	February 5, 2010
7	February 1, 2010	February 16, 2010
8	February 8, 2010	February 19, 2010
9	February 16, 2010	February 26, 2010
10	February 22, 2010	March 5, 2010
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20	May 3, 2010	May 14, 2010
21	May 10, 2010	May 21, 2010
22	May 17, 2010	May 28, 2010
23	May 24, 2010	June 4, 2010

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
24	June 1, 2010	June 11, 2010
25	June 7, 2010	June 18, 2010
26	June 14, 2010	June 25, 2010
27	June 21, 2010	July 2, 2010
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29	July 6, 2010	July 16, 2010
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35	August 16, 2010	August 27, 2010
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37	August 30, 2010	September 10, 2010
38	September 7, 2010	September 17, 2010
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47	November 8, 2010	November 19, 2010
48	November 15, 2010	November 29, 2010
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50	November 29, 2010	December 10, 2010
51	December 6, 2010	December 17, 2010
52	December 13, 2010	December 27, 2010
53	December 20, 2010	January 3, 2011

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Services Delivered by the Department of Children and Family Services
- 2) Code Citation: 89 Ill. Adm. Code 302
- 3) Section Number: 302.410 Proposed Action: Amended
- 4) Statutory Authority: Children and Family Services Act [20 ILCS 505/5]
- 5) A Complete Description of the Subjects and Issues Involved: The Department is amending Section 302.410 to include the State Funded Option of Subsidized Guardianship at the request of the Fed to clarify that any subsidized guardianship awarded to children placed with a non-relative is fully funded by the State. Children must be placed with a relative and meet additional requirements to qualify for subsidized guardianship under Title IV-E. If Section 302.410 is not clarified to include the above stated change, the State may lose millions of dollars in Federal funding. The Department is also increasing the amount allowed for non-recurring expenses associated with obtaining legal guardianship of the child subject from \$500 to the maximum of up to \$2000 per child.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
302.40	Amendment	34 Ill. Reg. 7001; May 21, 2010
- 11) Statement of Statewide Policy Objectives: These rulemakings do not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. Comments should be submitted to:

Jeff E. Osowski
Department of Children and Family Services
406 East Monroe, Station # 65
Springfield, Illinois 62701-1498

217/524-1983
217/524-3715
CFPolicy@idcfs.state.il.us

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of businesses affected: The Department has determined that the proposed amendment will not have an economic impact on small businesses.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: the revisions were not anticipated at the time the regulatory agenda was completed.

The full text of the Proposed Amendment is identical to that of the Emergency Amendment found in this issue of the Illinois Register, which begins on page 13182.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Closure of a Rehabilitation Case
- 2) Code Citation: 89 Ill. Adm. Code 595
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
595.10	Amendment
595.20	Amendment
595.30	Amendment
595.40	Amendment
595.50	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b) and (k)]
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking pertains to the Division of Rehabilitation Services. This rulemaking will add provisions of instructing customers of their right to contact the Hearings Coordinator in order to request mediation or an impartial hearing. A definition has been removed and will be added to 89 Ill. Adm. Code 521.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days of the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

217/785-9772

- 13) 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:
Completion of customer case records.
 - C) Types of professional skills necessary for compliance: VR counselors must have a Master's Degree.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2010

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATIONPART 595
CLOSURE OF A REHABILITATION CASE

Section

595.10	General Applicability
595.20	Closure Prior to Determination of Eligibility
595.30	Non-Rehabilitation Closure
595.40	Closure of a Customer Who has Achieved the Employment Outcome of the IPE
595.50	Employment Outcomes

AUTHORITY: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b) and (k)].

SOURCE: Adopted at 27 Ill. Reg. 12621, effective July 21, 2003; amended at 29 Ill. Reg. 15964, effective October 7, 2005; amended at 34 Ill. Reg. _____, effective _____.

Section 595.10 General Applicability

- a) Rules contained within this Part are applicable to all closures of customers' cases in the DHS-~~DRSORS~~ Vocational Rehabilitation (VR) program.
- b) Closure of a customer's case shall be done:
 - 1) any time in the VR process when the counselor has determined the appropriate standards of this Part have been met; or
 - 2) any time in the process at the customer's request.
- c) ~~An applicant or~~ customer who is dissatisfied with any determination made by the counselor under this Part may request a timely review of the determination. The process of such review shall follow 89 Ill. Adm. Code 510 (Appeals and Hearings).
- d) At the time of case closure, the customer shall be provided a written notice of the following rights:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) The availability of and information on how to contact the Client Assistance Program (CAP). This information shall include a notice that CAP may provide assistance during any appeal or mediation.
- 2) The customer's right to an impartial hearing and to pursue mediation of the issue.
- 3) Information on how a mediator or impartial hearing officer will be selected.
- 4) The ~~contact information for name and address of~~ the DHS Hearings Coordinator with whom ~~individual with whom~~ requests for mediation or impartial hearing may be filed.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 595.20 Closure Prior to Determination of Eligibility

~~An applicant's~~ case may be closed, prior to making an eligibility determination, if the ~~customer individual~~ declines to participate or is unable to complete an assessment for determining eligibility and priority for services. DHS-~~DRSORS~~ shall make a reasonable number of attempts to contact the ~~customer applicant or the applicant's representative~~ to encourage participation.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 595.30 Non-Rehabilitation Closure

A customer's case may be closed any time the counselor has determined that any of the following are present:

- a) the customer has refused services or further services or has failed to cooperate;
- b) the customer cannot be located, is otherwise unavailable for services for an extended period of time, or has died;
- c) the ~~applicant or~~ customer is determined ineligible. When ineligibility is determined, the counselor shall:

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NOTICE OF PROPOSED AMENDMENTS

- 1) provide an opportunity for full consultation with the customer~~individual~~;
- 2) inform the customer~~individual~~, in writing and by other means if appropriate, ~~to the customer~~, of his or her~~the individual's~~ ineligibility determination and the reasons for the determination, and inform the customer of his or her appeal rights~~individual to file an appeal if the individual is dissatisfied with the action~~ (see Section 595.10);
- 3) refer the customer~~individual~~ to other training or employment related programs that are part of the service delivery system under the Workforce Investment Act (29 USC 2821); and
- 4) review any ineligibility determinations made after a period of trial work that the customer is incapable of achieving an employment outcome, within 12 months and annually thereafter, if requested by the customer, within 12 months and annually thereafter~~individual, any ineligibility determination made after a period of trial work that the individual is incapable of achieving an employment outcome~~. This review need not be completed when:
 - A) the customer~~individual~~ has refused a review~~it~~;
 - B) the customer is no longer living in Illinois or the customer's~~individual's~~ whereabouts are unknown~~s~~; or
 - C) the medical condition is rapidly progressing or terminal.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 595.40 Closure of a Customer Who has Achieved the Employment Outcome of the IPE

A determination that the customer has achieved an employment outcome must meet all the following criteria:

- a) The customer has achieved the employment outcome described in the customer's IPE and the employment outcome:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) is consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choices;
 - 2) is in the most integrated setting possible, consistent with the customer's informed choice; and
 - 3) includes substantial services to the customer. ~~Substantial services are defined as services that, provided in the context of the counseling relationship, collectively and significantly contribute to the achievement of an employment outcome consistent with the informed choice of the individual;~~
- b) The customer has maintained the employment outcome for an appropriate period of time, not less than 90 days, necessary to ensure the stability of the employment outcome after closure, and no longer needs VR services;
 - c) At the end of this appropriate period, the customer and the qualified rehabilitation counselor employed by DHS-~~DRSORS~~ consider the employment outcome to be satisfactory and agree that the customer is performing well on the job; and
 - d) The customer is informed of the availability of post-employment services.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 595.50 Employment Outcomes

The following may be considered as employment outcomes for a VR customer:

- a) Competitive Employment.
- b) Vending Facility~~Business Enterprise~~ Program for the Blind (89 Ill. Adm. Code 650).
- c) Supported Employment. Closure in supported employment is an employment outcome when the supported employment is competitive work in an integrated setting and the compensation is based on a rate at least equal to the minimum wage with applicable benefits. ~~The customer, because of the nature and severity of the disabilities, needs intensive, time-limited support services from DHS-ORS and extended services after transition to ongoing support services. Time-limited~~

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

~~support services shall be provided for no longer than 18 months from the initial date of placement unless special circumstances exist and the customer and counselor agree extension of this time period is necessary for the customer to achieve the employment outcome.~~

- d) Homemaker. Closure as a homemaker is an employment outcome when the VR services provided related directly to the customer performing or supervising housework required in the home.
- e) Family Worker. Closure as an unpaid family worker is an employment outcome when the VR services provided to the customer are directly related to the customer performing work activities in the particular business.
- f) Any other type of employment, including self-employment, telecommuting or business ownership, that is consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Organic Material Emission Standards and Limitations for the Chicago Area
- 2) Code citation: 35 Ill. Adm. Code 218
- 3)

<u>Section Number:</u> 218.187	<u>Proposed Action:</u> Amend
-----------------------------------	----------------------------------
- 4) Statutory authority: Implementing Sections 21, 22, 22.01 and 22.9, and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/21, 22, 22.01, 22.9, 27].
- 5) A complete description of the subjects and issues involved:

In a recent filing with the Board, the Illinois Environmental Protection Agency (Agency) stated that language recently adopted in R10-8 contained a technical error. The Agency indicated that this error made it impossible for sources subject to the adopted regulations to comply with applicable limitations. The Agency noted that, although the Board had opened a subdocket in order to address a separate issue, no rulemaking proposal addressing that issue had been timely filed. The Agency proposed to proceed in subdocket as the most efficient way to adopt a correction.

For a more detailed description of this rulemaking, see the Board's August 19, 2010, first-notice opinion and order: Reasonably Available Control Technology (RACT) for Volatile Organic Material Emissions from Group II Consumer & Commercial Products: Proposed Amendments to 35 Ill. Adm. Code 211, 218, and 219. (R10-08(A))
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Agency, which initiated the proceeding in this subdocket, did not indicate that it had used a published study or report in developing the proposed correction.
- 7) Will this rulemaking replace emergency rules currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
218.105	Amend	34 Ill. Reg. 4335; April 2, 2010
218.106	Amend	34 Ill. Reg. 4335; April 2, 2010
218.112	Amend	34 Ill. Reg. 4335; April 2, 2010
218.204	Amend	34 Ill. Reg. 4335; April 2, 2010
218.205	Amend	34 Ill. Reg. 4335; April 2, 2010
218.207	Amend	34 Ill. Reg. 4335; April 2, 2010
218.208	Amend	34 Ill. Reg. 4335; April 2, 2010
218.210	Amend	34 Ill. Reg. 4335; April 2, 2010
218.211	Amend	34 Ill. Reg. 4335; April 2, 2010
218.212	Amend	34 Ill. Reg. 4335; April 2, 2010
218.219	New	34 Ill. Reg. 4335; April 2, 2010
218.890	New	34 Ill. Reg. 4335; April 2, 2010
218.891	New	34 Ill. Reg. 4335; April 2, 2010
218.892	New	34 Ill. Reg. 4335; April 2, 2010
218.894	New	34 Ill. Reg. 4335; April 2, 2010
218.900	New	34 Ill. Reg. 4335; April 2, 2010
218.901	New	34 Ill. Reg. 4335; April 2, 2010
218.902	New	34 Ill. Reg. 4335; April 2, 2010
218.903	New	34 Ill. Reg. 4335; April 2, 2010
218.904	New	34 Ill. Reg. 4335; April 2, 2010

- 11) Statement of statewide policy objective: This proposed rule does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R10-08(A) and be addressed to:

Clerk's Office
 Illinois Pollution Control Board
 State of Illinois Center, Suite 11-500
 100 W. Randolph St.
 Chicago, IL 60601

Address all questions to Tim Fox at 312-814-6085.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312-814-3620, or download them from the Board's Web site at www.ipcb.state.il.us.

- 13) Initial regulatory flexibility analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking will impact any small business, small municipality, and not-for-profit corporation that engages in industrial solvent cleaning operations subject to the requirements of Section 218.187 and meeting the applicability thresholds specified in the proposed rulemaking.
 - B) Reporting, bookkeeping or other procedures required for compliance: The Agency indicates that the proposed rulemaking correct a technical error, and the proposal does not itself require the owner or operator of a subject source to make reports or conduct bookkeeping or other procedures for compliance.
 - C) Types of professional skills necessary for compliance: No professional skills beyond those currently required by the existing State and federal air pollution control requirements applicable to affected sources will be required.
- 14) Regulatory Agenda on which this rulemaking was summarized January 2009

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSIONS STANDARDS AND
LIMITATIONS FOR STATIONARY SOURCESPART 218
ORGANIC MATERIAL EMISSION STANDARDS AND
LIMITATIONS FOR THE CHICAGO AREA

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POLLUTION CONTROL BOARD

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

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Section

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Section

218.940	Applicability
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218.947	Compliance Schedule
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SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL
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Section

218.960	Applicability
218.963	Permit Conditions (Repealed)
218.966	Control Requirements
218.967	Compliance Schedule
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218.980	Applicability
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Section	
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218.APPENDIX A	List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing
218.APPENDIX B	VOM Measurement Techniques for Capture Efficiency (Repealed)
218.APPENDIX C	Reference Methods and Procedures
218.APPENDIX D	Coefficients for the Total Resource Effectiveness Index (TRE) Equation
218.APPENDIX E	List of Affected Marine Terminals
218.APPENDIX G	TRE Index Measurements for SOCFI Reactors and Distillation Units
218.APPENDIX H	Baseline VOM Content Limitations for Subpart F, Section 218.212 Cross-Line Averaging

AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27 and 28].

SOURCE: Adopted at R91-7 at 15 Ill. Reg. 12231, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13564, effective August 24, 1992; amended in R91-28 and R91-30 at 16 Ill. Reg. 13864, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16636, effective September 27, 1993; amended in R93-14 at 18 Ill. Reg. 1945, effective January 24, 1994; amended in R94-12 at 18 Ill. Reg. 14973, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16392, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16950, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6848, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7359, effective May 22, 1995; amended in R96-13 at 20 Ill. Reg. 14428, effective October 17, 1996; amended in R97-24 at 21 Ill. Reg. 7708, effective June 9, 1997; amended in R97-31 at 22 Ill. Reg. 3556, effective

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February 2, 1998; amended in R98-16 at 22 Ill. Reg. 14282, effective July 16, 1998; amended in R02-20 at 27 Ill. Reg. 7283, effective April 8, 2003; amended in R04-12/20 at 30 Ill. Reg. 9684, effective May 15, 2006; amended in R06-21 at 31 Ill. Reg. 7086, effective April 30, 2007; amended in R08-8 at 32 Ill. Reg. 14874, effective August 26, 2008; amended in R10-10 at 34 Ill. Reg. 5330, effective March 23, 2010; amended in R10-8 at 34 Ill. Reg. 9096, effective June 25, 2010; amended in R10-8(A) at 34 Ill. Reg. _____, effective _____.

SUBPART E: SOLVENT CLEANING

Section 218.187 Other Industrial Solvent Cleaning Operations

- a) Applicability. On and after April 1, 2011:
 - 1) Except as provided in subsection (a)(2) of this Section, the requirements of this Section shall apply to all cleaning operations that use organic materials at sources that emit a total of 6.8 kg/day (15 lbs/day) or more of VOM from cleaning operations at the source, in the absence of air pollution control equipment. For purposes of this Section, "cleaning operation" means the process of cleaning products, product components, tools, equipment, or general work areas during production, repair, maintenance, or servicing, including but not limited to spray gun cleaning, spray booth cleaning, large and small manufactured components cleaning, parts cleaning, equipment cleaning, line cleaning, floor cleaning, and tank cleaning, at sources with emission units;
 - 2) Notwithstanding subsection (a)(1) of this Section:
 - A) The following cleaning operations shall be exempt from the requirements of subsections (b), (c), (d), (f), and (g) of this Section:
 - i) Cleaning operations subject to the limitations in Sections 218.182, 218.183, or 218.184;
 - ii) Janitorial cleaning;
 - iii) Stripping of cured coatings, inks, or adhesives, including screen reclamation activities;

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- iv) Cleaning operations in printing pre-press areas, including the cleaning of film processors, color scanners, plate processors, film cleaning, and plate cleaning;
- B) Cleaning operations for emission units within the following source categories shall be exempt from the requirements of subsections (b), (c), (d), (f), and (g) of this Section:
 - i) Aerospace coating;
 - ii) Flexible package printing;
 - iii) Lithographic printing;
 - iv) Letterpress printing;
 - v) Flat wood paneling coating;
 - vi) Large appliance coating;
 - vii) Metal furniture coating;
 - viii) Paper, film, and foil coating;
 - ix) Wood furniture coating;
 - x) Shipbuilding and repair coating;
 - xi) Plastic parts coating;
 - xii) Miscellaneous metal parts coating;
 - xiii) Fiberglass boat manufacturing;
 - xiv) Miscellaneous industrial adhesives; and
 - xv) Auto and light-duty truck assembly coating;

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- C) The following cleaning operations shall be exempt from the requirements of subsections (b), (c), (f), and (g) of this Section:
- i) Cleaning of solar cells, laser hardware, scientific instruments, and high-precision optics;
 - ii) Cleaning conducted as part of performance laboratory tests on coatings, adhesives, or inks; research and development operations; or laboratory tests in quality assurance laboratories;
 - iii) Cleaning of paper-based gaskets and clutch assemblies where rubber is bonded to metal by means of an adhesive;
 - iv) Cleaning of cotton swabs to remove cottonseed oil before cleaning of high-precision optics;
 - v) Cleaning of medical device and pharmaceutical manufacturing facilities using no more than 1.5 gallons per day of solvents;
 - vi) Cleaning of adhesive application equipment used for thin metal laminating;
 - vii) Cleaning of electronic or electrical cables;
 - viii) Touch-up cleaning performed on printed circuit boards where surface mounted devices have already been attached;
 - ix) Cleaning of coating and adhesive application processes utilized to manufacture transdermal drug delivery products using no more than three gallons per day of ethyl acetate;
 - x) Cleaning of application equipment used to apply coatings on satellites and radiation effect coatings;
 - xi) Cleaning of application equipment used to apply solvent-borne fluoropolymer coatings;

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- xii) Cleaning of ultraviolet or electron beam adhesive application;
 - xiii) Cleaning of sterilization indicating ink application equipment if the facility uses no more than 1.5 gallons per day of solvents for such cleaning;
 - xiv) Cleaning of metering rollers, dampening rollers, and printing plates;
 - xv) Cleaning of numismatic dies; and
 - xvi) Cleaning operations associated with digital printing.
- b) Material and Control Requirements. No owner or operator of a source subject to this Section shall perform any cleaning operation subject to this Section unless the owner or operator meets the requirements in subsection (b)(1), (b)(2), or (b)(3):
- 1) The VOM content of the as-used cleaning solutions (~~minus water and any compounds that are specifically exempted from the definitions of VOM~~) does not exceed the following emissions limitations:
 - A) Product cleaning during manufacturing process or surface preparation for coating, adhesive, or ink application:

	kg/l	lb/gal
i) Electrical apparatus components and electronic components	0.10	0.83
ii) Medical device and pharmaceutical manufacturing	0.80	6.7
 - B) Repair and maintenance cleaning:

	kg/l	lb/gal
i) Electrical apparatus components and electronic components	0.10	0.83

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- | | | | |
|---|---|-------|--------|
| ii) | Medical device and pharmaceutical manufacturing tools, equipment, and machinery | 0.80 | 6.7 |
| iii) | Medical device and pharmaceutical manufacturing general work surfaces | 0.60 | 5.0 |
| C) Cleaning of ink application equipment: | | | |
| | | kg/l | lb/gal |
| i) | Rotogravure printing that does not print flexible packaging | 0.10 | 0.83 |
| ii) | Screen printing | 0.50 | 4.2 |
| iii) | Ultraviolet ink and electron beam ink application equipment, except screen printing | 0.65 | 5.4 |
| iv) | Flexographic printing that does not print flexible packaging | 0.10 | 0.83 |
| | | kg/l | lb/gal |
| D) | All other cleaning operations not subject to a specific limitation in subsections (b)(1)(A) through (b)(1)(C) of this Section | 0.050 | 0.42 |
- 2) The composite vapor pressure of each as-used cleaning solution used does not exceed 8.0 mmHg measured at 20°C (68°F); or
- 3) An afterburner or carbon adsorber is installed and operated that reduces VOM emissions from the subject cleaning operation by at least 85 percent overall. The owner or operator may use an emissions control system other than an afterburner or carbon adsorber if such device reduces VOM emissions from the subject cleaning operation by at least 85 percent overall, the owner or operator submits a plan to the Agency detailing

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appropriate monitoring devices, test methods, recordkeeping requirements, and operating parameters for such control device, and such plan is approved by the Agency and USEPA within federally enforceable permit conditions.

- c) The owner or operator of a subject source shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in subsection (g) of this Section and by complying with the recordkeeping and reporting requirements specified in subsection (e) of this Section.
- d) Operating Requirements. The owner or operator of a source subject to the requirements of this Section shall comply with the following for each subject cleaning operation:
 - 1) Cover open containers and properly cover and store applicators used to apply cleaning solvents;
 - 2) Minimize air circulation around the cleaning operation;
 - 3) Dispose of all used cleaning solutions, cleaning towels, and applicators used to apply cleaning solvents in closed containers;
 - 4) Utilize equipment practices that minimize emissions.
- e) Recordkeeping and Reporting Requirements
 - 1) The owner or operator of a source exempt from the limitations of this Section because of the criteria in Section 218.187(a)(1) of this Subpart shall comply with the following:
 - A) By April 1, 2011, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes:
 - i) A declaration that the source is exempt from the requirements of this Section because of the criteria in Section 218.187(a)(1);
 - ii) Calculations that demonstrate that combined emissions of VOM from cleaning operations at the source never equal or

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exceed 6.8 kg/day (15 lbs/day), in the absence of air pollution control equipment;

- B) Notify the Agency of any record that shows that the combined emissions of VOM from cleaning operations at the source ever equal or exceed 6.8 kg/day (15 lbs/day), in the absence of air pollution control equipment, within 30 days after the event occurs.
- 2) All sources subject to the requirements of this Section shall:
- A) By April 1, 2011, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes:
- i) A declaration that all subject cleaning operations are in compliance with the requirements of this Section;
 - ii) Identification of each subject cleaning operation and each VOM-containing cleaning solution used as of the date of certification in such operation;
 - iii) If complying with the emissions control system requirement, what type of emissions control system will be used;
 - iv) Initial documentation that each subject cleaning operation will comply with the applicable limitation, including copies of manufacturer's specifications, test results (if any), formulation data, and calculations;
 - v) Identification of the methods that will be used to demonstrate continuing compliance with the applicable limitations;
 - vi) A description of the practices and procedures that the source will follow to ensure compliance with the limitations in Section 218.187(d); and
 - vii) A description of each cleaning operation exempt pursuant to Section 218.187(a)(2), if any, and a listing of the

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emission units on which the exempt cleaning operation is performed;

- B) At least 30 calendar days before changing the method of compliance between subsections (b)(1) or (b)(2) and subsection (b)(3) of this Section, notify the Agency in writing of such change. The notification shall include a demonstration of compliance with the newly applicable subsection;
- 3) All sources complying with this Section pursuant to the requirements of subsection (b)(1) of this Section shall collect and record the following information for each cleaning solution used:
- A) For each cleaning solution that is prepared at the source with automatic equipment:
 - i) The name and identification of each cleaning solution;
 - ii) The VOM content of each cleaning solvent in the cleaning solution;
 - iii) Each change to the setting of the automatic equipment, with date, time, description of changes in the cleaning solution constituents (e.g., cleaning solvents), and a description of changes to the proportion of cleaning solvent and water (or other non-VOM);
 - iv) The proportion of each cleaning solvent and water (or other non-VOM) used to prepare the as-used cleaning solution;
 - v) The VOM content of the as-used cleaning solution, with supporting calculations; and
 - vi) A calibration log for the automatic equipment, detailing periodic checks;
 - B) For each batch of cleaning solution that is not prepared at the source with automatic equipment:

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- i) The name and identification of each cleaning solution;
 - ii) Date, time of preparation, and each subsequent modification of the batch;
 - iii) The VOM content of each cleaning solvent in the cleaning solution;
 - iv) The total amount of each cleaning solvent and water (or other non-VOM) used to prepare the as-used cleaning solution; and
 - v) The VOM content of the as-used cleaning solution, with supporting calculations. For cleaning solutions that are not prepared at the site but are used as purchased, the manufacturer's specifications for VOM content may be used if such manufacturer's specifications are based on results of tests of the VOM content conducted in accordance with methods specified in Section 218.105(a) of this Part;
- 4) All sources complying with this Section pursuant to the requirements of subsection (b)(2) of this Section shall collect and record the following information for each cleaning solution used:
- A) The name and identification of each cleaning solution;
 - B) Date, time of preparation, and each subsequent modification of the batch;
 - C) The molecular weight, density, and VOM composite partial vapor pressure of each cleaning solvent, as determined in accordance with the applicable methods and procedures specified in Section 218.110 of this Part;
 - D) The total amount of each cleaning solvent used to prepare the as-used cleaning solution; and

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- E) The VOM composite partial vapor pressure of each as-used cleaning solution, as determined in accordance with the applicable methods and procedures specified in Section 218.110 of this Part;
- 5) All sources complying with this Section pursuant to the requirements of subsection (b)(3) of this Section shall comply with the following:
- A) By April 1, 2011, or upon initial start-up of the source, whichever is later, and upon initial start-up of a new emissions control system, include in the certification required by subsection (e)(3) of this Section a declaration that the monitoring equipment required under Section 218.187(f) of this Subpart has been properly installed and calibrated according to manufacturer's specifications;
 - B) If testing of an emissions control system is conducted pursuant to Section 218.187(g) of this Subpart, the owner or operator shall, within 90 days after conducting such testing, submit a copy of all test results to the Agency and shall submit a certification to the Agency that includes the following:
 - i) A declaration that all tests and calculations necessary to demonstrate compliance with Section 218.187(b)(3) of this Subpart have been properly performed;
 - ii) A statement whether the subject cleaning operation is or is not in compliance with Section 218.187(b)(3) of this Subpart; and
 - iii) The operating parameters of the emissions control system during testing, as monitored in accordance with Section 218.187(f) of this Subpart;
 - C) Collect and record daily the following information for each cleaning operation subject to the requirements of Section 218.187(b)(3) of this Subpart:
 - i) Emissions control system monitoring data in accordance with Section 218.187(f) of this Subpart, as applicable;

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- ii) A log of operating time for the emissions control system, monitoring equipment, and associated cleaning equipment;
 - iii) A maintenance log for the emissions control system and monitoring equipment detailing all routine and non-routine maintenance performed, including dates and duration of any outages;
 - D) Maintain records documenting the use of good operating practices consistent with the equipment manufacturer's specifications for the cleaning equipment being used and the emissions control system equipment. At a minimum, these records shall include:
 - i) Records for periodic inspection of the cleaning equipment and emissions control system equipment with date of inspection, individual performing the inspection, and nature of inspection;
 - ii) Records for repair of malfunctions and breakdowns with identification and description of incident, date identified, date repaired, nature of repair, and the amount of VOM released into the atmosphere as a result of the incident;
- 6) All sources subject to the requirements of subsections (b) and (d) of this Section shall notify the Agency of any violation of subsection (b) or (d) by providing a description of the violation and copies of records documenting the violation to the Agency within 30 days following the occurrence of the violation;
- 7) All records required by this subsection (e) shall be retained by the source for at least three years and shall be made available to the Agency upon request.
- f) Monitoring Requirements
 - 1) If an afterburner or carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 218.187(b)(3) of this Subpart shall:

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- A) Install, calibrate, operate, and maintain temperature monitoring devices with an accuracy of 3°C or 5°F on the emissions control system in accordance with Section 218.105(d)(2) of this Part and in accordance with the manufacturer's specifications. Monitoring shall be performed at all times when the emissions control system is operating; and
 - B) Install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the temperature monitoring devices, such as a strip chart, recorder or computer, with at least the same accuracy as the temperature monitor;
- 2) If an emissions control system other than an afterburner or carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 218.187(b)(3) of this Subpart shall install, maintain, calibrate, and operate such monitoring equipment as set forth in the owner's or operator's plan approved by the Agency and USEPA pursuant to Section 218.187(b)(3).
- g) Testing Requirements
- 1) Testing to demonstrate compliance with the requirements of this Section shall be conducted by the owner or operator within 90 days after a request by the Agency, or as otherwise specified in this Section. Such testing shall be conducted at the expense of the owner or operator and the owner or operator shall notify the Agency in writing 30 days in advance of conducting the testing to allow the Agency to be present during the testing;
 - 2) Testing to demonstrate compliance with the VOM content limitations in Section 218.187(b)(1) of this Subpart, and to determine the VOM content of cleaning solvents and cleaning solutions, shall be conducted as follows:
 - A) The applicable test methods and procedures specified in Section 218.105(a) of this Part shall be used; provided, however, Method 24, incorporated by reference in Section 218.112 of this Part, shall be used to demonstrate compliance; or

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- B) The manufacturer's specifications for VOM content for cleaning solvents may be used if such manufacturer's specifications are based on results of tests of the VOM content conducted in accordance with methods specified in Section 218.105(a) of this Part; provided, however, Method 24 shall be used to determine compliance;
- 3) Testing to determine the VOM composite partial vapor pressure of cleaning solvents, cleaning solvent concentrates, and as-used cleaning solutions shall be conducted in accordance with the applicable methods and procedures specified in Section 218.110 of this Part;
- 4) For afterburners and carbon adsorbers, the methods and procedures of Section 218.105(d) through (f) shall be used for testing to demonstrate compliance with the requirements of Section 218.187(b)(3) of this Subpart, as follows:
- A) To select the sampling sites, Method 1 or 1A, as appropriate, 40 CFR 60, ~~appendix~~Appendix A, incorporated by reference in Section 218.112 of this Part;
- B) To determine the volumetric flow rate of the exhaust stream, Method 2, 2A, 2C, or 2D, as appropriate, 40 CFR 60, ~~appendix~~Appendix A, incorporated by reference in Section 218.112 of this Part;
- C) To determine the VOM concentration of the exhaust stream entering and exiting the emissions control system, Method 25 or 25A, as appropriate, 40 CFR 60, ~~appendix~~Appendix A, incorporated by reference in Section 218.112 of this Part. For thermal and catalytic afterburners, Method 25 must be used except under the following circumstances, in which case Method 25A must be used:
- i) The allowable outlet concentration of VOM from the emissions control system is less than 50 ppmv, as carbon;
- ii) The VOM concentration at the inlet of the emissions control system and the required level of control result in

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exhaust concentrations of VOM of 50 ppmv, or less, as carbon; and

- iii) Due to the high efficiency of the emissions control system, the anticipated VOM concentration at the emissions control system exhaust is 50 ppmv or less, as carbon, regardless of inlet concentration. If the source elects to use Method 25A under this option, the exhaust VOM concentration must be 50 ppmv or less, as carbon, and the required destruction efficiency must be met for the source to have demonstrated compliance. If the Method 25A test results show that the required destruction efficiency apparently has been met, but the exhaust concentration is above 50 ppmv, as carbon, a retest is required. The retest shall be conducted using either Method 25 or Method 25A. If the retest is conducted using Method 25A and the test results again show that the required destruction efficiency apparently has been met, but the exhaust concentration is above 50 ppmv, as carbon, the source must retest using Method 25;
- D) During testing, the cleaning equipment shall be operated at representative operating conditions and flow rates;
- 5) An owner or operator using an emissions control system other than an afterburner or carbon adsorber shall conduct testing to demonstrate compliance with the requirements of Section 218.187(b)(3) of this Subpart as set forth in the owner's or operator's plan approved by the Agency and USEPA as federally enforceable permit conditions pursuant to Section 218.187(b)(3) of this Subpart.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Organic Material Emission Standards and Limitations for the Metro East Area
- 2) Code Citation: 35 Ill. Adm. Code 219
- 3) Section Number: 219.187 Proposed Action:
Amend
- 4) Statutory authority: Implementing Sections 21, 22, 22.01 and 22.9, and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/21, 22, 22.01, 22.9, 27].
- 5) A complete description of the subjects and issues involved: In a recent filing with the Board, the Illinois Environmental Protection Agency (Agency) stated that language recently adopted in R10-8 contained a technical error. The Agency indicated that this error made it impossible for sources subject to the adopted regulations to comply with applicable limitations. The Agency noted that, although the Board had opened a subdocket in order to address a separate issue, no rulemaking proposal addressing that issue had been timely filed. The Agency proposed to proceed in subdocket as the most efficient way to adopt a correction.

For a more detailed description of this rulemaking, see the Board's August 19, 2010, first-notice opinion and order: Reasonably Available Control Technology (RACT) for Volatile Organic Material Emissions from Group II Consumer & Commercial Products: Proposed Amendments to 35 Ill. Adm. Code 211, 218, and 219. (R10-08(A))

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Agency, which initiated the proceeding in this subdocket, did not indicate that it had used a published study or report in developing the proposed correction.
- 7) Will this rulemaking replace any emergency rulemakings currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other amendments pending on this Part? Yes

Section Numbers: Proposed Action: Illinois Register Citation:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

219.105	Amend	34 Ill. Reg. 4475; April 2, 2010
219.106	Amend	34 Ill. Reg. 4475; April 2, 2010
219.112	Amend	34 Ill. Reg. 4475; April 2, 2010
219.204	Amend	34 Ill. Reg. 4475; April 2, 2010
219.205	Amend	34 Ill. Reg. 4475; April 2, 2010
219.207	Amend	34 Ill. Reg. 4475; April 2, 2010
219.208	Amend	34 Ill. Reg. 4475; April 2, 2010
219.210	Amend	34 Ill. Reg. 4475; April 2, 2010
219.211	Amend	34 Ill. Reg. 4475; April 2, 2010
219.212	Amend	34 Ill. Reg. 4475; April 2, 2010
219.219	New	34 Ill. Reg. 4475; April 2, 2010
219.890	New	34 Ill. Reg. 4475; April 2, 2010
219.891	New	34 Ill. Reg. 4475; April 2, 2010
219.892	New	34 Ill. Reg. 4475; April 2, 2010
219.894	New	34 Ill. Reg. 4475; April 2, 2010
219.900	New	34 Ill. Reg. 4475; April 2, 2010
219.901	New	34 Ill. Reg. 4475; April 2, 2010
219.902	New	34 Ill. Reg. 4475; April 2, 2010
219.903	New	34 Ill. Reg. 4475; April 2, 2010
219.904	New	34 Ill. Reg. 4475; April 2, 2010

- 11) Statement of statewide policy objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R10-08(A) and be addressed to:

Clerk's Office
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Tim Fox at 312-814-6085.

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Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312-814-3620, or download them from the Board's Web site at www.ipcb.state.il.us.

- 13) Initial regulatory flexibility analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking will impact any small business, small municipality, and not-for-profit corporation that engages in industrial solvent cleaning operations subject to the requirements of Section 218.187 and meeting the applicability thresholds specified in the proposed rulemaking.
 - B) Reporting, bookkeeping or other procedures required for compliance: The Agency indicates that the proposed rulemaking correct a technical error, and the proposal does not itself require the owner or operator of a subject source to make reports or conduct bookkeeping or other procedures for compliance.
 - C) Types of professional skills necessary for compliance: No professional skills beyond those currently required by the existing State and federal air pollution control requirements applicable to affected sources will be required.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2009

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCESPART 219
ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS
FOR THE METRO EAST AREA

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219.101	Savings Clause
219.102	Abbreviations and Conversion Factors
219.103	Applicability
219.104	Definitions
219.105	Test Methods and Procedures
219.106	Compliance Dates
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219.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
219.109	Vapor Pressure of Volatile Organic Liquids
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219.111	Vapor Pressure of Volatile Organic Material
219.112	Incorporations by Reference
219.113	Monitoring for Negligibly-Reactive Compounds

SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

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- 219.126 Compliance Plan (Repealed)
- 219.127 Testing VOL Operations
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SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section

- 219.141 Separation Operations
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- 219.144 Safety Relief Valves

SUBPART E: SOLVENT CLEANING

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- 219.182 Cold Cleaning
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- 219.204 Emission Limitations
- 219.205 Daily-Weighted Average Limitations
- 219.206 Solids Basis Calculation
- 219.207 Alternative Emission Limitations
- 219.208 Exemptions From Emission Limitations
- 219.209 Exemption From General Rule on Use of Organic Material
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- 219.215 Wood Furniture Coating Averaging Approach
- 219.216 Wood Furniture Coating Add-On Control Use
- 219.217 Wood Furniture Coating and Flat Wood Paneling Coating Work Practice Standards
- 219.218 Work Practice Standards for Paper Coatings, Metal Furniture Coatings, and Large Appliance Coatings

SUBPART G: USE OF ORGANIC MATERIAL

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SUBPART H: PRINTING AND PUBLISHING

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- 219.407 Emission Limitations and Control Requirements for Lithographic Printing Lines
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219.431	Applicability
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SUBPART T: PHARMACEUTICAL MANUFACTURING

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219.525 Emission Limitations for Air Oxidation Processes (Renumbered)
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- 219.611 Exemption for Petroleum Solvent Dry Cleaners
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- 219.620 Applicability
- 219.621 Exemption for Waterbase Material and Heatset-Offset Ink
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- 219.640 Applicability
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- 219.720 Applicability (Repealed)
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- 219.729 Compliance Date (Repealed)
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SUBPART GG: MARINE TERMINALS

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219.APPENDIX B	VOM Measurement Techniques for Capture Efficiency (Repealed)
219.APPENDIX C	Reference Methods and Procedures
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- 219.APPENDIX G TRE Index Measurements for SOCOMI Reactors and Distillation Units
219.APPENDIX H Baseline VOM Content Limitations for Subpart F, Section 219.212 Cross-Line Averaging

AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27 and 28].

SOURCE: Adopted in R91-8 at 15 Ill. Reg. 12491, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883, effective August 24, 1992; emergency amendment in R93-12 at 17 Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days; amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993; amended in R93-28 at 18 Ill. Reg. 4242, effective March 3, 1994; amended in R94-12 at 18 Ill. Reg. 14987, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16415, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16980, effective November 15, 1994; emergency amendment in R95-10 at 19 Ill. Reg. 3059, effective February 28, 1995, for a maximum of 150 days; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6958, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7385, effective May 22, 1995; amended in R96-2 at 20 Ill. Reg. 3848, effective February 15, 1996; amended in R96-13 at 20 Ill. Reg. 14462, effective October 28, 1996; amended in R97-24 at 21 Ill. Reg. 7721, effective June 9, 1997; amended in R97-31 at 22 Ill. Reg. 3517, effective February 2, 1998; amended in R04-12/20 at 30 Ill. Reg. 9799, effective May 15, 2006; amended in R06-21 at 31 Ill. Reg. 7110, effective April 30, 2007; amended in R10-10 at 34 Ill. Reg. 5392, effective March 23, 2010; amended in R10-8 at 34 Ill. Reg. 9253, effective June 25, 2010; amended in R10-8(A) at 34 Ill. Reg. _____, effective _____.

SUBPART E: SOLVENT CLEANING

Section 219.187 Other Industrial Solvent Cleaning Operations

- a) Applicability. On and after April 1, 2011:
- 1) Except as provided in subsection (a)(2) of this Section, the requirements of this Section shall apply to all cleaning operations that use organic materials at sources that emit a total of 6.8 kg/day (15 lbs/day) or more of VOM from cleaning operations at the source, in the absence of air pollution control equipment. For purposes of this Section, "cleaning operation" means the process of cleaning products, product components, tools, equipment, or general work areas during production, repair, maintenance or servicing, including but not limited to spray gun cleaning,

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spray booth cleaning, large and small manufactured components cleaning, parts cleaning, equipment cleaning, line cleaning, floor cleaning, and tank cleaning, at sources with emission units;

- 2) Notwithstanding subsection (a)(1) of this Section:
 - A) The following cleaning operations shall be exempt from the requirements of subsections (b), (c), (d), (f), and (g) of this Section:
 - i) Cleaning operations subject to the limitations in Sections 219.182, 219.183, or 219.184;
 - ii) Janitorial cleaning;
 - iii) Stripping of cured coatings, inks, or adhesives, including screen reclamation activities;
 - iv) Cleaning operations in printing pre-press areas, including the cleaning of film processors, color scanners, plate processors, film cleaning, and plate cleaning;
 - B) Cleaning operations for emission units within the following source categories shall be exempt from the requirements of subsections (b), (c), (d), (f), and (g) of this Section:
 - i) Aerospace coating;
 - ii) Flexible package printing;
 - iii) Lithographic printing;
 - iv) Letterpress printing;
 - v) Flat wood paneling coating;
 - vi) Large appliance coating;
 - vii) Metal furniture coating;

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- viii) Paper, film, and foil coating;
 - ix) Wood furniture coating;
 - x) Shipbuilding and repair coating;
 - xi) Plastic parts coating;
 - xii) Miscellaneous metal parts coating;
 - xiii) Fiberglass boat manufacturing;
 - xiv) Miscellaneous industrial adhesives; and
 - xv) Auto and light-duty truck assembly coating;
- C) The following cleaning operations shall be exempt from the requirements of subsections (b), (c), (f), and (g) of this Section:
- i) Cleaning of solar cells, laser hardware, scientific instruments, and high-precision optics;
 - ii) Cleaning conducted as part of performance laboratory tests on coatings, adhesives, or inks; research and development operations; or laboratory tests in quality assurance laboratories;
 - iii) Cleaning of paper-based gaskets and clutch assemblies where rubber is bonded to metal by means of an adhesive;
 - iv) Cleaning of cotton swabs to remove cottonseed oil before cleaning of high-precision optics;
 - v) Cleaning of medical device and pharmaceutical manufacturing facilities using no more than 1.5 gallons per day of solvents;

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- vi) Cleaning of adhesive application equipment used for thin metal laminating;
 - vii) Cleaning of electronic or electrical cables;
 - viii) Touch-up cleaning performed on printed circuit boards where surface mounted devices have already been attached;
 - ix) Cleaning of coating and adhesive application processes utilized to manufacture transdermal drug delivery products using no more than three gallons per day of ethyl acetate;
 - x) Cleaning of application equipment used to apply coatings on satellites and radiation effect coatings;
 - xi) Cleaning of application equipment used to apply solvent-borne fluoropolymer coatings;
 - xii) Cleaning of ultraviolet or electron beam adhesive application;
 - xiii) Cleaning of sterilization indicating ink application equipment if the facility uses no more than 1.5 gallons per day of solvents for such cleaning;
 - xiv) Cleaning of metering rollers, dampening rollers, and printing plates;
 - xv) Cleaning of numismatic dies; and
 - xvi) Cleaning operations associated with digital printing.
- b) Material and Control Requirements. No owner or operator of a source subject to this Section shall perform any cleaning operation subject to this Section unless the owner or operator meets the requirements in subsection (b)(1), (b)(2), or (b)(3):
- 1) The VOM content of the as-used cleaning solutions (~~minus water and any compounds that are specifically exempted from the definition of VOM~~) does not exceed the following emissions limitations:

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A) Product cleaning during manufacturing process or surface preparation for coating, adhesive, or ink application:

		kg/l	lb/gal
i)	Electrical apparatus components and electronic components	0.10	0.83
ii)	Medical device and pharmaceutical manufacturing	0.80	6.7

B) Repair and maintenance cleaning:

		kg/l	lb/gal
i)	Electrical apparatus components and electronic	0.10	0.83
ii)	Medical device and pharmaceutical manufacturing: tools, equipment, and machinery	0.80	6.7
iii)	Medical device and pharmaceutical manufacturing: general work surfaces	0.60	5.0

C) Cleaning of ink application equipment:

		kg/l	lb/gal
i)	Rotogravure printing that does not print flexible packaging	0.10	0.83
ii)	Screen printing	0.50	4.2
iii)	Ultraviolet ink and electron beam ink application equipment, except screen printing	0.65	5.4
iv)	Flexographic printing that does not	0.10	0.83

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print flexible packaging

- | | | | |
|--|----|-------|--------|
| | | kg/l | lb/gal |
| | D) | 0.050 | 0.42 |
- All other cleaning operations not subject to a specific limitation in subsections (b)(1)(A) through (b)(1)(C) of this Section
- 2) The composite vapor pressure of each as-used cleaning solution used does not exceed 8.0 mmHg measured at 20°C (68°F); or
 - 3) An afterburner or carbon adsorber is installed and operated that reduces VOM emissions from the subject cleaning operation by at least 85 percent overall. The owner or operator may use an emissions control system other than an afterburner or carbon adsorber if such device reduces VOM emissions from the subject cleaning operation by at least 85 percent overall, the owner or operator submits a plan to the Agency detailing appropriate monitoring devices, test methods, recordkeeping requirements, and operating parameters for such control device, and such plan is approved by the Agency and USEPA within federally enforceable permit conditions.
- c) The owner or operator of a subject source shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in subsection (g) of this Section and by complying with the recordkeeping and reporting requirements specified in subsection (e) of this Section.
- d) Operating Requirements. The owner or operator of a source subject to the requirements of this Section shall comply with the following for each subject cleaning operation:
- 1) Cover open containers and properly cover and store applicators used to apply cleaning solvents;
 - 2) Minimize air circulation around the cleaning operation;
 - 3) Dispose of all used cleaning solutions, cleaning towels, and applicators used to apply cleaning solvents in closed containers;
 - 4) Utilize equipment practices that minimize emissions.

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- e) Recordkeeping and Reporting Requirements
- 1) The owner or operator of a source exempt from the limitations of this Section because of the criteria in Section 219.187(a)(1) of this Subpart shall comply with the following:
 - A) By April 1, 2011, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes:
 - i) A declaration that the source is exempt from the requirements of this Section because of the criteria in Section 219.187(a)(1);
 - ii) Calculations that demonstrate that combined emissions of VOM from cleaning operations at the source never equal or exceed 6.8 kg/day (15 lbs/day), in the absence of air pollution control equipment;
 - B) Notify the Agency of any record that shows that the combined emissions of VOM from cleaning operations at the source ever equal or exceed 6.8 kg/day (15 lbs/day), in the absence of air pollution control equipment, within 30 days after the event occurs.
 - 2) All sources subject to the requirements of this Section shall:
 - A) By April 1, 2011, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes:
 - i) A declaration that all subject cleaning operations are in compliance with the requirements of this Section;
 - ii) Identification of each subject cleaning operation and each VOM-containing cleaning solution used as of the date of certification in such operation;
 - iii) If complying with the emissions control system requirement, what type of emissions control system will be used;

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- iv) Initial documentation that each subject cleaning operation will comply with the applicable limitation, including copies of manufacturer's specifications, test results (if any), formulation data, and calculations;
 - v) Identification of the methods that will be used to demonstrate continuing compliance with the applicable limitations;
 - vi) A description of the practices and procedures that the source will follow to ensure compliance with the limitations in Section 219.187(d); and
 - vii) A description of each cleaning operation exempt pursuant to Section 219.187(a)(2), if any, and a listing of the emission units on which the exempt cleaning operation is performed;
- B) At least 30 calendar days before changing the method of compliance between subsections (b)(1) or (b)(2) and subsection (b)(3) of this Section, notify the Agency in writing of such change. The notification shall include a demonstration of compliance with the newly applicable subsection;
- 3) All sources complying with this Section pursuant to the requirements of subsection (b)(1) of this Section shall collect and record the following information for each cleaning solution used:
- A) For each cleaning solution that is prepared at the source with automatic equipment:
 - i) The name and identification of each cleaning solution;
 - ii) The VOM content of each cleaning solvent in the cleaning solution;
 - iii) Each change to the setting of the automatic equipment, with date, time, description of changes in the cleaning solution

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constituents (e.g., cleaning solvents), and a description of changes to the proportion of cleaning solvent and water (or other non-VOM);

- iv) The proportion of each cleaning solvent and water (or other non-VOM) used to prepare the as-used cleaning solution;
 - v) The VOM content of the as-used cleaning solution, with supporting calculations; and
 - vi) A calibration log for the automatic equipment, detailing periodic checks;
- B) For each batch of cleaning solution that is not prepared at the source with automatic equipment:
- i) The name and identification of each cleaning solution;
 - ii) Date, time of preparation, and each subsequent modification of the batch;
 - iii) The VOM content of each cleaning solvent in the cleaning solution;
 - iv) The total amount of each cleaning solvent and water (or other non-VOM) used to prepare the as-used cleaning solution; and
 - v) The VOM content of the as-used cleaning solution, with supporting calculations. For cleaning solutions that are not prepared at the site but are used as purchased, the manufacturer's specifications for VOM content may be used if such manufacturer's specifications are based on results of tests of the VOM content conducted in accordance with methods specified in Section 219.105(a) of this Part;

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- 4) All sources complying with this Section pursuant to the requirements of subsection (b)(2) of this Section shall collect and record the following information for each cleaning solution used:
 - A) The name and identification of each cleaning solution;
 - B) Date, time of preparation, and each subsequent modification of the batch;
 - C) The molecular weight, density, and VOM composite partial vapor pressure of each cleaning solvent, as determined in accordance with the applicable methods and procedures specified in Section 219.110 of this Part;
 - D) The total amount of each cleaning solvent used to prepare the as-used cleaning solution; and
 - E) The VOM composite partial vapor pressure of each as-used cleaning solution, as determined in accordance with the applicable methods and procedures specified in Section 219.110 of this Part;
- 5) All sources complying with this Section pursuant to the requirements of subsection (b)(3) of this Section shall comply with the following:
 - A) By April 1, 2011, or upon initial start-up of the source, whichever is later, and upon initial start-up of a new emissions control system, include in the certification required by subsection (e)(3) of this Section a declaration that the monitoring equipment required under Section 219.187(f) of this Subpart has been properly installed and calibrated according to manufacturer's specifications;
 - B) If testing of an emissions control system is conducted pursuant to Section 219.187(g) of this Subpart, the owner or operator shall, within 90 days after conducting such testing, submit a copy of all test results to the Agency and shall submit a certification to the Agency that includes the following:

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- i) A declaration that all tests and calculations necessary to demonstrate compliance with Section 219.187(b)(3) of this Subpart have been properly performed;
 - ii) A statement whether the subject cleaning operation is or is not in compliance with Section 219.187(b)(3) of this Subpart; and
 - iii) The operating parameters of the emissions control system during testing, as monitored in accordance with Section 219.187(f) of this Subpart;
- C) Collect and record daily the following information for each cleaning operation subject to the requirements of Section 219.187(b)(3) of this Subpart:
- i) Emissions control system monitoring data in accordance with Section 219.187(f) of this Subpart, as applicable;
 - ii) A log of operating time for the emissions control system, monitoring equipment, and associated cleaning equipment;
 - iii) A maintenance log for the emissions control system and monitoring equipment detailing all routine and non-routine maintenance performed, including dates and duration of any outages;
- D) Maintain records documenting the use of good operating practices consistent with the equipment manufacturer's specifications for the cleaning equipment being used and the emissions control system equipment. At a minimum, these records shall include:
- i) Records for periodic inspection of the cleaning equipment and emissions control system equipment with date of inspection, individual performing the inspection, and nature of inspection;
 - ii) Records for repair of malfunctions and breakdowns with identification and description of incident, date identified,

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date repaired, nature of repair, and the amount of VOM released into the atmosphere as a result of the incident;

- 6) All sources subject to the requirements of subsections (b) and (d) of this Section shall notify the Agency of any violation of subsection (b) or (d) by providing a description of the violation and copies of records documenting the violation to the Agency within 30 days following the occurrence of the violation;
 - 7) All records required by this subsection (e) shall be retained by the source for at least three years and shall be made available to the Agency upon request.
- f) Monitoring Requirements
- 1) If an afterburner or carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 219.187(b)(3) of this Subpart shall:
 - A) Install, calibrate, operate, and maintain temperature monitoring devices with an accuracy of 3°C or 5°F on the emissions control system in accordance with Section 219.105(d)(2) of this Part and in accordance with the manufacturer's specifications. Monitoring shall be performed at all times when the emissions control system is operating; and
 - B) Install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the temperature monitoring devices, such as a strip chart, recorder or computer, with at least the same accuracy as the temperature monitor;
 - 2) If an emissions control system other than an afterburner or carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 219.187(b)(3) of this Subpart shall install, maintain, calibrate, and operate such monitoring equipment as set forth in the owner's or operator's plan approved by the Agency and USEPA pursuant to Section 219.187(b)(3).

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- g) Testing Requirements
- 1) Testing to demonstrate compliance with the requirements of this Section shall be conducted by the owner or operator within 90 days after a request by the Agency, or as otherwise specified in this Section. Such testing shall be conducted at the expense of the owner or operator and the owner or operator shall notify the Agency in writing 30 days in advance of conducting the testing to allow the Agency to be present during the testing;
 - 2) Testing to demonstrate compliance with the VOM content limitations in Section 219.187(b)(1) of this Subpart, and to determine the VOM content of cleaning solvents and cleaning solutions, shall be conducted as follows:
 - A) The applicable test methods and procedures specified in Section 219.105(a) of this Part shall be used; provided, however, Method 24, incorporated by reference in Section 219.112 of this Part, shall be used to demonstrate compliance; or
 - B) The manufacturer's specifications for VOM content for cleaning solvents may be used if such manufacturer's specifications are based on results of tests of the VOM content conducted in accordance with methods specified in Section 219.105(a) of this Part; provided, however, Method 24 shall be used to determine compliance;
 - 3) Testing to determine the VOM composite partial vapor pressure of cleaning solvents, cleaning solvent concentrates, and as-used cleaning solutions shall be conducted in accordance with the applicable methods and procedures specified in Section 219.110 of this Part;
 - 4) For afterburners and carbon adsorbers, the methods and procedures of Section 219.105(d) through (f) shall be used for testing to demonstrate compliance with the requirements of Section 219.187(b)(3) of this Subpart, as follows:
 - A) To select the sampling sites, Method 1 or 1A, as appropriate, 40 CFR 60, ~~appendix~~Appendix A, incorporated by reference in Section 219.112 of this Part;

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- B) To determine the volumetric flow rate of the exhaust stream, Method 2, 2A, 2C, or 2D, as appropriate, 40 CFR 60, ~~appendix~~Appendix A, incorporated by reference in Section 219.112 of this Part;
- C) To determine the VOM concentration of the exhaust stream entering and exiting the emissions control system, Method 25 or 25A, as appropriate, 40 CFR 60, ~~appendix~~Appendix A, incorporated by reference in Section 219.112 of this Part. For thermal and catalytic afterburners, Method 25 must be used except under the following circumstances, in which case Method 25A must be used:
- i) The allowable outlet concentration of VOM from the emissions control system is less than 50 ppmv, as carbon;
 - ii) The VOM concentration at the inlet of the emissions control system and the required level of control result in exhaust concentrations of VOM of 50 ppmv, or less, as carbon; and
 - iii) Due to the high efficiency of the emissions control system, the anticipated VOM concentration at the emissions control system exhaust is 50 ppmv or less, as carbon, regardless of inlet concentration. If the source elects to use Method 25A under this option, the exhaust VOM concentration must be 50 ppmv or less, as carbon, and the required destruction efficiency must be met for the source to have demonstrated compliance. If the Method 25A test results show that the required destruction efficiency apparently has been met, but the exhaust concentration is above 50 ppmv, as carbon, a retest is required. The retest shall be conducted using either Method 25 or Method 25A. If the retest is conducted using Method 25A and the test results again show that the required destruction efficiency apparently has been met, but the exhaust concentration is above 50 ppmv, as carbon, the source must retest using Method 25;

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- D) During testing, the cleaning equipment shall be operated at representative operating conditions and flow rates;
- 5) An owner or operator using an emissions control system other than an afterburner or carbon adsorber shall conduct testing to demonstrate compliance with the requirements of Section 219.187(b)(3) of this Subpart as set forth in the owner's or operator's plan approved by the Agency and USEPA as federally enforceable permit conditions pursuant to Section 219.187(b)(3) of this Subpart.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Commercial Driver Training Schools
- 2) Code Citation: 92 Ill. Adm. Code 1060
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1060.20	Amendment
1060.80	Amendment
1060.120	Amendment
- 4) Statutory Authority: 625 ILCS 5/6-402 and 625 ILCS 5/6-419
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 96-1062 increased the surety bond required to be posted for Commercial Driving Training Schools. Accordingly, this rulemaking will mirror that increase. Section 1060.80 is being amended to require CDL & Teen Student contracts a maximum time of nine months to complete training. Section 1060.120 is being amended to include the new offense of 625 ILCS 5/11-507, supervising an instruction permit holder while intoxicated, as an offense for which a current instructor will lose his or her instructor's license or will prevent a new applicant from receiving an instructor's license.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The rulemaking will not create or enlarge a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Text of the prepared amendments is posted on the Secretary of State's website, www.sos.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:

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Jennifer Egizii
Office of the Secretary of State
Driver Services Department
2701 South Dirksen Parkway
Springfield, Illinois 62723

217/557-4462

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Commercial Driver Training Schools
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of Professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: the need for this rulemaking was not anticipated at the time the agendas were prepared.

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

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1060
COMMERCIAL DRIVER TRAINING SCHOOLS

Section	
1060.5	Definitions
1060.10	Unlicensed Person May Not Operate Driver Training School
1060.20	Requirements for School Licenses
1060.30	Driver Training School Names
1060.40	Refund of Application Fees
1060.50	School Locations and Facilities
1060.60	Driver Training School Student Instruction Record
1060.70	Driver Training School Course of Instruction
1060.80	Driver Training School Contracts
1060.90	Inspection of School Facilities
1060.100	Licenses
1060.110	Safety Inspection of Driver Training School Motor Vehicles
1060.120	Requirements to Obtain and Retain a Driver Training Instructor's License
1060.130	Examination for Driver Training Instructor
1060.140	Temporary Permit
1060.150	Driver Training School Responsibility for Employees
1060.160	Solicitation of Students and Pupils for Commercial Driver Training Instruction
1060.170	Hearings
1060.180	Teen Accreditation
1060.190	Denial, Cancellation, Suspension, and Revocation of Commercial Driver Training School's License, Teen Accreditation, CDL Accreditation, and Instructor's License
1060.200	Commercial Driver's License and/or Endorsement and/or Accreditation
1060.210	Driver Training School Responsibility for Employees (Recodified)
1060.220	Solicitation of Students and Pupils for Commercial Driver Training Instruction (Recodified)
1060.230	Hearings (Recodified)
1060.240	Teen Accreditation (Recodified)
1060.250	Denial, Cancellation, Suspension, and Revocation of Commercial Driver Training School's License and Instructor's License (Recodified)
1060.260	Commercial Driver's License and/or Endorsement and/or Restriction Accreditation (Recodified)

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

SOURCE: Filed March 2, 1972; codified at 6 Ill. Reg. 12697; transferred from 23 Ill. Adm. Code 252.50 (State Board of Education) pursuant to Section 5-80(d) of the Illinois Administrative Procedure Act [5 ILCS 100/5-80(d)] and Section 6-411 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-411] at 11 Ill. Reg. 1631, effective December 31, 1986; amended at 11 Ill. Reg. 17244, effective October 13, 1987; amended at 12 Ill. Reg. 13203, effective August 1, 1988; amended at 12 Ill. Reg. 19756, effective November 15, 1988; amended at 14 Ill. Reg. 8658, effective May 18, 1990; recodified at 17 Ill. Reg. 20006, effective November 3, 1993; amended at 18 Ill. Reg. 7788, effective May 9, 1994; amended at 20 Ill. Reg. 3861, effective February 14, 1996; amended at 22 Ill. Reg. 22069, effective December 2, 1998; emergency amendment at 24 Ill. Reg. 8403, effective June 2, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15443, effective October 5, 2000; amended at 25 Ill. Reg. 6409, effective April 26, 2001; amended at 26 Ill. Reg. 15020, effective October 1, 2002; emergency amendment at 28 Ill. Reg. 398, effective December 22, 2003, for a maximum of 150 days; emergency expired May 19, 2004; amended at 28 Ill. Reg. 11925, effective July 26, 2004; amended at 30 Ill. Reg. 11377, effective June 14, 2006; amended at 31 Ill. Reg. 16008, effective November 16, 2007; amended at 33 Ill. Reg. 15811, effective October 27, 2009; amended at 34 Ill. Reg. _____, effective _____.

Section 1060.20 Requirements for School Licenses

- a) The Secretary of State shall not issue, or shall deny, cancel, suspend or revoke, a driver training school license unless:
 - 1) The applicant has at least one motor vehicle owned or leased in the name of the driver training school or school owner indicated on the license, and registered by the Secretary of State Vehicle Services Department, that has been safety inspected and insurance certified as required in subsection (e) for use by the school for driver training purposes and driving instruction.
 - 2) The applicant has at least one person who is employed by or associated with the school, and who is licensed or qualified to be licensed by the Department as a driver training instructor for that school.
 - 3) The physical facilities meet the requirements of this Part.

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- 4) The applicant is of good moral character as required pursuant to IVC Section 6-402(a). In making a determination of good moral character, the Department is not limited to, but may consider, the following:
 - A) Whether the applicant has been convicted of a felony or a misdemeanor. The Department shall consider:
 - i) The relationship of any crime of which the applicant has been convicted to the ability to operate a driver training school;
 - ii) The length of time that has elapsed since the applicant's last criminal conviction;
 - iii) Whether the applicant successfully completed any sentence imposed with the convictions;
 - iv) Whether the applicant has multiple convictions for felony or misdemeanor offenses.
 - B) If the person has been indicted, formally charged or otherwise charged with a felony or a misdemeanor, the license shall be either denied or cancelled.
 - i) If the person whose commercial driver training school license has been denied or cancelled under this Part is adjudicated "guilty" by the court systems, the denial or cancellation previously entered on his/her record in accordance with Section 1060.190(b) shall stand. This action does not preclude further suspension and/or revocation of the commercial driver training school license under another Section of this Part or the Illinois Vehicle Code.
 - ii) If the person whose commercial driver training school license has been denied or cancelled under this Part is adjudicated "not guilty" by the court systems, the denial or cancellation previously entered on the license in

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accordance with Section 1060.190(b) shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school license under another Section of this Part or the Illinois Vehicle Code.

- iii) If the person whose commercial driver training school license has been denied or cancelled under this Part is granted a disposition of "court supervision" by the court systems, the denial or cancellation previously entered on the license in accordance with Section 1060.190(b) shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school license under another Section of this Part or the Illinois Vehicle Code.
- 5) An individual whose commercial driver training school license has been denied, cancelled, suspended or revoked pursuant to this Part may request an administrative hearing pursuant to 92 Ill. Adm. Code 1001.
- b) Only one driver training school license shall be issued to any individual, group, association, partnership or corporation, and the Department shall deny the application of any driver training school if any of the applicants are unqualified or are already licensed or have made application for another driver training school license.
 - c) The applicant shall not be a current salaried or contractual employee of the Secretary of State, as mandated by the guidelines of the Secretary of State's Office policy manual that states that an employee shall not advocate or promote specific professional or commercial services to the public in matters under the jurisdiction of the Office of the Secretary of State.
 - d) No accreditation program shall remain in operation if properly qualified personnel are not available or if other changes occur that would reduce its qualifications. Exception: in the event of fire, flood or other catastrophe, the school may temporarily continue to operate with facilities that are not up to standards only for the duration of the courses that have been started, if the Director of the Department consents. A Secretary of State employee shall determine that no health or safety hazard exists in violation of any local ordinance or State or

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federal law or regulation before the Director of the Department shall give consent. No new course can be started until facilities meet the minimum requirements for licensing.

- e) No driver training school shall operate in the State of Illinois unless it provides and files with the Department a continuous surety bond in the principal sum of \$10,000 for a non-accredited school, \$40,000 for a CDL or teenage accredited school, \$60,000 for a CDL accredited and teenage accredited school, \$50,000 for a CDL or teenage accredited school with three or more licensed branches, \$70,000 for a CDL accredited and teenage accredited school with three or more licensed branches~~\$20,000~~, underwritten by a company authorized to do business in the State of Illinois, for the protection of the contractual rights of students as provided in IVC Section 6-402(e). All bonds filed pursuant to this provision shall be in substantially the following form:

Know All Persons by These Presents, That We, _____, of _____,

hereinafter referred to as Principal and _____, a corporation organized and existing to do business in the State of Illinois, for the use and benefit of all persons who may be damaged by breach of this bond, as Obligees, in the penal sum of \$10,000 for a non-accredited school, \$40,000 for a CDL or teenage accredited school, \$60,000 for a CDL accredited and teenage accredited school, \$50,000 for a CDL or teenage accredited school with three or more licensed branches, \$70,000 for a CDL accredited and teenage accredited school with three or more licensed branches~~\$20,000~~, lawful money of the United States of America, for the payment of which sum, well and truly to be made, we bind ourselves, our executors, administrators, successors and assigns, firmly by these presents. The condition of this obligation is such that the principal has made application for a license or permit to the State of Illinois for the purpose of exercising the vocation of a driver training school. If the Principal faithfully complies with the Illinois Vehicle Code and all rules and regulations that have been or may hereafter be in force concerning the license or permit, and shall save and keep harmless the Obligees from all loss or damage that may be sustained as a result of the issuance of the license or permit to the Principal, this obligation shall be void; otherwise, this obligation shall remain in full force and effect. The bond will expire but may be continued by renewal certificate signed by Principal and Surety. The Surety may at any time terminate its liability by giving 30 days written notice to the Commercial Driver Training Section of the Department, 650

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Roppolo Drive, Elk Grove Village, Illinois 60007, and the Surety shall not be liable for any default after that 30 day notice period, except for defaults occurring prior thereto.

Signed, Sealed and Dated this _____ day of _____, 20__.

Principal _____

Surety _____

By _____

Attorney-in-fact

- f) Upon receipt of a properly executed application for a driver training school license, or driver training instructor's license, the Department shall investigate the qualifications of the applicant, and authorized representatives shall inspect the school property and equipment to determine whether the application should be granted or denied.
- g) An owner or manager shall not engage in fraudulent activity as defined in Section 1060.5.
- h) An owner or employee of a commercial driver training school shall not have been declared to have engaged in fraudulent activity within the 5 years prior to making application.
- i) Licenses shall be issued by the Department.
- j) An owner shall not have possession of questionnaires used by the Driver Services Department in conjunction with administering driver's license examinations. This includes questionnaires purposely or inadvertently obtained from any Secretary of State employee or any individual acting on behalf of the Secretary of State.
- k) An owner shall not knowingly use unlicensed instructors for the purpose of classroom or behind the wheel instruction.
- l) An owner shall not be currently employed as an administrator and/or teacher of a State-approved high school driver education program.

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- m) An owner of a commercial driver training school that provides motorcycle instruction shall not provide any person with an Illinois Department of Transportation Rider Education Course Completion Card.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1060.80 Driver Training School Contracts

- a) All written contracts or agreements between any driver training school and any individual or group for the sale, purchase, barter or exchange of any driving instruction or any classroom instruction, or the preparation of an applicant for examination given by the Department for a driver's license, must contain the following:
- 1) A statement indicating the agreed contract price per hour or lesson, and the terms of payment;
 - 2) A statement that the agreement constitutes the entire contract between the school and the student, and no verbal assurances or promises not contained herein shall bind the school or the student;
 - 3) A statement concerning whether any additional charge is made for the use of the school vehicle in taking a driving test to obtain a driver's license;
 - 4) A statement indicating whether behind-the-wheel instruction is to be in private or on a group basis or both;
 - 5) A statement indicating the specific date and time when instruction is to begin, the hours of instruction and the location of the classroom;
 - 6) The name and address of the school and the student or entity, and the number and type of all licenses or permits to operate a motor vehicle held by the student; ~~and~~
 - 7) A statement indicating that all disputes under this Section be directed to the Secretary of State's Office; ~~and~~

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- 8) A statement requiring all students attending a full CDL accredited or teenage accredited program to complete the entire course within 9 months from the date of the first classroom lesson.
- b) If a contract or agreement between a driver training school and an individual for the sale, purchase, or charge for any driving instruction, or the preparation of an applicant for examination given by the Department for a driver's license, is not in writing, the driver training school shall file with the Department a written statement under oath indicating that all of its oral contracts and agreements have complied, and will comply, with the foregoing requirements. ~~The~~Such statement shall be filed when an application is made for a license to operate a drivers training school. A new statement shall also be filed when the school requests the renewal of its license.
- c) The term "~~no refund~~No-Refund" and ~~such a~~ no refund policy concerning student payments is not permitted in any driver training school contract. A driver training school may use the phrase: "The school will not refund any tuition or part of tuition if the school is capable and willing to perform its part of the contract."
- d) No driver training school shall include any statement in any of its contracts or advertising to the effect that an Illinois driver's license is guaranteed or that free lessons will be given any student who fails to pass a driver's license test, except the following statements ~~provided below~~ are permissible:
- 1) "No additional charge will be made for instruction given to students of this school who fail to pass the driver's license test." ~~;~~ ~~and~~
 - 2) "Students who fail to pass the test will be given further instruction at no additional charge."
- e) No driver training school may sell, transfer, assign, exchange, trade or otherwise dispose of any contract or part of a contract, agreement or obligation between any driver training school and any student, unless the driver training school has obtained the written consent of the student.
- f) If any driver training school fails to comply with the provisions of a contract or agreement by or between the driver training school or any of its students, the driver training school shall refund all monies deposited by the student as consideration for performance of the contract or agreement by the school, unless

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the student violates the provisions of the contract or agreement.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1060.120 Requirements to Obtain and Retain a Driver Training Instructor's License

- a) The Secretary of State shall not issue, or shall deny, cancel, suspend or revoke, a driver training instructor's license:
 - 1) To any person who:
 - A) has not held a valid driver's license for any 2 year period preceding the date of application for an instructor's license;
 - B) intends to instruct in L and/or M classification, as defined in 92 Ill. Adm. Code 1030.30(b); and
 - C) has not held the representative classification for 3 consecutive years immediately prior to the date of application;
 - 2) To any person who has been convicted of 3 or more offenses against traffic regulations governing the movement of traffic within the 2 year period immediately preceding the date of application for an instructor's license;
 - 3) To any person who has had 2 or more convictions of a violation that caused an auto accident within the 2 year period immediately preceding the date of application for an instructor's license;
 - 4) To any person who has been convicted of driving under the influence of alcohol and/or other drugs, pursuant to IVC Section 11-501, leaving the scene of a fatal accident, pursuant to IVC Section 11-401, reckless homicide, pursuant to Section 9-3 of the Criminal Code of 1961 [720 ILCS 5/9-3], reckless driving, pursuant to IVC Section 11-503, or any sex or drug related offense within 10 years prior to the date of application; or to any person with more than one of these convictions;
 - 5) To any person who has failed to pass the written, vision, or road test

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required by the Department for applicants for a driver training instructor's license;

- 6) To any person who is physically unable to safely operate a motor vehicle or to safely instruct or train others in the operation of a motor vehicle as determined by a licensed physician pursuant to IVC Section 6-411(d). An application/medical examination form provided by the Secretary of State shall be completed by the applicant and physician. The physician's medical examination form shall contain the applicant's ability to safely operate a motor vehicle. The form shall also contain an indication of the person's eyesight, hearing, mental alertness, reflexes, and whether the person has normal use of his/her limbs and feet. The physician must also provide his/her address and the date and place of the examination. Those persons who are solely classroom instructors shall comply with subsection (d) of this Section;
- 7) To any person who fails to properly and fully complete an application for a license or otherwise indicates that he/she is unqualified to receive a driver training instructor's license;
- 8) To any person who is not employed or associated with a driver training school licensed by the Department as required pursuant to IVC Section 6-417;
- 9) To any person who is currently a salaried or contractual employee of the Secretary of State, as mandated by the guidelines of the Secretary of State's Office policy manual that states that an employee shall not advocate or promote specific professional or commercial services to the public in matters under the jurisdiction of the Office of the Secretary of State;
- 10) To any person who fails to supply a complete set of fingerprints to the Department as required pursuant to IVC Section 6-411(b);
- 11) To any person who is not at least 21 years of age and a resident of the State of Illinois;
- 12) To any person who has failed to comply with the provisions of this Part pursuant to IVC Section 6-411(d);

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- 13) To any person who is not of good moral character as required pursuant to IVC Section 6-411(a). In making a determination of good moral character, the Department is not limited to, but may consider the following:
- A) If the person has been convicted of a felony or misdemeanor. The Department shall consider:
 - i) The relationship of any crime of which the person has been convicted to the ability to operate a driver training school;
 - ii) The length of time that has elapsed since the owner's last criminal conviction;
 - iii) Whether the applicant successfully completed any sentence imposed with the convictions;
 - iv) Whether the applicant has multiple convictions for felony or misdemeanor offenses.
 - B) If the person has been indicted or formally or otherwise charged with a felony or a misdemeanor, the license shall be either denied or cancelled.
 - i) If the person whose commercial driver training school instructor license has been denied or cancelled under this Part is adjudicated "guilty" by the court systems, the denial or cancellation previously entered on his/her record in accordance with Section 1060.190(b) shall stand. This action does not preclude further suspension and/or revocation of the commercial driver training school instructor license under another Section of this Part or the Illinois Vehicle Code.
 - ii) If the person whose commercial driver training school instructor license has been denied or cancelled under this Part is adjudicated "not guilty" by the court systems, the denial or cancellation previously entered on the license in

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accordance with Section 1060.190(b) shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school instructor license under another Section of this Part or the Illinois Vehicle Code.

- iii) If the person whose commercial driver training school instructor license has been denied or cancelled under this Part is granted a disposition of "court supervision" by the court systems, the denial or cancellation previously entered on the license in accordance with Section 1060.190(b) shall be rescinded. This action does not preclude further suspension and/or revocation of the commercial driver training school instructor license under another Section of this Part or the Illinois Vehicle Code;
- 14) To any person whose suspension under IVC Section 11-501.1, 11-501.6 or 11-501.8 has terminated within 10 years prior to the date of application; or to any person with more than one of the above suspensions under IVC Section 11-501.1 or 11-501.6;
 - 15) To any person who has not completed a 30-hour course or an equivalent college or university course approved by the Director of the Department.
 - A) Any person possessing a current and valid commercial driver training instructor's license, or who is renewing a commercial driver training license issued by the Secretary of State's Office, shall be exempt from this requirement.
 - B) A driver training school whose instructor provides training to individuals under the age of 18 years is exempt from this requirement and must complete the mandatory 48 hour course as required in Section 1060.180;
 - 16) To any person currently licensed by the Secretary of State as a Third Party Certification Program Safety Officer;
 - 17) To any person who is currently an administrator and/or teacher of a State-approved high school driver education program;

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18) To any currently licensed instructor who has been convicted of violating IVC Section 11-507 or to an applicant who has been convicted of violating IVC Section 11-507 within 10 years prior to the date of application.

- b) If an applicant indicates that he/she has been convicted of a felony, the applicant shall submit a signed release allowing the Department to obtain any information regarding the applicant's arrest and conviction, thereby enabling the Department to determine the fitness of an applicant to be licensed as an instructor.
- c) No driver training instructor shall provide behind-the-wheel instruction in a vehicle that is classified higher than the classification of the instructor's driver's license. An instructor may hold two classifications: one classification from Classes A, B, C and D, and one classification from Classes L and M, as defined in 92 Ill. Adm. Code 1030.30(b). An instructor holding a Class A commercial driver's license may teach students to drive all Class A, B, C and D vehicles. An instructor holding a Class B commercial driver's license may teach students to drive all Class B, C and D vehicles. An instructor holding a Class C commercial driver's license may teach students to drive all Class C and D vehicles. However, an instructor holding a non-commercial driver's license may only teach students who do not require a commercial driver's license. An instructor holding a Class M license may teach students to drive all Class L and M vehicles.
- d) Any person who is physically unable to safely operate a motor vehicle but meets all other requirements to be a driver training instructor shall be able to teach only the classroom portion of the driver training course upon receipt of a doctor's statement indicating the person is physically able to teach in the classroom. The person shall also pass the vision test, as provided in 92 Ill. Adm. Code 1030.70, the written test, as provided in 92 Ill. Adm. Code 1030.80, and the highway safety sign test, and shall submit all applicable fees as set out in IVC Section 6-411 before being issued an instructor's license for classroom instruction only.
- e) All instructors who have ceased to be employed or associated with the designated school on their license must submit a new complete instructor's license application and application fee before being licensed to instruct at another school or in the same school after such cessation.
- f) If a driver training instructor license is not renewed within one year after the previous year's expiration date, the applicant shall be required to take

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examinations pursuant to Section 1060.130.

- g) An instructor shall not engage in fraudulent activity as defined in Section 1060.5.
- h) During the course of instruction in either classroom or behind-the-wheel, an instructor shall not engage in activity unrelated to normal driving instruction that puts the student in danger.
- i) An instructor shall not have possession of questionnaires used by the Driver Services Department in conjunction with administering driver's license examinations. This includes questionnaires purposely or inadvertently obtained from any Secretary of State employee or any individual acting on behalf of the Secretary of State.
- j) An individual whose commercial driver training school instructor license has been cancelled pursuant to this Part may request an administrative hearing pursuant to 92 Ill. Adm. Code 1001.
- k) An instructor of a commercial driver training school that provides motorcycle instruction shall not provide any person with an Illinois Department of Transportation Rider Education Course Completion Card.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: State Toll Highway Rules
- 2) Code Citation: 92 Ill. Adm. Code 2520
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2520.410	Amended
2520.420	Amended
2520.APPENDIX A	Amended
- 4) Statutory Authority: 605 ILCS 10/10; 605 ILCS 5/11-601; 605 ILCS 5/11-603
- 5) A Complete Description of the Subjects and Issues Involved: These amendments are intended to further define existing Tollway speed limit boundaries and increase the speed limits on I-355 South of I-55 for passenger vehicles and on I-88 and I-90 west of Kane and McHenry Counties for trucks and buses from 55 mph to 65 mph. In addition, the Tollway intends to amend Section 2520.Appendix A to update and clarify its policies and procedures with respect to its current practices pertaining to overweight and over-dimension vehicles.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Tollway has an engineering study to support the increase in the speed limit on I-355.
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The Tollway is seeking an approval of speed limit increases to 65 mph on I-355 and on I-88 and I-90 west of Kane and McHenry Counties pursuant to the suggestion of the Illinois Department of Transportation and a recent change in the law. (See 605 ILCS 5/11-601.) The change to the overweight-over dimension Appendix is intended to clarify existing procedures and incorporate current practices.

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- 12) 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 within 45 days of the publication of this Notice in the *Illinois Register* to:
- Thomas Bamonte
General Counsel
Illinois State Toll Highway Authority
2700 Ogden Avenue
Downers Grove, IL 60515
- 630/241-6800
- 13) 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
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on the most recent agenda because: The proposed rule changes had not been prepared or necessarily contemplated by the Tollway's Board of Directors at the time of the publishing of the most recent Regulatory Agenda.

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

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NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER IV: ILLINOIS STATE TOLL HIGHWAY AUTHORITYPART 2520
STATE TOLL HIGHWAY RULES

SUBPART A: AUTHORITY AND DEFINITIONS

Section	
2520.100	Authority
2520.110	Authority Rulemaking
2520.120	Related Statutes
2520.130	Definitions

SUBPART B: GENERAL TRAFFIC RULES AND REGULATIONS

Section	
2520.200	Illinois Vehicle Code
2520.203	Use of Tollway Prohibited or Restricted
2520.206	Vehicles Excepted from Provisions of Section 2520.203
2520.209	Transportation of Hazardous Materials
2520.212	Special Usage Toll
2520.215	Loading or Unloading of Vehicles
2520.218	Full Stop at All Toll Plazas
2520.221	Entering and Leaving the Tollway
2520.224	"U" Turns, Etc.
2520.227	Backing Up of Vehicles
2520.230	Parking, Standing or Stopping
2520.233	Relocating of Vehicles
2520.236	Pushing or Towing of Vehicles
2520.239	Stopping or Halting Vehicles by the Authority
2520.242	Destruction of Authority Property
2520.245	Picnics
2520.248	Aircraft
2520.251	Sale of Goods and Services
2520.254	Solicitation of Rides
2520.257	Loitering or Interfering with Traffic
2520.260	Approaching/Departing a Toll Plaza
2520.263	Compliance with Orders or Directions of State Troopers, Etc.

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2520.266	Duty Upon Striking Fixtures, Structures or Other Property on Tollway
2520.269	Payment of Tolls
2520.272	I-Pass Registration
2520.275	Prohibited and Restricted Lanes
2520.278	Traffic Control Devices
2520.281	Penalty for Violation

SUBPART C: TRESPASS

Section	
2520.300	Authority
2520.310	Restriction of Vehicles Using the Tollway
2520.320	Restriction on Nature of Use of Tollway
2520.340	Persons and Vehicles Excepted from the Requirements of Subpart C
2520.350	Penalties

SUBPART D: SPEED RESTRICTIONS

Section	
2520.410	Maximum Speed Limits for Passenger Cars
2520.420	Maximum Speed Limits for Trucks, Buses, Passenger Cars Towing Trailers, House Trailers and Campers
2520.430	Maximum Speed Limits for Designated I-Pass Lanes, Service Areas, Parking Areas, Access Roads and Ramps, and Barrier Toll Plaza Approaches
2520.440	Road Hazards and Construction Zones
2520.450	Special Road Conditions
2520.460	Minimum Speed Limits

SUBPART E: FINES AND PENALTIES

Section	
2520.510	Violations
2520.520	Littering – Penalty
2520.530	Spurious or Counterfeit Tickets, Coupons or Tokens – Penalty
2520.540	Toll Collection Devices – Penalty for Breaking
2520.550	I-PASS Customer – Penalties

SUBPART F: TOLL VIOLATIONS – ADMINISTRATIVE ADJUDICATION SYSTEM

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Section

2520.700	Authority
2520.705	Notice of Violation to Respondent
2520.710	Effective Date of Notices
2520.715	Establishment of the Toll-Free Telephone Number
2520.720	Timely Request for Hearing
2520.725	Hearing Officers – Appointment, Disqualification, Powers and Duties
2520.730	Discovery
2520.735	Continuance
2520.740	Hearings Format
2520.745	Failure to Respond to Notice of Violation – Default
2520.750	Penalties
2520.755	Liability of Lessor
2520.760	Liability of Registered Owner
2520.765	Enforcement of Final Order
2520.770	Judicial Review

SUBPART G: EMPLOYMENT

2520.800 Tollway Employees

2520.APPENDIX A Rules and Regulations for Overweight and Overdimension Vehicles and Loads

AUTHORITY: Implementing and authorized by the Toll Highway Act [605 ILCS 10].

SOURCE: Filed January 3, 1973; effective February 1, 1973; codified at 8 Ill. Reg. 19884; Part repealed, new Part adopted at 17 Ill. Reg. 8539, effective May 27, 1993; amended at 20 Ill. Reg. 10200, effective July 12, 1996; emergency amendment at 24 Ill. Reg. 2737, effective February 4, 2000, for a maximum of 150 days; emergency expired July 2, 2000; emergency amendment at 24 Ill. Reg. 4234, effective February 29, 2000, for a maximum of 150 days; emergency expired July 27, 2000; amended at 24 Ill. Reg. 16078, effective October 11, 2000; emergency amendment at 26 Ill. Reg. 16325, effective October 31, 2002, for a maximum of 150 days; amended at 27 Ill. Reg. 6325, effective April 1, 2003; emergency amendment at 27 Ill. Reg. 18238, effective November 6, 2003, for a maximum of 150 days; emergency expired April 5, 2004; emergency amendment at 28 Ill. Reg. 1780, effective January 14, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 6911, effective April 23, 2004; emergency amendment at 28 Ill. Reg. 7688, effective May 24, 2004, for a maximum of 150 days; emergency expired October 20, 2004; amended at 28 Ill. Reg. 14530, effective October 25, 2004; old Part repealed at 30 Ill. Reg.

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11261 and new Part adopted at 30 Ill. Reg. 11264, effective June 9, 2006; amended at 34 Ill. Reg. _____, effective _____.

SUBPART A: AUTHORITY AND DEFINITIONS

Section 2520.130 Definitions

The following words and phrases, when used in this Part, shall have the following meanings:

"Authority" means the Illinois State Toll Highway Authority, an instrumentality and administrative agency of the State of Illinois, formerly known as the Illinois State Toll Highway Commission.

"Authorized Emergency Vehicles" means vehicles of fire departments and police departments, ambulances, emergency vehicles of public service companies, and other vehicles performing emergency services approved and authorized by the Authority.

"Barrier Toll Plaza" means all toll collection facilities located on the Tollway's traffic lanes, but does not include ramp or open road toll collection facilities.

"Certified Report" means the documents the Authority sends the Illinois Secretary of State pursuant to 625 ILCS 5/3-704.2 and 6-306.7.

"Department of Transportation" or "IDOT" means the Illinois Department of Transportation.

"Hazardous Materials" means explosives, radioactive materials, etiologic agents, flammable liquids and other dangerous materials.

"Hearing" means a hearing conducted by the Authority or appointed hearing officer to determine whether a violation of the Toll Highway Act and/or any of this Part has occurred.

"Hearing Officer" means a hearing officer appointed pursuant to Section 2520.705.

"I-PASS" means the Authority's electronic toll collection system.

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"I-PASS Only Lanes" means those lanes restricted to vehicles, other than Open Road Toll Lanes, that have I-PASS transponders.

"I-PASS Transponder" means the Authority-issued electronic toll collection device, E-Z Pass or other Authority-authorized electronic toll collection device.

"Motor Driven Cycles" means a motorcycle or motor scooter with less than 150 cubic centimeter piston displacement, including motorized pedalcycles.

"Notice of Violation " means the information sent by the Authority to the respondent notifying the respondent of an alleged violation of Tollway rules.

"Oases" means property along the Tollway occupied by restaurants, buildings and service stations, and adjacent parking and landscaped areas.

"Open Road Toll" means those lanes that are restricted to vehicles with I-PASS transponders traveling at highway speed.

"Person" means any individual, firm, corporation, cooperative, association, trust, partnership, joint venture or other legally recognized entity.

"Respondent" means any person charged with violating the Tollway Highway Act or this Part.

"Right-of-Way" means the entire area of the Tollway within the fence lines (or the barrier walls, where no fence exists), including, but not limited to, the roadways, shoulders, plazas, and landscaped areas. The right-of-way does not include the Tollway's oases, maintenance buildings, central administration building or other Tollway buildings and their parking lots.

"Shoulder" means the portion of the roadway contiguous with the traveled way that accommodates stopped vehicles, is intended for emergency use, and, with proper signage, may provide limited duration use as a traffic lane.

"State Police" means the Illinois State Police.

"Toll" means the compensation to be paid to the Authority for the privilege of using the Tollway.

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"Toll Highway Act" means 605 ILCS 10.

"Toll Plaza" means any toll collection facility located on the Tollway.

"Tollway" means any and all toll highways operated and maintained by the Authority pursuant to State and federal laws.

"Traffic Control Devices" means all directional devices, controls and markings installed by the Authority, its agents, or governmental partners for the purpose of regulating, warning, or guiding traffic.

"Traffic Lanes" are the lanes designated for vehicular travel on the Tollway that are designated numerically, with the extreme left lane of each directional roadway being numbered "Lane No. 1" and each lane to the right of Lane No. 1 carrying traffic in the same direction being numbered consecutively higher.

"Vehicle Code" means the Illinois Vehicle Code [625 ILCS 5].

"Violation" means one or more acts prohibited by the Toll Highway Act and/or this Part.

"V-Tolled" means the Tollway service that debits an unpaid toll from an I-PASS customer's valid account when a transaction is not read by the I-PASS electronic toll collection equipment and license plate information is captured by the Authority's video or photo surveillance system.

Any and all terms that are not specifically defined in this Section shall have the meanings ascribed to them in the Vehicle Code and the Toll Highway Act.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART D: SPEED RESTRICTIONS

Section 2520.410 Maximum Speed Limits for Passenger Cars

The following shall be the maximum speed limits for passenger cars on the Tollway, except as provided by Sections 2520.430 and 2520.440:

- a) Tri-State Tollway (~~I-294~~/I-94 portion North of Lake Cook Rd.):

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55 miles per hour south of ~~M.P. 3.0 Waukegan Toll Plaza—Plaza 21 (M.P. 73.5)~~.

65 miles per hour north of ~~M.P. 3.0 Waukegan Toll Plaza—Plaza 21 (M.P. 73.5)~~.

Tri-State Tollway (I-294 portion in its entirety):

55 miles per hour, M.P. 0.0 to M.P. 52

b) Northwest Tollway (I-90):

55 miles per hour east of M.P. 27.2 (west of Randall Road) ~~(M.P. 26.6)~~.

65 miles per hour west of M.P. 27.2 (west of Randall Road) ~~(M.P. 26.6)~~.

c) Ronald Reagan Memorial Highway (I-88):

55 miles per hour between the Eisenhower Expressway I-290 M.P. 140.4 and M.P. 115.0 ½ mile west of Farnsworth Avenue (M.P. 140.5 to M.P. 118.6) ~~(east of Orchard Rd. M.P. 114.4)~~

~~45 miles per hour between ½ mile west of Farnsworth Avenue and Illinois Route 31 (M.P. 118.6 to M.P. 117.1)~~.

~~55 miles per hour between Illinois Route 31 and Orchard Road (M.P. 117.1 to M.P. 115.5)~~.

65 miles per hour west of M.P. 115.0 (east of Orchard Road) ~~(M.P. 114.4 115.5)~~.

d) North-South Tollway (I-355):

55 miles per hour north of I-55 (M.P. 12)

65 miles per hour south of I-55 (M.P. 12)

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~~55 miles per hour for the entire length.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 2520.420 Maximum Speed Limits for Trucks, Buses, Passenger Cars Towing Trailers, House Trailers and Campers

The maximum speed for trucks, buses, and passenger cars towing trailers, house trailers and campers is generally 55 miles per hour, but 65 miles per hour west of Kane County (M.P.101) on I-88 and west of McHenry County (M.P.47.7) on I-90, on all Tollways except as provided by Sections 2520.430 and 2520.440.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

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Section 2520.APPENDIX A Rules and Regulations for Overweight and Overdimension Vehicles and Loads**D) Over-weight Vehicles**

- A)** Weight restrictions are based on the Illinois Bridge Formula and are consistent with Section 15-111 of the Illinois Vehicle Code. The following are over-weight restrictions and fees for vehicles using the Illinois Tollway.

MAXIMUM LOAD, SINGLE AXLE20,000 lbs**GROSS WEIGHT**

<u>Number of Axles</u>	<u>Minimum Length*</u>	<u>\$35.00</u>	<u>\$150.00</u>
<u>2</u>	<u>10 ft</u>	<u>34,000 to 44,200 lbs</u>	<u>44,201 to 48,000 lbs</u>
<u>3</u>	<u>14 ft</u>	<u>42,000 to 56,550 lbs</u>	<u>56,551 to 60,000 lbs</u>
<u>4</u>	<u>36 ft</u>	<u>50,000 to 56,550 lbs</u>	<u>56,551 to 80,000 lbs</u>
<u>5</u>	<u>40 ft</u>	<u>58,000 to 80,000 lbs</u>	<u>80,001 to 100,000 lbs</u>
<u>6</u>	<u>44 ft</u>	<u>66,000 to 80,000 lbs</u>	<u>80,001 to 120,000 lbs</u>

AXLE GROUPS

<u>Groups</u>	<u>Axle Spacing*</u>	<u>\$35.00</u>	<u>\$150.00</u>
<u>2 axles</u>	<u>4 ft to 8 ft</u>	<u>34,000 to 44,200 lbs</u>	<u>44,201 to 48,000 lbs</u>
<u>3 axles</u>	<u>8 ft</u>	<u>42,000 to 54,600 lbs</u>	<u>54,601 to 60,000 lbs</u>

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<u>3 axles</u>	<u>9 ft</u>	<u>42,500 to 55,250 lbs</u>	<u>55,251 to 60,000 lbs</u>
<u>3 axles</u>	<u>10 ft</u>	<u>43,500 to 56,550 lbs</u>	<u>56, 551 to 60,000 lbs</u>

* distance between the outer-most axles

- B) Requests for over-weight permits must be submitted to the Tollway Permit Office one day ahead (except as noted in subsection (I)(C)) of the date the vehicle is scheduled to travel on the Tollway. Permits may also be obtained electronically using the internet.
- C) Vehicles or equipment with weights or axle spacing outside the restrictions shown in subsection (I)(A) may be approved but must be analyzed on a case by case basis. This includes vehicles and equipment operating under their own power, such as cranes, drill rigs, concrete pumps, etc. These permits are issued provided the vehicle or object consists of one object that cannot be reasonably disassembled or dismantled. A request for a permit outside the weight restrictions in subsection (I)(A) must be submitted 3 days in advance of travel on the Tollway.
- D) Vehicles must have an IDOT over-weight permit number (see 92 Ill. Adm. Code 554) prior to requesting a Tollway over-weight permit. A vehicle operated exclusively on the Toll Highway system in conjunction with a Tollway improvement project does not require an IDOT permit.
- E) Over-weight vehicles with legal dimensions may travel 24 hours a day, 7 days a week, including holidays.
- F) Equipment operated under its own power (cranes, drill rigs, pumping equipment, aerial lifts, etc.) shall be issued one permit for a round trip to one job site on the same day and over the same route.

II) Over-length Vehicles

- A) Any vehicle that measures more than 100 feet in length or any vehicle transporting a load that measures more than 80 feet in length requires a permit based on the following requirements and information:

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- 1) Overall length of the vehicle and/or load, including over-hang.
 - 2) The over-dimensional vehicle or load must be reasonably disassembled or dismantled. Multiple objects must be arranged side by side or stacked to minimize the over-dimension.
 - 3) The location where the vehicle will enter and exit the Tollway.
- B) Over-length vehicle permits are subject to routing. Over-length permits must be requested one day in advance of traveling on the Tollway by calling the Tollway Permit Office.
- C) A permit fee of \$15 is charged for vehicles over 100 feet in length or loads over 80 feet in length.
- D) Maximum vehicle length may determine the route the vehicle is to travel. The vehicle may be required to use rear steering.
- E) Vehicles must have an IDOT over-dimension permit (see 92 Ill. Adm. Code 554) prior to requesting a Tollway over-length permit.
- F) Escorts are required if the overall length exceeds 110 feet.

III) Over-width Vehicles

- A) Vehicles exceeding 8 feet 6 inches but not more than 12 feet in width may be transported on the Tollway with an over-width permit.
- B) The over-dimension vehicle or load must be reasonably disassembled or dismantled. Multiple objects must be arranged side by side or stacked to minimize the over-dimension.
- C) Vehicles or loads exceeding 12 feet in width are subject to special requirements and are reviewed and approved on a case by case basis.
- D) Over-width permits can be obtained at a toll plaza or electronically using the internet. A permit fee of \$15 is charged for vehicles over 8 feet 6 inches in width. Permits to transport loads wider than 12 feet must be requested one day in advance by calling the Tollway Permit Office.

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E) The dimensions of over-width vehicles may be restricted in construction areas.

IV) Over-height Vehicles

A) Vehicles exceeding 13 feet 6 inches in height, but not exceeding 14 feet 6 inches, are required to have an over-height permit.

B) A permit fee of \$15 is charged for vehicles over 13 feet 6 inches in height. Over-height vehicle permits can be obtained at toll plazas or electronically using the internet.

C) The absolute height for all vehicles is 14 feet 6 inches.

V) Hours of Operation for Over-dimension Vehicles

A) Vehicles with over-dimension permits are restricted to the following hours of operation:

1) Monday through Saturday ½ hour before sunrise to ½ hour after sunset

2) Sunday ½ hour before sunrise to 12:00 noon

B) Restrictions for Over-dimension Vehicles. Over-dimension vehicles shall not be operated on the Tollway on the following holidays:

1) New Year's Day

2) Memorial Day

3) Independence Day

4) Labor Day

5) Thanksgiving Day

6) Christmas Day

VI) No Exemptions

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No vehicles or equipment, including military vehicles, construction vehicles, trailers with loads, equipment, machinery and cranes used under contracts with the Tollway, IDOT, county, municipal or township governments, utility companies or railroads are exempt from the requirements of this Part.

~~Overweight and overdimension permits should be ordered a day ahead of the date the vehicle is to travel. Call (630)241-6800 ext. 3822.~~

a) ~~Overweight Vehicles~~

- ~~1) The following are the overweight limitations on the Illinois Tollway. Vehicles exceeding these absolute limitations are not permitted on the Tollway. The gross weight of any vehicle may not exceed 120,000 pounds.~~

<u>Vehicle Weight</u>	<u>Permit Fee</u>
80,000 to 104,000 lbs.	\$35
104,001 to 120,000 lbs.	\$150
double tandem 34,001 to 44,2000 lbs.	\$35
double tandem 44,201 to 52,000 lbs	\$150

- ~~2) Vehicles under Own Power. Any vehicles under their own power, such as cranes, drill rigs, concrete pumps, etc., require overweight permits under different guidelines. If the vehicle is required to have a State permit for overweight, a Tollway overweight permit is also required.~~
- ~~3) Vehicles must have a State overweight permit number prior to requesting a Tollway overweight permit.~~
- ~~4) Overweight vehicles with legal dimensions may travel 24 hours a day, 7 days a week, including holidays, in accordance with Illinois Department of Transportation policy.~~
- ~~5) The Tollway will obtain prior approval from its traffic engineering consultants for any overweight permit for a vehicle that exceeds 104,000 lbs.~~

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- b) ~~Overdimension Vehicles. The following are the overdimension limitations on the Illinois Tollway. Vehicles exceeding these absolute limitations are not permitted on the Tollway.~~

1) ~~Overlength~~

- A) ~~Any vehicle whose overall length exceeds 100', or whose load length exceeds 80', must have prior approval from the Authority before entering the Tollway and will require a permit based on the following information:~~

- i) ~~Overall length of the vehicle, including over-hang, if any.~~
 ii) ~~The points at which the vehicle is to enter and exit the Tollway.~~

- B) ~~Overlength vehicle permits are subject to routing. These permits can be obtained at toll plazas. The following is the required permit fee:~~

<u>Vehicle Length</u>	<u>Permit Fee</u>
100'1" - 145'	\$15

- C) ~~Maximum vehicle length may determine the route the vehicle is to travel and a vehicle may be required to have rear steering.~~

- D) ~~Vehicles must have a State overdimension permit prior to requesting a Tollway overlength permit.~~

- E) ~~Escorts are required if the overall length exceeds 110'.~~

- F) ~~The Tollway will obtain prior approval from its traffic engineering consultants before issuance of any overlength permit.~~

2) ~~Overwidth~~

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A) ~~Vehicles exceeding 8'6" in width, but not exceeding the limitations specified in subsection (b)(2)(C), are required to have an overwidth permit.~~

B) ~~Overwidth vehicle permits can be obtained at toll plazas. The following is the required permit fee:~~

<u>Vehicle Width</u>	<u>Permit Fee</u>
8'7"-10'0"	\$15

C) ~~Absolute Width~~

i) ~~The absolute width for all vehicles is 10', except for buses and travel described in subsection (b)(2)(C)(ii).~~

ii) ~~Vehicles traveling east or west on I-80/294 between M.P. 0.0 and 5.2, toll plazas 43/45 on the Tri-State Tollway, or traveling north or south on I-90 between M.P. 61.4 and 76.1, toll plazas 3 and 1 (Rockford/Cherry Valley and Wisconsin) on the Northwest Tollway, may be 12' wide.~~

iii) ~~The absolute width for buses is 8'8".~~

3) ~~Overheight~~

A) ~~Vehicles exceeding 13'6" in height, but not exceeding 14'6", are required to have an overheight permit.~~

B) ~~Overheight vehicle permits can be obtained at toll plazas. The following is the required permit fee:~~

<u>Vehicle Height</u>	<u>Permit Fee</u>
13'7"-14'6"	\$15

C) ~~The absolute height for all vehicles is 14' 6".~~

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

- e) ~~Hours for Permit Usage for Overdimension Vehicles. Vehicles with overdimension permits are restricted to the following hours of operation, except as provided in subsection (e):~~

<u>Day</u>	<u>Permitted Hours</u>
Monday through Friday	½ hour before sunrise to ½ hour after sunset
Saturday	½ hour before sunrise to 12:00 noon
Sunday	may not travel on the Tollway

- d) ~~Restrictions for Overdimension Vehicles. In conformance with Illinois Department of Transportation Policy, overdimension vehicles shall not be operated on the Tollway on the following holidays, except as provided in subsection (e):~~

- ~~1) New Year's Day~~
- ~~2) Memorial Day~~
- ~~3) Independence Day~~
- ~~4) Labor Day~~
- ~~5) Thanksgiving Day~~
- ~~6) Christmas Day~~

- e) ~~Overwidth Farm Equipment. Vehicles that are of legal weight, length and height hauling overwidth farm equipment and that are exempt from the State permit requirement are also exempt from the Tollway's overwidth permit requirement. In accordance with Illinois Department of Transportation policy, these vehicles may travel on the Tollway ½ hour before sunrise to ½ after sunset 7 days a week, including holidays.~~

- f) ~~Military Vehicles. Military vehicles are not exempt from the requirements and restrictions of this Part.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

EXECUTIVE ETHICS COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Organization, Information, Rulemaking and Hearings
- 2) Code Citation: 2 Ill. Adm. Code 1620
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
1620.5	Amend
1620.300	Amend
1620.360	Repeal
1620.440	Amend
1620.450	Amend
1620.460	Amend
1620.470	Amend
1620.480	Amend
1620.490	Amend
1620.610	Amend
1620.620	Repeal
1620.630	Repeal
1620.810	Amend
1620.830	Amend
1620.900	New Section
1620.1000	New Section
1620.1010	New Section
1620.1020	New Section
1620.1100	New Section
1620.1110	New Section
1620.1200	New Section
- 4) Statutory Authority: Sections 20-15 of the State Officials and Employees Ethics Act [5 ILCS 430/20-15]
- 5) Effective Date of Adopted Amendments: August 27, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

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- 9) Date the proposed rulemaking appeared in the Illinois Register: May 28, 2010; 34 Ill. Reg. 7394
- 10) Has JCAR issued a Statement of Objection to these amendments? The Joint Committee on Administrative Rules did not issue a Statement of Objection to the rulemaking.
- 11) Differences between proposal and final version: Section 1620.810(c)(8) was modified by changing the phrase "Under such circumstances" to "When additional information is needed to determine whether a Special Executive Inspector General should be appointed." Section 1620.900 was modified to change the date of the annual report to the Commission to December 31. It was also modified to require training materials to be shared with the Commission and the appropriate Executive Inspector General at least eight weeks before training is to commence and provides for review of the training materials by the Commission and Executive Ethics Commission within four weeks.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? All changes agreed upon by the agency and the Joint Committee on Administrative Rules have been made as indicated in the agreements issued by the Joint Committee.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of Rulemaking: The adopted amendments further define terms, change required content of Executive Inspectors General's policy manuals, remove the requirement that the Attorney General file a petition as well as a complaint with the Commission, expand mandatory discovery from the parties, update the revolving door prohibition notification and appeal procedures, adjust the information provided by Executive Inspectors General to the Commission, change ethics training requirements, provide procedures for Executive Inspectors General to send final reports to the Commission and for the Commission to make these reports public under certain circumstances, provide procedures for disciplinary hearings for employees accused of Ethics Act violations, and provide procedures for obtaining exemptions from Procurement Code conflicts of interest.
- 16) Information and questions regarding these adopted rules shall be directed to:

Chad Fornoff, Executive Director

EXECUTIVE ETHICS COMMISSION

NOTICE OF ADOPTED AMENDMENTS

Executive Ethics Commission
601 Stratton Building
Springfield IL 62706

217/558-1393

The full text of these Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER VI: EXECUTIVE ETHICS COMMISSION

PART 1620

ORGANIZATION, INFORMATION, RULEMAKING AND HEARINGS

SUBPART A: ORGANIZATION

Section	
1620.5	Definitions
1620.10	Composition of Executive Ethics Commission
1620.20	Officers
1620.30	Appointment of Executive Director
1620.40	Duties of Executive Director
1620.50	Duties of Staff

SUBPART B: INFORMATION

Section	
1620.110	Requests for Records
1620.120	Response to Requests for Records
1620.130	Appeal of a Denial
1620.140	Copies of Public Records – Fees

SUBPART C: RULEMAKING

Section	
1620.200	Rulemaking Procedures

SUBPART D: INVESTIGATIONS

<u>Section</u>	
1620.300	Conduct of Investigations
1620.310	State Officer or Employee Case Initiation Form
1620.320	Case Initiation Form – Contents
1620.330	Opening an Investigation File
1620.340	Referral to the Appropriate Executive Inspector General
1620.350	Investigations

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| 1620.360 Investigations Not Concluded Within Six Months (~~Repealed~~)

SUBPART E: HEARINGS

Section

1620.420 Attorney of Record
 1620.430 Filing Requirements
 | 1620.440 ~~Petition for Leave to File a~~ Complaint
 | 1620.450 ~~Complaint~~~~Petition~~ – Required Provisions
 1620.460 Service
 1620.470 Objections
 | 1620.480 Sufficiency of the ~~Complaint~~~~Petition~~
 1620.490 Discovery
 1620.500 Subpoenas
 1620.510 Motions
 1620.520 Hearings
 1620.530 Decision of the Commission

SUBPART F: ~~REVOLVING DOOR PROHIBITION~~~~WAIVER~~

Section

1620.610 ~~Waiver of~~ Revolving Door Prohibition
 1620.620 Waiver of Revolving Door Prohibition – Commission Procedure (~~Repealed~~)
 | 1620.630 Finality of Decision (~~Repealed~~)
 1620.640 Waiver of Prohibition of Executive Inspector General Employees as Judicial
 Appointee
 1620.650 Waiver of Prohibition of Executive Inspector General Employees as Judicial
 Appointee – Commission Procedure

SUBPART G: GIFT BAN

Section

| 1620.700 Gift Ban

SUBPART H: MISCELLANEOUS FILINGS

Section

| 1620.800 Personnel Policies
 | 1620.810 Quarterly ~~and Six-Month Status~~ Reports

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1620.820 Ex Parte Communications
1620.830 Designation of Ethics Officer

SUBPART I: ETHICS TRAINING

Section

1620.900 Ethics Training

SUBPART J: RELEASE OF INVESTIGATION REPORTS

Section

1620.1000 Investigation Reports Finding a Violation
1620.1010 Investigation Reports Finding No Violation
1620.1020 Release of Summary Reports

SUBPART K: DISCIPLINARY ACTION

Section

1620.1100 Disciplinary Action under the Ethics Act
1620.1110 Hearings to Contest Disciplinary Actions

SUBPART L: PROCUREMENT CODE CONFLICTS OF INTEREST EXEMPTIONS

Section

1620.1200 Procurement Code Conflicts of Interest Exemptions

AUTHORITY: Implementing Sections 20-50 and 20-55 of the State Officials and Employees Ethics Act [5 ILCS 430/20-50 and 20-55] and authorized by Section 20-15 of the State Officials and Employees Ethics Act [5 ILCS 430/20-15].

SOURCE: Adopted by emergency rulemaking at 29 Ill. Reg. 3340, effective February 23, 2005, for a maximum of 150 days; adopted at 29 Ill. Reg. 9619, effective July 1, 2005; amended at 32 Ill. Reg. 7099, effective July 1, 2008; amended at 34 Ill. Reg. 13108, effective August 27, 2010.

SUBPART A: ORGANIZATION

Section 1620.5 Definitions

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"Act" or "Ethics Act" means the State Officials and Employees Ethics Act [5 ILCS 430].

"Chair" means the Chairperson of the Executive Ethics Commission as chosen in accordance with Section 20-5(e) of the Act.

"Commission" means the Executive Ethics Commission created by Section 20-5 of the Act.

"Commissioner" means a commissioner of the Executive Ethics Commission.

"Executive Inspector General" means one of the five appointees described in Section 20-10(b) of the Act.

"Officer" or "Employee" means a former or current officer or State employee of the executive branch or of State public universities.

"Petition" means a petition for leave to file a complaint as described in Section 20-50 of the Act.

"Relationship" means any arrangement between a source and the officer or employee for employment, compensation or fees for services.

"Requestor" means a person requesting the Commission's waiver of the revolving door prohibition (see 5 ILCS 430/5-45).

"Source" means a requestor's prospective employer or source of compensation of fees for services, including the parent or subsidiary of the same.

"Ultimate Jurisdictional Authority" or "UJA" means those entities described in 5 ILCS 430/1-5.

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

SUBPART D: INVESTIGATIONS

Section 1620.300 Conduct of Investigations

- a) Policy and Procedures Manual

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- 1) All investigations by an Executive Inspector General or his or her employees (collectively known as EIG) shall be conducted in accordance with procedures contained within this Part and within a policy and procedures manual developed by the EIG and approved by the Executive Ethics Commission. Approval shall be based on compliance with the Act, this Part and other applicable law. A policy and procedures manual should give direction to EIG employees that supplement the requirements of the Act and this Part.
 - 2) The policy and procedures manual described in subsection (c) shall be submitted for approval to the Executive Ethics Commission within 90 days after July 1, 2008. Any future amendments to the policy and procedures manual shall be subject to the Commission's approval. An updated policy and procedures manual for each EIG shall be posted on the EEC website. Portions of the policy and procedures manual that may compromise the integrity of investigations or confidential investigative techniques may be redacted by the EEC after consultation with the appropriate EIG.
- b) Waiver of Policy and Procedures Manual Provisions
- 1) Waiver by the Commission
Upon written petition by an Executive Inspector General and a finding that the waiver is, in the particular context, necessary to avoid compromising the integrity of an investigation, the Commission may grant a waiver of the subsection (c)(6) requirement that requests for documents or physical objects be in writing.
 - 2) Temporary Waiver by the Chair
The Chair of the Commission, or his or her designee, may likewise grant a waiver of the subsection (c)(6) requirement that requests for documents or physical objects be made in writing in response to an oral or written request by an EIG if the Chair or his or her designee finds that the waiver is, in the particular context, necessary to avoid compromising the integrity of an investigation, and provided that, within 72 hours after the waiver, the Executive Inspector General files a written request to the Commission. A waiver granted by the Chair pursuant to this subsection (b)(2) may be withdrawn by the Chair at any time if he or she no longer reasonably

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believes that the waiver is necessary to avoid compromising the integrity of an investigation.

- c) The policy and procedures manual shall include, but not be limited to, the following: ~~1) An EIG may conduct investigations only in response to information reported to the EIG and not upon his or her own prerogative.~~
- ~~1)2)~~ An EIG shall accept case initiation forms from State of Illinois employees and the general public in accordance with Section 1620.320.
- ~~2)3)~~ An EIG shall not investigate allegations of violations of State or federal law or this Part made against an EIG (including his or her employees). An EIG shall not investigate allegations of violations of State or federal law or of this Part if an EIG (including his or her employees) could be reasonably deemed to be a wrongdoer or suspect. Instead, in such cases, the EIG shall promptly refer all such allegations to the EEC for consideration of appointment of a Special Executive Inspector General.
- ~~3)4)~~ Within 30 calendar days after receipt of a case initiation form as described in Section 1620.320, the EIG shall do one of 5 things:
- A) Determine that no investigation is appropriate; or
 - B) Open an investigation file pursuant to Section 1620.330 and commence an investigation; or
 - C) Refer the case initiation form to the appropriate EIG, the Executive Ethics Commission or other appropriate body as described in Section 1620.340 and take no further action; or
 - D) Suspend the investigation pending review of the outcome of other proceedings; or
 - E) Refer the investigation to the Executive Ethics Commission for consideration of appointment of a Special Executive Inspector General.
- ~~4)5)~~ Each EIG shall disclose the opening of all investigation files, as described in Section 1620.330, in writing to the Executive Ethics Commission. The

EXECUTIVE ETHICS COMMISSION

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disclosure shall identify the affected office, agency or agencies, the date the investigation was opened, and the investigation's unique tracking number. Reports on all investigations opened in a calendar month shall be submitted to the Commission on or before the 15th day of the following month.

~~5)6)~~ All EIG requests for production of or viewing of documents or physical objects under office or agency control shall be made in writing; provided, however, that the Commission may exempt any EIG who functions wholly within a single office or agency from the application of this requirement upon joint petition by the EIG and the affected office or agency. A written request for documents or physical objects shall state that the recipient of the request, should he or she believe that the release of the subject matter of the request might violate existing rights or protections under State or federal law, has the right to seek a determination from the Commission relative to such rights or protections, if desired. An EIG may take reasonable steps to seal or otherwise insure the integrity of the requested documents or physical objects pending the Commission's determination. If security concerns demand the removal of sealed documents or physical objects, the EIG shall issue a subpoena before removal. The Commission shall consider the applicability of the right or protection asserted and issue a determination within ~~5~~five business days; provided, however that where delay for such a period could place an investigation in jeopardy, an EIG may request expedited consideration. The recipient and Commission shall maintain confidentiality about the request so as to minimize any risk of compromising the investigation. The recipient may assert any existing rights or protections under State or federal law with respect to the request, and such assertions made in good faith do not constitute failure to cooperate in an investigation.

~~6)7)~~ An EIG desiring to interview any State officer or employee who is the subject of an EIG investigation and whom the EIG, based on the information available at the time of the interview, reasonably believes likely faces discipline shall notify the interviewee whether the underlying investigation is criminal or administrative in nature. If the underlying investigation is criminal in nature, the interviewee shall be presented a form that outlines the interviewee's rights during the interview, including the right to the presence of an attorney, union representative or coworker uninvolved in the investigation. If the underlying investigation is

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administrative in nature, the interviewee shall be presented a form that outlines the interviewee's rights during the interview, including the right to presence of a union representative or coworker uninvolved in the investigation. In both criminal and administrative investigations, the interviewee shall sign the form, attesting only to the fact that the form was presented to the interviewee and he or she was given the opportunity to read it. All forms presented to interviewees shall be pre-approved by the Commission. If, at any point, an interview subject requests the presence of a person authorized by this subsection (c)(~~67~~), or an attorney, the interview shall be suspended and a new date and time set. Evidence obtained directly or indirectly in violation of this subsection (c) is not admissible in any proceeding before the Executive Ethics Commission.

~~7)8)~~ No EIG shall infringe upon the right of employees or officers to seek advice from their agency ethics officer on the interpretation and implementation of the Act, or to seek advice from private legal counsel.

~~8)9)~~ Conduct of Interview

- A) Interviews shall be conducted in a businesslike manner. The investigator shall avoid any personality clashes, acts of undue familiarity, abuse, or use of profanity. The investigator shall treat all persons interviewed with respect and not unduly embarrass, inconvenience, intimidate or degrade the interviewee.
- B) Any armed State employee present shall not use his or her firearms in any manner that might intimidate, unless he or she, or anyone else present in the room, is physically threatened.
- C) Interviewees enjoy all rights in the course of an interview protected by the Constitution of the United States and federal and State law.
- D) The duty to cooperate in investigations as provided at 5 ILCS 430/20-70 does not include restriction on those rights.
- E) In the event that the subject of an interview believes that the investigator has operated in violation of this Part, or in violation of applicable law, he or she may file a written objection with the Commission, setting forth with specificity the nature of the alleged

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violation. Within 30 days after receiving the objection, the Commission shall issue a written finding either sustaining or overruling the objection, shall appoint a Special Executive Inspector General to discover more facts (by interviewing witnesses, etc.), or shall refer the issue to an appropriate law enforcement authority. If the Commission sustains the objection, it shall issue a copy of its finding to the EIG to whom the investigator reports, as well as make public a copy of its finding. Subjects of the complaint process described in this subsection (c)(~~89~~)(E) are entitled to due process of law.

~~9)10)~~ State employees who are subjects of EIG interviews and whom the EIG, based on the information available at the time of the interview, reasonably believes likely faces discipline, shall be presented a form that outlines their rights during the interview. The form shall also clearly indicate that the interviewee has the right to refuse to consent to have the interview recorded and the right to stop the recording of the interview at any time and that refusing to consent to have the interview recorded or to stop the recording at any time shall not constitute failure to cooperate in the investigation or otherwise subject the interviewee to any discipline. The form shall also indicate that the interviewee may request at any time that the interview be recorded. If the interviewee requests at any time that the interview be recorded, the interviewer shall honor this request, stop the interview and immediately provide the employee a request to record form. Upon execution of a request to record form, the interview and all future interviews of the subject shall be recorded by mechanical, digital or other means. All forms and recordings shall be preserved, unedited, in the investigation file. Nothing in this subsection (c)(~~910~~) shall be construed to require the recording of interviews other than pursuant to an appropriately executed request of the interviewee. The interviewee shall sign the form, attesting only to the fact that the form was presented to the interviewee and he or she was given the opportunity to read it.

~~10)11)~~ Upon completion of investigations, the EIG or his or her designee shall write a final report summarizing the background of the investigation, the allegations, investigative steps taken and conclusions drawn. The final report shall include a recommendation regarding appropriate action. An investigation is deemed completed for purposes of this Part when all processes of internal review of the investigation and of the final report

EXECUTIVE ETHICS COMMISSION

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~~have terminated. 12) Each EIG shall report the closure of investigation files in writing to the Executive Ethics Commission. The disclosure shall identify the affected office, agency or agencies, the date the investigation was closed, and the investigation's unique tracking number. Reports on all investigations closed in a calendar month shall be submitted to the Commission on or before the 15th day of the following month. Other witnesses entitled to written notification of the completion of an investigation, including employees covered by certain collective bargaining agreements, shall be notified of the closing of the investigation in accordance with those agreements.~~

~~11)13)~~ The policy and procedures manual may contain additional policies or procedures not inconsistent with this Part, subject to Commission approval as outlined in subsection (a)(2).

- d) Any person may complain to the Commission₂ in writing₂ concerning an EIG's alleged violation of the Act or this Part. Upon receipt of a complaint, the Commission may notify the EIG and require him or her to provide information related to the investigation in order to determine whether any conduct has occurred that would require the Commission to appoint a Special Executive Inspector General pursuant to 5 ILCS 430/20-21. Under ~~thosesueh~~ circumstances, the Commission deems the EIG's disclosure of ~~thatsueh~~ information to the Commission to be "necessary" as provided at 5 ILCS 430/20-95(d).

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.360 Investigations Not Concluded Within Six Months (Repealed)

- a) ~~Should an Executive Inspector General not complete the final report as described in Section 1620.300(c)(12) within 6 months after opening an investigation file as described in Section 1620.300(c)(4)(B), the Executive Inspector General shall, on the 15th day of the following month, submit a report to the Commission. The report shall indicate the investigation's unique tracking number, the date the investigation began, a description of the nature of the alleged misconduct and reasons for the delay in concluding the investigation. If an ultimate jurisdictional authority is a subject of the investigation reported under this Section, the EIG shall inform the Commission separately of this fact.~~

EXECUTIVE ETHICS COMMISSION

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)	
v.)	No. _____
)	
C. D.)	
)	
Respondent.)	

Petition for Leave to File a Complaint

d) The Commission shall assign each ~~complaint~~petition a unique tracking number and all subsequent filings in each case shall reference this tracking number.

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.450 Complaint~~Petition~~ – Required Provisions

~~a)The complaint~~petition~~ shall set forth the jurisdiction of the Commission by identifying the respondent, the respondent's employer and the Section of the Act the respondent is alleged to have violated. The complaint~~petition~~ shall also set forth the alleged violation and the grounds that exist to support the petition.~~
~~b)Accompanying each petition shall be a complaint upon which the Attorney General and the Executive Inspector General wish to proceed. The complaint shall set forth the elements contained in subsection (a), as well as facts that fully describe the alleged violation of the Act, including, but not limited to, dates, times, locations and relationships between the respondent and other relevant parties.~~

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.460 Service

After filing the ~~petition and~~ complaint, *the petitioner shall serve a file-stamped copy of both documents on all respondents and on each respondent's ultimate jurisdictional authority in the same manner as process is served under Part 2 (Process) of the Civil Practice Law of the Code of Civil Procedure [735 ILCS 5/Art. II, Part 2]. [5 ILCS 430/20-50(d)]* Petitioner shall file the proof of service with the Commission.

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.470 Objections

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A respondent may file objections to the ~~complaint~~petition within 30 days after the ~~complaint~~notice of the petition has been served on the respondent. [5 ILCS 430/20-50(e)] If the respondent fails to object to the ~~complaint~~petition, a general denial of the facts set forth in the ~~complaint~~petition shall be considered filed.

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.480 Sufficiency of the ComplaintPetition

- a) ~~At least 30 days after the complaint is served on all respondents, Within 60 days after the time for respondent to file an objection to the petition has expired,~~ the Commission shall meet in person or by telephone in a closed session to review the sufficiency of the ~~complaint~~petition.
- b) If the Commission finds that the ~~complaint~~petition is sufficient, the Commission ~~will~~shall grant the petition to file a complaint. ~~The Commission shall~~ notify the parties via certified mail, return receipt requested, of the decision ~~to grant the petition~~. The notice shall include a hearing date scheduled within ~~4~~four weeks after the date of the notice, unless all the parties agree to a later date. [5 ILCS 430/20-50(f)] The Commission may grant, for good cause shown, a continuance of the hearing date contained in the notice.
- c) If the Commission finds that the ~~complaint~~petition is insufficient for any reason, the Commission shall notify the parties via certified mail, return receipt requested, of the decision to ~~reject the complaint~~deny the petition. [5 ILCS 430/20-50(f)] The Commission may ~~reject the complaint~~deny the petition with or without leave to refile. [~~5 ILCS 430/20-50(f)~~]

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.490 Discovery

- a) The parties shall not engage in discovery without leave of the Commission, but the Commission encourages the voluntary exchange of information by the parties.
- b) At least ~~2~~two weeks prior to the scheduled hearing or at a date determined by the Chair or an administrative law judge, if any, each party must file with the Commission and disclose to the other party:

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- 1) the names of all witnesses expected to testify at hearing;
 - 2) a summary of the witnesses' expected testimony;
 - 3) copies of all documents expected to be introduced into evidence at hearing;
 - 4) a description of any physical evidence expected to be introduced at hearing; ~~and~~
 - 5) any known evidence that is exculpatory or tends to negate the allegations contained in the complaint; ~~and-~~
 - 6) any statements or recordings of statements made by a respondent, or summaries of a respondent's interview.
- c) Any physical evidence expected to be introduced at hearing shall be made available to the other party for inspection at least ~~two~~ weeks prior to the scheduled hearing or at a date determined by the Chair or an administrative law judge, if any.
- d) All writings or electronic recordings in the possession of either party reflecting prior statements of an identified witness, ~~which statements are~~ related in any way to the subject matter of the witness' expected testimony, or to matters bearing on the witness' credibility, shall be filed with the Commission and be produced to the opposing party no later than one week prior to the commencement of the hearing or at a date determined by the Chair or administrative law judge, if any. If a statement is part of notes that were taken during the case investigation, the notes may be redacted to remove the author's thoughts, mental impressions or other work product.
- e) A party offering testimony or evidence that has not been disclosed in accordance with this Section has the burden to show that the evidence was not available at the time required by this Section and that the other party has not been unfairly prejudiced by the failure to disclose.

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

SUBPART F: REVOLVING DOOR PROHIBITION WAIVER

EXECUTIVE ETHICS COMMISSION

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Section 1620.610 ~~Waiver of~~ Revolving Door Prohibition

- a) Within 6 months after the effective date of PA 96-555 (August 18, 2009), each executive branch constitutional officer shall adopt a policy delineating which State positions under his or her jurisdiction and control, by the nature of their duties, may have the authority to participate personally and substantially in the award of State contracts or in regulatory or licensing decisions. These policies shall be filed with the Commission and appropriate Executive Inspector General. [5 ILCS 430/5-45(c)]
- b) No later than June 1, 2010, and annually thereafter, each Executive Inspector General shall report to the Commission his or her determination of any additional State positions under his or her jurisdiction, not otherwise subject to the policies required by Section 5-45(c) of the Act, that are nonetheless subject to the notification requirement of Section 5-45(f) due to their involvement in the award of State contracts or in regulatory or licensing decisions. [5 ILCS 430/5-45(d)]
- c) Any State employee in a position subject to the policies required by subsection 5-45(c) or a determination of Section 5-45(d) of the Act, but who does not fall within the prohibition of Section 5-45(h), who is offered non-State employment during State employment or within a period of one year immediately after termination of State employment shall, prior to accepting such non-State employment, notify the appropriate Executive Inspector General. [5 ILCS 430/5-45(f)] The employee's notification to the appropriate Executive Inspector General must include:
- 1) the employee's name;
 - 2) a description of the positions the employee held in State government in the last 12 months, including the title, responsibilities, and employing State agency or agencies;
 - 3) the title, description and responsibilities of the prospective employment position;
 - 4) the name, description, ownership, corporate structure including its parent and any subsidiaries, and contact information of the prospective employer;

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- 5) a statement from the Ethics Officer or Officers of the State agency or agencies employing the employee in the last 12 months that identifies any contracts the prospective employer, or its parent or subsidiaries have had with the State agency or agencies in the last 12 months, the amounts of those contracts, any regulatory or licensing decisions made by the State agency or agencies in the last 12 months that applied to the prospective employer or its parent or subsidiary, whether the employee was involved in any regulatory, licensing or contracting decisions regarding the prospective employer or its parent or subsidiary within the last 12 months, and if the employee was involved, a description of that involvement. If the Ethics Officer is the employee seeking the determination or is unable for any reason to provide this statement, the Executive Inspector General may consider a statement provided by another appropriate employee or officer.
- d) Within 10 calendar days after receiving notification from an employee or officer in a position subject to policies required by subsection (a) of this Section, such Executive Inspector General shall make a determination as to whether the State employee is restricted from accepting such employment by Section 5-45(a) or (b) of the Act. Such a determination must be in writing, signed and dated by the Executive Inspector General, and delivered to the subject of the determination within 10 calendar days. [5 ILCS 430/5-45(f)]
- e) A copy of such a determination shall also be forwarded to the ultimate jurisdictional authority, the Attorney General and the Commission. [5 ILCS 430/5-45(g)] If an Executive Inspector General fails to make a determination within 10 calendar days after receiving a notification described in subsections (e) and (d), the EIG shall report this failure to the Attorney General and Commission immediately.
- f) An Executive Inspector General's determination may be appealed to the Commission by the person subject to the determination or the Attorney General no later than the 10th calendar day after the date of the determination. [5 ILCS 430/5-45(g)]
- 1) The appeal filed with the Commission shall contain a copy of the Executive Inspector General's written determination and a verified statement that explains the basis for arguing that the determination was in error. Copies of the appeal shall be sent to the relevant Executive

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Inspector General and shall also be sent to the subject of the determination, if filed by the Attorney General, or the Attorney General, if filed by the subject of the determination.

- 2) Any objection to the appeal by the subject of the determination or by the Attorney General shall be filed with the Commission within 5 calendar days after the filing, unless the Commission grants an extension of time.
 - 3) The Commission shall seek, accept and consider written public comments regarding a determination. A copy of the appeal will be posted on the Commission's web site and be posted at the Commission's offices, with instructions on how written public comments may be forwarded to the Commission for consideration. The Commission shall assess, in addition to any other relevant information, the effect of the prospective employment or relationship upon the decisions referred to in Section 5-45(a) or (b), based upon the totality of the participation by the former officer or employee in those decisions. [5 ILCS 5-45(g)]
 - 4) The Commission shall decide whether to uphold an Executive Inspector General's determination within 10 calendar days after receiving the appeal. Copies of the Commission's decision shall be sent to the former officer or employee, the Attorney General, the relevant Executive Inspector General, and the ultimate jurisdictional authority.
- g) Any employee or officer who receives offers of non-State employment during State employment or within a period of one year immediately after termination of State employment and who is concerned about the effect of accepting the employment offer vis-à-vis the revolving door prohibition may seek a determination as provided in this Section.

~~An officer or employee or the spouse or immediate family member living with such person may request the Commission to waive the revolving door prohibition (see 5 ILCS 430/5-45). The requestor shall file with the Commission a petition and 2 supporting statements.~~

- a) ~~The petition shall be verified and describe in detail:~~
 - 1) ~~the officer or employee's involvement in the decision to award any State contract to the source, and/or the officer or employee's involvement in any regulatory or licensing decision that directly applied to the source;~~

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- ~~2) the dates of the officer's or employee's involvement in these decisions;~~
 - ~~3) the date that the requestor and the source first began discussing or negotiating a relationship; and~~
 - ~~4) any other information that the requestor or Commission deems relevant.~~
- b) ~~The requestor shall also submit 2 statements in support of the petition.~~
- ~~1) One statement shall be from the ethics officer of the State agency that employed the officer or employee at the time that the officer or employee had involvement with the source. If the ethics officer is the petitioner or otherwise has a conflict with this duty, the Commission may accept a statement from another appropriate agency officer or employee. The statement shall be verified and state that the ethics officer has read the requestor's petition, has made diligent inquiries into the underlying facts and circumstances surrounding the petition, believes the statements made in the petition are true and complete, and that the ethics officer knows of no reason why the Commission should not grant the requestor's petition. If the ethics officer is unable to make such attestation, he or she shall submit a written statement to the Commission setting forth the reasons why the attestation cannot be made.~~
 - ~~2) The second statement shall be from the source. The statement shall be verified and state that the source, through its authorized representative, has read the requestor's petition, that the statements made in the petition are true and complete, and that the source knows of no reason why the Commission should not grant the requestor's petition.~~

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.620 Waiver of Revolving Door Prohibition – Commission Procedure
(Repealed)

~~Upon receipt of the requestor's petition, the Commission may:~~

- ~~a) grant the petition in a written finding that the officer's or employee's involvement in the decision to award any State contract to the source, or the officer's or~~

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~~employee's involvement in a regulatory or licensing decision that directly applied to the source, was not affected by the requestor's prospective employment or relationship with the source;~~

- b) ~~deny the petition;~~
- e) ~~request additional written information from the requestor or other persons;~~
- d) ~~request oral testimony from the requestor or other persons;~~
- e) ~~conduct further inquiry related to the petition before the Commission; and/or~~
- f) ~~determine that the revolving door prohibition does not apply.~~

(Source: Repealed at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.630 Finality of Decision (Repealed)

~~A requestor may not file a request to reconsider the Commission's decision or a second petition for waiver of the revolving door prohibition without leave of the Commission.~~

(Source: Repealed at 34 Ill. Reg. 13108, effective August 27, 2010)

SUBPART H: MISCELLANEOUS FILINGS

Section 1620.810 Quarterly and Six-Month Status Reports

- a) Each Executive Inspector General shall file a quarterly activity report with the Commission that reflects investigative activity during the previous quarter on or before January 15, April 15, July 15 and October 15 of each year. The activity report shall include:
 - 1) The number of investigations opened during the preceding quarter, the affected offices or agencies, and the unique tracking number for new investigations.
 - 2) The number of investigations closed during the preceding quarter, the affected offices or agencies, and the unique tracking number for closed investigations.

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- 3) *The status of each on-going investigation that remained open at the end of the quarter, the affected office, agency or agencies, the investigation's unique tracking number, the date opened, and a brief statement of the general nature of the investigation at the time the status report is filed. [5 ILCS 430/20-65(a)]*
 - 4) *A statement of the amount of public funds at risk of loss as a result of the alleged misconduct under investigation.*
 - 5) *A statement of whether the alleged misconduct may give rise to criminal penalties. If law enforcement was notified of the allegations, the report should indicate the date of the notification and the identity of the law enforcement entity notified. If law enforcement was not notified, the report should explain why notification has not occurred.*
 - 6) *Other information deemed necessary by the Commission to fulfill its duties.*
- a) ~~On January 15, April 15, July 15 and October 15 of each year, each Executive Inspector General shall submit reports to the Commission indicating:~~
- 1) ~~*the number of allegations received in the previous quarter;*~~
 - 2) ~~*the number of investigations initiated in the previous quarter;*~~
 - 3) ~~*the number of investigations concluded in the previous quarter;*~~
 - 4) ~~*the number of investigations pending as of the last day of the previous quarter;*~~
 - 5) ~~*the number of complaints forwarded to the Attorney General in the previous quarter;*~~
 - 6) ~~*the number of actions filed with the Commission in the previous quarter and the number of actions pending before the Commission on the last day of the previous quarter; and*~~

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- ~~7) *the number of actions pending before the Commission on the last day of the previous quarter. [5 ILCS 430/20-85]*~~
- b) On January 15, April 15, July 15 and October 15 of each year, *the Attorney General shall submit a report to the Commission indicating:*
- 1) *the number of complaints received from each Executive Inspector General since the date of the last report;*
 - 2) *the number of complaints for which the Attorney General has determined reasonable cause exists to believe that a violation has occurred since the date of the last report; and*
 - 3) *the number of complaints still under review by the Attorney General. [5 ILCS 430/20-86]*
- c) *If any investigation is not concluded within 6 months after its initiation, the appropriate Executive Inspector General shall file a 6-month report with the Commission by the 15th day of the month following it being open for 6 months. The 6-month report shall disclose:*
- 1) *The general nature of the allegation or information giving rise to the investigation (and present allegations or information being investigated, if different), the job title or job duties of the subjects of the investigation, and the investigation's unique tracking number.*
 - 2) *The date of the last alleged violation of this Act or other State law giving rise to the investigation.*
 - 3) *Whether the Executive Inspector General has found credible any allegations of criminal conduct.*
 - 4) *Whether the allegation has been referred to an appropriate law enforcement agency and the identity of the law enforcement agency to which those allegations were referred.*
 - 5) *If an allegation has not been referred to an appropriate law enforcement agency, the reason for the failure to complete the investigation within 6 months, a summary of the investigative steps taken, additional*

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investigative steps contemplated at the time of the report, and an estimate of additional time necessary to complete the investigation. [5 ILCS 430/20-65(b)]

- 6) A statement of the amount of public funds at risk of loss as a result of the alleged misconduct under investigation, if the amount of loss is greater than \$5,000.
- 7) If an ultimate jurisdictional authority is a subject of the investigation reported under this Section, the EIG shall inform the Commission separately of this fact.
- 8) Any other information deemed necessary by the Executive Ethics Commission in determining whether to appoint a Special Executive Inspector General. The Commission may direct the Executive Inspector General to provide the Commission a complete copy of any investigation file. When additional information is needed to determine whether a Special Executive Inspector General should be appointed, the Commission deems the EIG's disclosure of the additional information to the Commission to be "necessary" as provided at 5 ILCS 430/20-95(d).
- d) The Executive Inspector General shall continue to report each investigation not concluded within 6 months on the 15th day of each month, in accordance with subsection (c), until the investigation has been concluded. Each monthly report shall contain a personal verification by the EIG stating: "I have read this report and after thorough examination I believe that this report contains a complete and accurate listing of all investigations required by 2 Ill. Adm. Code 1620.810(c)."
- e) If an Executive Inspector General has referred an allegation to an appropriate law enforcement agency and continues to investigate the matter, the future reporting requirements of this Section are suspended. [5 ILCS 430/20-65(c)]
- f) All reports shall be provided to the Commission in paper form, electronically or both, as directed by the Commission.

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.830 Designation of Ethics Officer

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Each officer and the head of each State agency under the jurisdiction of the Executive Ethics Commission shall designate an ethics officer for the officer or State agency [5 ILCS 430/20-23].

- a) The designation of the ethics officer shall be in writing and shall be forwarded to the Executive Ethics Commission and to the appropriate Executive Inspector General.
- b) The Executive Ethics Commission and the appropriate Executive Inspector General shall be notified in writing of the ethics officer's name, business address, telephone number and e-mail address within ~~30~~30 business days after the appointment of a new~~replacement of any~~ ethics officer.

(Source: Amended at 34 Ill. Reg. 13108, effective August 27, 2010)

SUBPART I: ETHICS TRAININGSection 1620.900 Ethics Training

- a) Beginning in 2011, on or before December 31 of each year, each ultimate jurisdictional authority (UJA) shall submit an annual report to the Commission that summarizes ethics training that was completed during the previous calendar year and lays out the plan for the ethics training programs in the coming year. [5 ILCS 430/5-10(b)]
- b) This report shall contain the following information:
 - 1) A copy of all materials used in the ethics training of employees and officers of the UJA during the previous year.
 - 2) The number of officers or employees completing ethics training in the previous year, identified by agency.
 - 3) The identity of any officers or employees who, for any reason, failed to complete required annual ethics training or initial ethics training during the previous year, and what disciplinary or administrative action the UJA has imposed or plans to impose in response to this failure.
 - 4) All ethics training materials to be used during the next calendar year to train employees subject to the jurisdiction of that UJA, if available by

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December 31. If these materials are not available on December 31, they should be forwarded when available, but in any case, at least 8 weeks before training commences.

5) Other information deemed necessary by the Commission to fulfill its duties.

c) The ethics training materials described in subsection (b)(4) shall also be submitted at the same time to the appropriate Executive Inspector General. The Commission and appropriate Executive Inspector General shall review the materials and offer amendments within 4 weeks.

d) Certification of Training Sent to Ethics Officer

1) Upon completion of any ethics training program required by the Act, each officer and employee must certify in writing that the person has completed the training program. Each officer and employee must provide to his or her Ethics Officer a signed copy of the certification by the deadline for completion of the ethics training program. [5 ILCS 430/5-10(d)]

2) The certification shall state: "I certify that I have carefully read and reviewed the content of, and completed, the [insert name of training program]. Furthermore, I certify that I understand my failure to comply with the laws, rules, policies and procedures referred to within this training course may result in disciplinary action up to and including termination of State employment/appointment, administrative fines, and possible criminal prosecution, depending on the nature of the violation."

3) The certification required by this Part may be made in accordance with the Illinois Commerce Security Act [5 ILCS 175] or in a manner substantially similar to the requirements of that Act, and notice of this certification shall be forwarded electronically to the Ethics Officer for those employees whose ethics training is conducted electronically.

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)

SUBPART J: RELEASE OF INVESTIGATION REPORTSSection 1620.1000 Investigation Reports Finding a Violation

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If an Executive Inspector General, or the Attorney General as provided for in Section 20-50 or 20-51, upon the conclusion of an investigation, determines that reasonable cause exists to believe that a violation has occurred, then the Executive Inspector General or Attorney General, shall issue a summary report of the investigation. The report shall be delivered to the appropriate Ultimate Jurisdictional Authority and to the head of each State agency affected by or involved in the investigation, if appropriate. [5 ILCS 430/20-50]

- a) The summary report of the investigation shall include the following:
 - 1) The unique tracking number of the investigation.
 - 2) A description of any allegations or other information received by the Executive Inspector General or Attorney General pertinent to the investigation.
 - 3) A summary of investigative steps taken. This summary need not disclose any confidential investigation techniques.
 - 4) A description of any alleged misconduct discovered in the course of the investigation.
 - 5) Recommendations for any corrective or disciplinary action to be taken in response to any alleged misconduct described in the report, including but not limited to discharge.
 - 6) Other information the Executive Inspector General or Attorney General deems relevant to the investigation or resulting recommendation. [5 ILCS 430/20-50(b)]
 - 7) The last known mailing addresses for all subjects or, if the subjects are represented by counsel, the mailing address for their counsel.
 - 8) The date of the last alleged violation of the Act or other State law, rule or policy giving rise to the investigation.
 - 9) Other information deemed necessary by the Commission to fulfill its duties.

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- b) The appropriate UJA or agency head shall respond to the summary report within 20 days, in writing, to the Executive Inspector General or Attorney General, as appropriate. The response shall include a description of any corrective or disciplinary action to be imposed. [5 ILCS 430/20-50] If the appropriate UJA or agency fails to respond in writing within 20 days, the Executive Inspector General or Attorney General shall inform the Commission of this failure within 5 business days.
- c) Within 30 days after receiving a response from the appropriate UJA or agency head, the Executive Inspector General or Attorney General, as appropriate, shall:
- 1) notify the Commission and the Attorney General that he or she believes that a complaint should be filed with the Commission and submit the summary report and supporting documents to the Attorney General; or
 - 2) deliver to the Commission a statement setting forth the basis for his or her decision not to file a complaint and a copy of the summary report and response from the UJA or agency head. [5 ILCS 430/20-50(c-5)]
- d) If, after reviewing the documents, the Commission believes that further investigation is warranted, the Commission may:
- 1) request that the Executive Inspector General provide additional information or conduct further investigation; or
 - 2) appoint a Special Executive Inspector General; or
 - 3) refer the summary report and response to the Attorney General for further investigation or review.
- e) If, after review, the Attorney General determines that reasonable cause exists to believe that a violation has occurred, then the Attorney General may file a complaint with the Commission. If the Attorney General concludes that there is insufficient evidence that a violation has occurred, the Attorney General shall notify the Commission and the appropriate Executive Inspector General. [5 ILCS 430/20-50(c-10)]

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)

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Section 1620.1010 Investigation Reports Finding No Violation

If, upon the conclusion of an investigation, an Executive Inspector General or the Attorney General determines that there is insufficient evidence that a violation has occurred, the Executive Inspector General or Attorney General shall close the investigation and provide the Commission with a written statement. [5 ILCS 430/20-51]

- a) The statement shall contain:
 - 1) The unique tracking number of the investigation.
 - 2) A description of any allegations or other information received by the Executive Inspector General or Attorney General pertinent to the investigation.
 - 3) A summary of investigative steps taken. This summary need not disclose any confidential investigation techniques.
 - 4) The facts or conclusions of law that form the basis for the Executive Inspector General's determination that no violation of the State Officials and Employees Ethics Act has occurred.
 - 5) Recommendations for any corrective action to be taken in response to any findings made in the report, if any.
 - 6) Other information the Executive Inspector General deems relevant to the investigation or resulting statement.
 - 7) Other information deemed necessary by the Commission to fulfill its duties.

- b) If, after reviewing the documents, the Commission believes that further investigation is warranted, the Commission may:
 - 1) request that the Executive Inspector General provide additional information or conduct further investigation; or
 - 2) appoint a Special Executive Inspector General; or

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- 3) *refer the allegations to the Attorney General for further investigation or review. [5 ILCS 430/20-51]*

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.1020 Release of Summary Reports

- a) *Upon receipt of a founded summary report finding a violation described in Section 1620.1000 that resulted in a suspension of at least 3 days or termination, or, at the discretion of the Commission, upon the receipt of any founded summary report, the Commission shall redact information that may reveal the identity of witnesses, complainants or informants. The Commission may also redact information to protect the identity of a person or any other information it believes should not be made public. [5 ILCS 430/20-52(b)]*
- b) *The Commission shall forward the version of the report and response it intends to make available to the public to the Attorney General, appropriate Executive Inspector General and respondents. Each may offer, within 15 days, the Commission suggestions for redaction or provide a response that shall be made public with the summary report. [5 ILCS 430/20-52(b)]*
- c) *After considering the suggestions for redaction, if any, but within 60 days after receiving the founded summary report, the Commission shall reassess what should be made available to the public and post it on the Commission's web site.*
- d) *The Commission may determine not to make the report or response available to the public if the Executive Inspector General or Attorney General certifies that releasing the report to the public will interfere with an ongoing investigation. [5 ILCS 430/20-52(c)]*

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)

SUBPART K: DISCIPLINARY ACTION**Section 1620.1100 Disciplinary Action under the Ethics Act**

Disciplinary action under the Ethics Act against a person subject to the Personnel Code, the Secretary of State Merit Employment Code, the Comptroller Merit Employment Code, or the

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State Treasurer Employment Code is within the jurisdiction of the Executive Ethics Commission and not within the jurisdiction of those Acts. [5 ILCS 430/20-55(c)]

- a) An allegation of a violation of the Ethics Act shall set forth with particularity a statement of facts and a designation of the applicable provisions of the Ethics Act that have been violated or not complied with. Allegations of Ethics Act violations shall be set forth separately from any other allegations of violations.
- b) Any appeal must be filed with the Commission within 15 days after the date on which the affected person knew, received written notice, or, through the use of reasonable diligence, should have known, of the alleged violation. The affected person shall simultaneously serve a copy of the appeal on the Director of the Department of Central Management Services (CMS) or the Secretary of State, Comptroller or Treasurer, as appropriate.
- c) The appeal shall state facts and argument to support the person's appeal. Relevant documents may be attached as exhibits.
- d) The CMS Director or the Secretary of State, Comptroller or Treasurer, as appropriate, may respond within 15 days after the appeal.
- e) Within 60 days after the receipt of the appeal and response, the Commission may set the matter for hearing if it concludes that substantial issues of fact or law exist, or issue its decision, so long as the penalty to be imposed is not removal, discharge, demotion or suspension for a period of more than 30 days within a 12-month period.
- f) If the penalty to be imposed is removal, discharge, demotion or suspension for a period of more than 30 days within a 12-month period, the Chair or Administrative Law Judge, if any, shall set the matter for hearing.
- g) While related allegations of non-Ethics Act violations are pending with other entities, the Commission may continue proceedings before it generally and suspend time periods described in this Part.

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)

Section 1620.1110 Hearings to Contest Disciplinary Actions

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Any hearings to contest disciplinary action for a violation of the Ethics Act against a person subject to the Personnel Code, the Secretary of State Merit Employment Code, the Comptroller Merit Employment Code, or the State Treasurer Employment Code pursuant to an agreement between an Executive Inspector General and a UJA shall be conducted by the Executive Ethics Commission and not under any of those Acts. [5 ILCS 430/20-55(d)]

- a) If the penalty to be imposed on an affected person is removal, discharge, demotion or suspension for a period of more than 30 days within a 12-month period or, if the Commission determines that a hearing is appropriate pursuant to Section 1620.1100, the Chair or Administrative Law Judge, if any, shall set the matter for hearing.
- b) For purposes of such hearings, the agency has the burden of proof and is designated the Petitioner; the employee is designated the Respondent.
- c) Hearings and pre-hearing matters will be conducted in accordance with Sections 1620.490, 1620.500, 1620.510, 1620.520 and 1620.530.

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)

SUBPART L: PROCUREMENT CODE CONFLICTS OF INTEREST EXEMPTIONS**Section 1620.1200 Procurement Code Conflicts of Interest Exemptions**

An appropriate Chief Procurement Officer may file a request with the Executive Ethics Commission to exempt named individuals from the prohibitions of Section 50-13 of the Procurement Code when, in his or her judgment, the public interest in having the individual in the service of the State outweighs the public policy evidenced in that Section. [30 ILCS 500/50-20]

- a) The request shall be in writing and describe in detail the nature of the conflict and the reason or reasons why the individual should be exempted from Section 50-13 of the Procurement Code.
- b) Upon receipt of the request for an exemption, the Commission shall set a date, time and location for a public hearing at which any person may present written or oral testimony, and provide public notice of the hearing on its web site. The Commission shall also appoint a hearing officer to conduct the public hearing.

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- c) *The Chief Procurement Officer making the request for an exemption shall publish notice of the date, time and location of the hearing in the online electronic Illinois Procurement Bulletin at least 14 days prior to the hearing and provide notice to the individual subject to the waiver and to the Procurement Policy Board. [30 ILCS 500/50-20]*
- d) *Within 60 days after the public hearing, the Commission shall release a decision that grants or denies the exemption. The decision shall include a statement setting forth the name of the individual and all the pertinent facts that would make that Section applicable, setting forth the reason for the exemption and declaring whether the individual was exempted from Section 50-13 of the Procurement Code. This decision shall be published in the Illinois Procurement Bulletin and, if the decision grants the exemption, also be filed with the Secretary of State and the Comptroller.*

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)

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- 1) Heading of the Part: State Operating Assistance to Downstate Areas
- 2) Code Citation: 92 Ill. Adm. Code 653
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
653.10	Amend
653.20	Amend
653.30	Amend
653.40	Amend
653.90	New
653.100	Amend
653.110	Amend
653.111	New
653.112	New
653.113	New
653.114	New
653.120	Amend
653.130	Amend
653.200	Amend
653.205	New
653.210	Amend
653.220	Amend
653.230	Amend
653.240	Repeal
653.300	Amend
653.310	Amend
653.320	Amend
653.330	Amend
653.335	New
653.340	Amend
653.350	New
653.400	Amend
653.410	Amend
653.430	Amend
653.460	Amend
653.470	Repeal
- 4) Statutory Authority: Implementing, and authorized by Articles I and II of the Downstate Public Transportation Act [30 ILCS 740/Articles I and II]

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- 5) Effective Date of Amendments: August 24, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's Division of Public and Intermodal Transportation and Office of Chief Counsel and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: March 12, 2010; 34 Ill. Reg. 3208
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: Nonsubstantive grammatical changes were made in agreement with JCAR. Additionally, changes were made to the following Sections pursuant to public comment:
 - The definition of "Complementary Paratransit Service" was deleted in its entirety at Section 653.30.
 - The definition of "Fixed Route Service" was revised at Section 653.30.
 - The definition of "POPE" was revised at Section 653.30.
 - The definition of "Public Transportation" was revised at Section 653.30.
 - The definition of "Territorial Boundaries" was revised at Section 653.30.
 - A reference to "complementary paratransit services" was deleted at Section 653.110(a)(5).
 - Section 653.111(a) was revised.
 - Section 653.111(a)(1) and (2) were revised.
 - Section 653.111(a)(9) was revised.
 - Section 653.112(a)(3), (6), (8) and (14) were revised.
 - Section 653.112(a)(18) was deleted and subsection (a)(19) was renumbered.
 - Section 653.114(a) and (b) were revised.
 - Section 653.205(b)(2) was revised.
 - Section 653.210 was revised.
 - Section 653.220(d) was revised.
 - Section 653.330(c) was revised.

The following substantive changes were made at JCAR's suggestion:

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At Section 653.30, the Department inserted "'AICPA' means the American Institute of Certified Public Accountants."

At Section 653.111(a)(12), the Department added language referring to the most current version of the AICPA.

At Section 653.130, the Department deleted the reference to "some other address as identified by the Department".

At Section 653.350(b)(2) and (4), the Department added "which can be obtained from the Division of Public and Intermodal Transportation".

The Department added the word "licensed" in Sections 653.410 and 653.430 when referring to a certified public accountant.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of the Amendments: The following summaries highlight significant changes the Department made to update this Part:

At Section 653.10, Program Overview, a revision was made pursuant to Section 2-2.04 of the Act to include Madison, Monroe and St. Clair counties, for new appropriation funding purposes, as part of the Downstate Public Transportation Fund.

At Section 653.20, Purpose, a revision was made for consistency with Section 2-2.04 of the Act.

At Section 653.30, Definitions, the Department revised, added and deleted definitions for clarification purposes, to update the Part and for consistency with the Act.

At Section 653.40, Applicability, the Department updated this Section for consistency with the Act.

At Section 653.90, Preliminary Grant Application, the Department added new requirements concerning preliminary grant applications to assist the Governor's Office should future year appropriations need to reflect actual projected expenditures.

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At Section 653.110, Application Contents, the Department added information concerning the availability of operating assistance applications by writing or calling the Department. The Department also clarified provisions concerning the submission of information on Department-prescribed forms that are part of the application for an operating assistance grant. A new requirement, consistent with the Act, was added providing for 65% reimbursement of eligible operating expenses rather than 40%. Additionally, the Department determined that the debt service provision in the current rule contradicts the Act and that additional operating information is required to address issues raised by the Governor's Office with respect to operational and financial impacts on potential legislative or State policy initiatives. Other provisions were moved and reorganized to update and clarify the Part.

At Section 653.111, Eligible Operating Expenses, the Department updated this Part, and this Section, for consistency with the Act by reorganizing provisions and clarifying that operating assistance grants will be made only for the reimbursement of expenses deemed eligible to the degree that they are required for the day-to-day provision of public transportation; are subject to independent documentation and audit verification; and are the net of all applicable credits, as determined by the Department to be in accordance with standard accounting practices. Eligible expenses are listed in the text of the rulemaking.

At Section 653.112, Ineligible Operating Expenses, the Department updated the Part by reorganizing provisions and clarifying language for consistency with the Act. Ineligible expenses are listed in the text of the rulemaking.

At Section 653.113, Reportable Income, a new Section was added to the Part, for consistency with the Act, concerning a listing of revenues that reduce the operating deficit and, therefore, must be reported to the Department.

At Section 653.114, Accounting and Documentation, the Department added this Section to bring the Part into conformance with current practice. This Section also provides a mechanism the applicant can use to address certain operating expenses found to be questionable by the Department.

At Section 653.130, Place of Filing, the Department updated its address for the proper filing of all grant application materials.

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At Section 653.200, Review of Application, the Department reorganized and updated its grant application review provisions to reflect current practice and meet the objectives of the Act.

At Section 653.205, Approval/Disapproval of Applicant's Program of Proposed Expenditures, the Department added a new Section, for consistency with Sections 2-11, 2-12 and 2-13 of the Act, that provides for approval and disapproval of the applicant's "program of proposed expenditures".

At Section 653.220, Grant Contract Requirements and Procedures, the Department updated the minimum terms and conditions included in every grant contract.

At Section 653.230, Amounts of and Limitations on Grants, the Department added language consistent with the continuing appropriation provisions of Section 2-3(d) and 2-7(b) of the Act to define the maximum amount a participant can receive in a given fiscal year. Each participant receives a statutory appropriation increase of 10% each fiscal year and can draw down this increase, if the participant has sufficient operating expenses, even if the legislature fails to appropriate the 10% increase in any given fiscal year.

At Section 653.300, Quarterly Reports/Requisitions for Advance Payment, the Department clarified that no payments will be made until a grant contract is fully executed by the Department and the participant, and filed with the Office of the Comptroller. The Department also clarified the dates for submitting advance payment requests.

At Section 653.330, Notification of Change in Services, the Department added language that provides for at least 30 days prior notice to the Department of the participant's intention to implement certain proposed changes in services not included in the application. If the participant does not file the Notification of Change in Services form with the Department at least 30 days prior to implementation, the participant must not implement the proposed change in services. Additionally, the Department updated language defining "a change in service".

At Section 653.335, Notification of Change in Fares, the Department added a new Section that prescribes that the participant shall file a Notification of Change in Fares on a form, provided by the Department, at least 90 days prior to the participant's implementation of any proposed increase in fares when an increase in fares was not included in the application. If the participant does not file a Notification of Change in Fares form at least 90 days prior to the implementation, the participant must not

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implement the fare increase.

At Section 653.350, Downstate Transit Improvement Fund, the Department added provisions with respect to the Downstate Transit Improvement Fund, consistent with Section 2-15 of the Act. Additionally, the Department added some general provisions for the administration of the competitive capital grants program.

At Section 653.460, Grant Closeout, the Department added a provision, consistent with current practice, to allow several years of audit reconciliation balances to be combined to allow for one payment to reconcile minor annual reconciliation balances

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

Mr. Joseph E. Shacter, Director
Illinois Department of Transportation
Division of Public and Intermodal Transportation
100 West Randolph, Suite 6-600
Chicago, Illinois 60601

312/793-2116

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

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TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER h: PUBLIC TRANSPORTATION

PART 653

~~REGULATIONS FOR~~ STATE OPERATING ASSISTANCE TO DOWNSTATE AREAS

SUBPART A: GENERAL PROVISIONS

Section

- 653.10 Program Overview
- 653.20 Purpose
- 653.30 Definitions
- 653.40 ~~Applicability~~ Effective Date

SUBPART B: GRANT APPLICATION REQUIREMENTS

Section

- 653.90 Preliminary Grant Application
- 653.100 Notification of Grant Cycle
- 653.110 Application Contents
- 653.111 Eligible Operating Expenses
- 653.112 Ineligible Operating Expenses
- 653.113 Reportable Income
- 653.114 Accounting and Documentation
- 653.120 Application Filing Deadline
- 653.130 Place of Filing

SUBPART C: REVIEW AND APPROVAL OF APPLICATION

Section

- 653.200 Review of Application
- 653.205 Approval/Disapproval of Applicant's Program of Proposed Expenditures
- 653.210 Approval of Application
- 653.220 Grant Contract Requirements and Procedures
- 653.230 Amounts of and Limitations on Grants
- 653.240 Disapproval of Application (Repealed)

SUBPART D: PROGRAM MANAGEMENT

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Section

653.300	Quarterly Reports/Requisitions for Advance Payment
653.310	Reporting of Actual Expenses for all Quarters
653.320	Payment
653.330	Notification of Change in Services
<u>653.335</u>	<u>Notification of Change in Fares</u>
653.340	Filing of Reconciliation Report for Actual Expenses Accrued in Fiscal Year
<u>653.350</u>	<u>Downstate Transit Improvement Fund</u>

SUBPART E: AUDIT PROCEDURES/GRANT CLOSEOUT

Section

653.400	Year End Operating Data Report
653.410	Independent Audit Requirements and Procedures
653.420	Review of Independent Audit
653.430	State Audit
653.440	Corrective Action by Participant
653.450	Reconciliation of Payments
653.460	Grant Closeout
653.470	Finality of Prior Grant Related Decisions (<u>Repealed</u>)

SUBPART F: MISCELLANEOUS PROVISIONS

Section

653.500	Access to and Retention of Records
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AUTHORITY: Implementing and authorized by Articles I and II of the Downstate Public Transportation Act [30 ILCS 740/Articles I and II].

SOURCE: Adopted at 11 Ill. Reg. 1985, effective January 13, 1987; amended at 34 Ill. Reg. 13142, effective August 24, 2010.

SUBPART A: GENERAL PROVISIONS

Section 653.10 Program Overview

- a) Articles I and II of the Downstate Public Transportation Act [30 ILCS 740/Arts. I and II](~~Ill. Rev. Stat. 1985, ch. 111²/₃, par. 661 et seq.~~) (Act), establish a

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continuing program of State operating assistance for public transportation services outside the areas served by the Regional Transportation Authority (Cook, DuPage, Will, McHenry, Lake and Kane Counties) ~~and outside Madison, Monroe and St. Clair Counties.~~ (See Section 2-2.04 of the Act.)

- b) The funds for this program are appropriated annually by the Illinois General Assembly. Operating assistance grants are made by the Illinois Department of Transportation (Department) on an annual basis. Operating assistance funds may be used only for the purposes, and subject to the conditions, set forth in the Act and this Part.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.20 Purpose

The purpose of this Part is to implement Articles I and II of the Act by providing the procedures, conditions and limitations applicable to operating assistance grants for eligible downstate applicants and participants ~~in downstate areas excluding the Bi-State Metropolitan Development District.~~ (See Section 2-2.04 of the Act.)

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.30 Definitions

The following words and phrases as used in this Part shall have the meanings ascribed to them in this Section.

"Act" means the Downstate Public Transportation Act [30 ILCS 740/Arts. I and II](Ill. Rev. Stat. 1985, ch. 111²/3, par. 661 et seq., as amended).

"AICPA" means the American Institute of Certified Public Accountants.

"Applicant" means any eligible participant who ~~applies~~ has applied for an operating assistance grant under the Act and this Part.

"Application" means those materials and forms required by the Department to be submitted by an applicant in support of its request for operating assistance. (See Sections 2-5 and 2-5.1 of the Act.) ~~including the following: cover letter requesting State operating assistance (Form OP-1), description of the applicant's~~

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~~organization (Form OP-2), summary of totals for expenses and revenues (Form OP-3), itemization of operating revenues (Form OP-4), itemization of operating expenses (Form OP-4), financial data and revenue and expense projections (Form OP-5), operating data and equipment inventory (Form OP-6), purchase of service information (Form OP-7), and notification of change in services, when applicable (Form OP-8).~~

"Department" means the Illinois Department of Transportation, Division of Public and Intermodal Transportation. (Section 2-2.01 of the Act)

"Demand Response Service" means a non-fixed route shared use service operating in response to pre-arranged time and location requests from passengers, or their agents, to the transit operator.

"Deviated Fixed Route Service" means transit service that operates along a fixed alignment or path at generally fixed times but may deviate from the route alignment to collect or drop off passengers who have requested the deviation.

"Eligible ~~Operating Expenses~~operating expenses" means ~~all those expenses required for public transportation, eligible for State operating expenses~~ as defined in Section 2-2.04 of ~~Article II~~ of the Act and Section ~~653.111~~653.110(e)(1)(A) of this Part.

"Fiscal ~~Year~~year" means the fiscal year of the State of Illinois ~~that~~which begins on July 1 and ends on June 30. (Section 2-2.06 of the Act)

"Fixed Route Service" means public transportation service provided on a repetitive, fixed-schedule basis along a specific route, stopping to pick up and deliver passengers to specific locations.

"FTA" means the Federal Transit Administration of the United States Department of Transportation, or its successor.

"Grant Contract" means the written agreement between the applicant and the Department defining the program, funding limits and terms of the grant.

"Ineligible ~~Operating Expenses~~operating expenses" means those expenses ineligible for State operating assistance, as defined in Section 2-2.04 of ~~Article II~~ of the Act and Section ~~653.112~~653.110 of this Part.

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"OMB" means the U.S. Office of Management and Budget.

"Operating ~~Deficit~~deficits" means operating deficits as defined in ~~Article II~~, Section 2-2.03 of the Act.

"Participant" means any eligible participant as defined in Section 2-2.02 of the Act who has received an appropriation from the Illinois General Assembly for downstate operating assistance applied for and received approval from the Department for an operating assistance grant under the Act.

"Preliminary Application" means those materials and forms prescribed by the Department to be submitted by an applicant in support of its projected request for operating assistance in the next fiscal year.

"Program of Proposed Expenditures" or "POPE" means those activities, services and proposed eligible operating expenditures to be provided by the applicant that directly relate to the operation, maintenance or improvement of general public transportation service benefiting the residents of the applicant.

"Public ~~Transportation~~transportation" means the transportation or conveyance of persons ~~within the urbanized area or in the non-urbanized area within the service area of each participant as approved by the Department~~ by means available to the general public; ~~including groups of the general public with special needs;~~

within the urbanized area; or

in the nonurbanized areas within the service area of each participant as approved by the Department, except for transportation by automobiles not used for conveyance of the general public as passengers. (Section 2-2.05 of the Act)except for transportation by automobiles not used for conveyance of the general public as passengers.

Service in a participant's service area may be provided by either:

another eligible participant through an intergovernmental agreement; or

a private for-profit operator through a third party contract or a private non-profit operator through a pass through agreement or third party contract.

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~~"Means available to the general public" is "service available to any persons along a fixed route or flexible schedule route." "Special needs and disabilities" is "a specific permanent or temporary problem or incapacity, including aging, illness, injury, or congenital malfunction that causes a person to have more difficulty in using public transportation than a person without a problem. Public transportation includes transportation provided through purchase of service contracts, demand responsive service and subsidized taxi service. Transportation for persons with special needs and disabilities need not be available to the general public.~~

"Purchased ~~Transportation~~transportation" means those public transportation activities procured by a participant and provided by a third party~~the applicant through service contracts with public or private carriers or operators, including taxi companies.~~

"Service Area" means a participant's territorial boundaries plus service extensions or contiguous service areas approved by the Department.

"State" means the State of Illinois.

"Territorial boundaries" means:

the municipal boundaries of a municipal participant plus the boundaries of any contiguous city, village, incorporated town, and/or county that has agreed by intergovernmental agreement to be included in the territorial boundaries of the municipal participant;

the county boundaries of a county participant plus the boundaries of any contiguous city, village, incorporated town, and/or county that has agreed by intergovernmental agreement to be included in the territorial boundaries of the county participant;

the boundaries of the municipalities, villages, incorporated towns, counties, and/or participating areas having created a mass transit district, plus the boundaries of any contiguous city, village, incorporated town, and/or county that has agreed by intergovernmental agreement to be included in the territorial boundaries of the mass transit district participant.

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Any boundary established by intergovernmental agreement must be approved by ordinance and/or resolution by the appropriate and requisite governing bodies. Establishment of the boundary shall not be in conflict with the Act and/or the Local Mass Transit District Act [70 ILCS 3610]. Additionally, a participant cannot establish as part of its territorial boundary any area that is already included in another participant's territorial boundary.

~~"UMTA" means the Urban Mass Transportation Administration of the United States Department of Transportation.~~

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.40 ~~Applicability:~~ Effective Date

~~a) This Part applies to the operating assistance program for eligible participants in the downstate areas, excluding the Bi-State Metropolitan Development District (Bi-State). The regulations applicable to Bi-State can be obtained by contacting the Department. b) This Part applies to grants made for the fiscal year beginning on July 1, 2010 and each year thereafter 1987. Subparts E and F shall apply to grants made for the fiscal year beginning July 1, 1986, and thereafter.~~

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

SUBPART B: GRANT APPLICATION REQUIREMENTS

Section 653.90 Preliminary Grant Application

At the discretion of the Department and no later than September 1 of each fiscal year, the Department will distribute preliminary grant applications for the following fiscal year to all participants. The preliminary grant application will contain information about the operating assistance program and required forms that must be filed with the Department. The completed preliminary grant application shall be submitted to the Department no later than 30 days after receipt and shall include certain identified preliminary revenue and expense budget information for the next fiscal year.

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.100 Notification of Grant Cycle

~~No~~ later than March 1 prior to the start of any fiscal year, the Department will send operating

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~~assistance~~ grant ~~applications~~~~application package~~ to all ~~eligible~~ participants ~~as defined in the Act~~. The grant application ~~will package shall~~ contain information ~~and instructions regarding about~~ the operating assistance program and ~~will also include~~ forms that must be filed with the Department. Operating assistance applications are available by writing:

Illinois Department of Transportation
Division of Public and Intermodal Transportation
100 West Randolph Street, Suite 6-600
Chicago, Illinois 60601
Phone: 312/793-2111.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.110 Application Contents

- a) ~~A single application may be submitted by a single eligible participant or joint application may be submitted by two or more eligible participants who are served by a single transit system.~~
- ab) Operating assistance applications shall include, at a minimum, be on forms prescribed by the Department and shall contain the following information:
- 1) A cover letter stating that the applicantsubmittal from the applicant to the Department on which the applicant states that he is applying for operating assistance funds ~~(Form OP-1)~~. The cover letterForm OP-1 shall contain the applicant's name, address and ~~a~~ certification that the information provided is true and correct.
 - 2) A description of the applicant including, but not limited to, service area, service characteristics, transit system management, transit and special taxing authority, year and means created, e.g., by statute, home rule or interstate compact, the name and title of the person directly responsible for supervising the applicant's proposed expenditures, the name and title of the person authorized to submit and execute the application, and name and title of the person authorized to certify financial reports ~~(Form OP-2)~~.
 - 3) A summary consisting of total estimated operating expenses, revenues, income and deficits for the next fiscal year, 65%and 40% of the estimated eligible operating expenses for the next fiscal year and a certification that

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the expenses will bear for public transportation in Illinois or the service area approved by the Department.~~(Form OP-3).~~ (See Section 2-7(b) of the Act.)

- 4) A summary consisting of projected total~~An itemization of~~ operating revenues and expenses including, but not limited to, those associated with-~~OP-4 contains information on revenues, deficits and expenses as follows:~~ passenger fares; special transit fares; school bus service revenues; freight tariffs; charter service revenues; auxiliary transportation revenues; non-transportation revenues; taxes levied directly by transit system, local cash grants and reimbursement; local special fare assistance; ~~State~~ cash grants and reimbursements; ~~State~~ special fare assistance, federal grants and reimbursements; contributed services; ~~subsidies from other Sectors of Operations;~~ labor costs; salaries and wages; fringe benefits; services; materials and supplies; ~~utility~~utilities, casualty and liability costs; taxes; ~~net~~ purchased transportation services; miscellaneous expenses; debt service, including principal and interest, on publicly-owned equipment or facilities; interest expenses for short-term operating loans; and lease and rentals~~(Form OP-4).~~ (See Section 2-2.04 of the Act.)
- 5) ~~An itemization of projected revenues and expenses which summarizes the information contained in Form OP-4 (Form OP-5).~~
- 56) Operating information, itemized according to fixed route service and demand response service (including deviated fixed route service), including, but not limited to, route name and number, round trip length, daily round trips, total service miles and, hours, schedules, number of vehicles, passenger trips, passengers and facilities and equipment inventory (Form OP-6).
- 6) Passenger trips shall be broken out by service type and by the following categories: general public; seniors who are at least 65 years old and who are receiving free or reduced fare transportation; people with disabilities who are receiving free or reduced fare transportation; and students who are receiving reduced-fare transportation.
- 7) Information regarding purchased transportation, Purchase of service contract information including, but not limited to, a description of the public transportation services and products to be purchased, relevant

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~~information regarding the service, provider of the purchased services, the information, number and type of revenue and non-revenue vehicles, and operating revenues and expenses as detailed in Subpart B of this Part, wages and salaries (Form OP-7).~~

- e) ~~The applicant shall itemize expenses according to the following conditions and limitations:~~
- 1) ~~Eligible Operating Expenses~~
- A) ~~Operating assistance grants shall be made only for eligible operating expenses required for public transportation. Eligible operating expenses consist of the following:~~
- ~~i) employee wages and benefits;~~
 - ~~ii) materials, fuels and supplies;~~
 - ~~iii) rental of facilities;~~
 - ~~iv) taxes other than income taxes;~~
 - ~~v) payment for debt service (including principal and interest) on equipment or facilities owned by the applicant;~~
 - ~~vi) equipment purchases which do not exceed \$300;~~
 - ~~vii) administrative costs, i.e., costs incurred in capital grant record keeping, grant management, and the preparation of status reports as are required by the Department under its capital grant program, associated with capital projects which are not reimbursed elsewhere;~~
 - ~~viii) repairs to buildings, equipment or vehicles which do not extend the useful life of same;~~
 - ~~ix) expenses and compensation for applicant's board members or trustees as are provided for under the Local Mass Transit District Act (Ill. Rev. Stat. 1985, ch. 111²/₃, par. 354);~~

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- ~~x) and any other expenditure which the Department determines is an eligible operating expense according to generally accepted standard accounting practices adopted by the American Institute of Certified Public Accountants (AICPA) (1981) for public transportation operations.~~
- ~~B) Eligible operating expenses shall also include the costs associated with the audit requirements set forth in Section 653.410.~~
- ~~C) Eighty percent of the dues paid by the applicant to the Illinois Public Transit Association and ninety percent of the dues paid by the applicant to the American Public Transit Association are also eligible operating expenses.~~
- 2) **Ineligible Operating Expenses**

Operating assistance grants shall not be made for ineligible operating expenses. Ineligible operating expenses include those expenses for the following:

 - A) depreciation;
 - B) amortization of any intangible costs which means depreciation of an asset which is without physical qualities, e.g., patents, copyrights and goodwill;
 - C) debt service on capital assets acquired with the assistance of capital grant funds provided by the State of Illinois;
 - D) profit or return on investment;
 - E) excessive payment to associated entities which means payments made by a participant to any entity which is owned or controlled by the participant or which controls or owns the participant;
 - F) any expense eligible for federal funding under a capital program;
 - G) costs reimbursed under Section 6 and 8 of the "Urban Mass Transportation Act of 1964", 49 U.S.C. 1605; 1607, as amended;

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- ~~H) entertainment expenses consisting of costs incurred in attending social activities or amusements not directly related to the providing of public transportation;~~
 - ~~I) charter, school bus and sightseeing expenses;~~
 - ~~J) fines and penalties;~~
 - ~~K) charitable donations;~~
 - ~~L) interest expense on long term borrowing and debt retirement other than on publicly owned equipment and facilities;~~
 - ~~M) income taxes for which the applicant is liable;~~
 - ~~N) any expenses for which participant has or will receive reimbursement from any Federal, State or local program;~~
 - ~~O) expenses associated with compliance with the Single Audit Act of 1984, (31 U.S.C. 75; OMB Circular A-128);~~
 - ~~P) expenses for freight haulage provided by the applicant;~~
 - ~~Q) any expense which is reimbursed from insurance proceeds; and~~
 - ~~R) maintenance of vehicles which are not used for public transportation or to support operations (e.g., supervisory and maintenance vehicles).~~
- 3) Accounting and Documentation
- ~~A) Applicants shall use the accrual method of accounting when submitting the operating expense and revenue information called for in the application.~~
 - ~~B) In the event that the applicant enters into a purchase of service contract, only the actual amounts paid by the applicant to the service provider shall be an eligible operating expense. The~~

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~~applicant shall document the actual purchase of service costs by cancelled checks or bills, invoices, or purchase orders that clearly show that the out of pocket expense was incurred.~~

- 4) ~~All expenses shall be documented by cancelled check or bills, invoices, or purchase orders that clearly show that the expense was incurred.~~
- d) ~~Only those revenues and expenses attributable to providing public transportation for the fiscal year shall be contained in the application. Transportation services to groups with special needs and disabilities and tripper service are eligible operating expenses. Tripper service shall mean service open to the general public along published route schedules with service dictated by ridership patterns.~~

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.111 Eligible Operating Expenses

- a) Operating assistance grants will be made only for the reimbursement of eligible operating expenses. In all instances, operating expenses shall be deemed eligible to the degree that they are required for public transportation, are subject to independent documentation and audit verification, are consistent with State or federal program eligibility requirements, and are the net of all applicable credits, as determined by the Department to be in accordance with standard accounting practices. Eligible operating expenses include, but are not limited to:
- 1) employee wages;
 - 2) employee benefits;
 - 3) materials, fuels and supplies;
 - 4) rental of facilities;
 - 5) taxes other than income taxes;
 - 6) payment made for debt service (including principal and interest) on equipment or facilities owned by the applicant, to the degree that the participant's governing board, through resolution, certifies that the public transportation portion of the equipment or facilities is required for the day-

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to-day provision of public transportation within the next 24 months, provided that, in undertaking and administering the acquisition and ownership of the equipment and facilities, the participant complies with the Department's "Public Transportation Capital Improvement Grants Manual" and "Supplemental Operating Assistance Guidelines";

- 7) non-rolling-stock equipment purchases that are less than \$10,000;
 - 8) administrative costs, i.e., costs incurred in capital grant record keeping, grant management, and the preparation of status reports required by the Department under its capital grant program, associated with capital projects that are not reimbursed elsewhere;
 - 9) routine maintenance and repairs to buildings, equipment or vehicles that do not extend their useful life for replacement eligibility purposes;
 - 10) reasonable expenses and compensation for applicant's board members or trustees as provided for under the Local Mass Transit District Act [70 ILCS 3610/4];
 - 11) established reserves for self-insurance programs; and
 - 12) any other expenditure that an independent auditor retained by the participant's governing board determines is required for the provision of public transportation according to **the most current version of AICPA's** generally accepted accounting principles for public transportation operations.
- b) Eligible operating expenses also include the costs associated with the audit requirements set forth in Section 653.410.
- c) Eighty percent of the dues paid by the applicant to the Illinois Public Transportation Association and 90% of the dues paid by the applicant to the American Public Transportation Association or the Community Transportation Association of America are also eligible operating expenses. (See Section 2-2.04 of the Act.)

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

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Section 653.112 Ineligible Operating Expenses

- a) Operating assistance grants will not be made for ineligible operating expenses, as defined in Section 2-2.04 of the Act, Section 653.30 of this Part and this Section. Ineligible operating expenses include, but are not limited to, the following:
- 1) depreciation, whether funded or unfunded;
 - 2) amortization of any intangible costs, which means depreciation of an asset that is without physical qualities, e.g., patents, copyrights and goodwill;
 - 3) debt service on capital assets acquired with the assistance of State capital grant funds provided by the State;
 - 4) profit or return on investments;
 - 5) excessive payment to associated entities, such as payments made by a participant to any entity that is owned or controlled by the participant or that controls or owns the participant;
 - 6) expenses associated with the [Workforce Investment Act \(29 USC Chapter 30\)](#), or its successor;
 - 7) costs reimbursed under Sections 5303, 5304 and 5305 of the Federal Mass Transit Act (49 USC Chapter 53);
 - 8) travel and entertainment expenses incurred in attending non-public transportation-related activities;
 - 9) charter, school bus and sightseeing expenses as defined by the FTA;
 - 10) finances and penalties;
 - 11) charitable donations;
 - 12) interest expense on long-term borrowing and debt retirement other than on that portion of publicly-owned equipment and facilities required for public transportation;

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- 13) income taxes;
 - 14) that portion of any eligible operating expenses for which the participant has or will receive reimbursement from any other federal or State capital grant program absent a specific federal or State directive allowing the capital expense to be treated as an operating expense, e.g., federal preventative maintenance expense;
 - 15) expenses associated with compliance with OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations);
 - 16) any expense that is reimbursed from insurance proceeds;
 - 17) maintenance or operation of vehicles that are not used by a participant or its contractors for public transportation or to support public transportation operations;
 - 18) any other expense determined by the Department to be inconsistent with federal regulations or requirements.
- b) If a participant receives federal operating assistance funds through the Department, and federal law prohibits the participant from using those funds to pay for any expense that is an eligible operating expense under the Act or this Part, then that expense shall be ineligible for reimbursement. (See Section 2-2.04 of the Act.)

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.113 Reportable Income

- a) Revenues that reduce the operating deficit under standard accounting practices and, therefore, must be reported to the Department include, but are not limited to, revenues from the following sources:
- 1) passenger fares for transit services;
 - 2) special transit fares;
 - 3) charter service revenues;

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- 4) auxiliary transportation revenues;
- 5) non-transportation revenues; and
- 6) federal cash grants and reimbursements.

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.114 Accounting and Documentation

- a) Applicants shall use the accrual method of accounting in accordance with generally accepted accounting principles when submitting the operating expense and revenue information called for in the application utilizing the same line items on which the actual expenses and revenues will eventually be reported to the Department in all quarterly and final fiscal year financial statements.
- b) All expenses shall be documented by cancelled check, by paid bills, invoices or purchase orders, or by electronic records that clearly show when the expense was incurred, when the vendor was paid, and what was purchased.
- c) If the Department questions the eligibility of a particular expense, the participant shall provide certification by an independent auditor that the expense is eligible under applicable State and federal law and the certification will be considered by the Department in determining whether the particular expense is eligible for reimbursement.

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.120 Application Filing Deadline

Grant applications shall be submitted to the Department ~~no~~ later than April 1 prior to the fiscal year for which operating assistance is requested. (See Section 2-5 of the Act.)

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.130 Place of Filing

Grant applications and all forms submitted~~submittals~~ under the State operating assistance

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program shall be filed with the Department at the following address:

Illinois Department of Transportation;
100 West Randolph Street, Suite 6-600310 South Michigan Avenue, Room 1608,
Chicago, Illinois 6060160604,
Attn: ~~Director of the~~ Division of Public and Intermodal Transportation, Bureau of
Downstate Area Programs.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

SUBPART C: REVIEW AND APPROVAL OF APPLICATION

Section 653.200 Review of Application

a)Review of Application. The Department will date stamp the application upon ~~its~~ receipt. The Department will perform an initial examination of~~review and evaluate~~ the application to~~determine if the application is complete, in accordance with~~according to the criteria contained in the Act and Subpart B, and will notify the applicant of any missing information~~missing from the application~~, any issues that require clarification, any errors or inaccuracies that exist in the application and any expenses thatwhich are listed as eligible by the applicant but thatwhich are ineligible under Section 653.112653.110(e)(2). The Department will begin its review process after the application is complete. An application is complete if all required information is included, is accurate if all calculations are correct, and is clear if the application is legible.~~b)The applicant shall respond to the Department's request for additional information, additional documents, clarification of issues and correction of errors. The Department will not approve any part of the application that is incomplete, inaccurate or unclear. The Department shall follow disapproval procedures set forth in Section 653.240. An application is incomplete if called for information is missing, inaccurate if the math is wrong or information is placed in the wrong space; unclear if illegible.~~

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.205 Approval/Disapproval of Applicant's Program of Proposed Expenditures

- a) Within 45 days after the Department's receipt of the application, the Department will notify the applicant in writing of its approval or disapproval of the Program of Proposed Expenditures (POPE). (See Section 2-11 of the Act.)

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- b) Disapproval of Applicant's Program of Proposed Expenditures. The Department will disapprove an applicant's POPE that contains:
- 1) a finding that expenditures are being proposed for projects or purposes that are not in compliance with Section 2-5 of the Act; i.e., proposed expenditures are not related to the actual operation, maintenance or improvement of the applicant's proposed public transportation service; or
 - 2) a finding that expenditures are being proposed for projects or purposes that are in conflict with established comprehensive transportation plans, where applicable; or
 - 3) proposed expenditures that are not, or other information that is not, in compliance with the Act and Section 653.111 of this Part.
- c) The Department will notify the applicant, in writing, of deficiencies in the applicant's POPE that result in disapproval and will include the reasons for disapproval. The applicant may, within 45 days after receipt of the disapproval, submit an amended application for that part of the application that was disapproved. The Department will then review the amended application in the same manner as provided in subsections (a) and (b) and, within 45 days after the Department's receipt of the amended application, the Department will notify the applicant in writing of its approval or disapproval of the amended POPE. The Department's decision concerning the amended application is final. (See Sections 2-11 and 2-12 of the Act.)

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.210 Approval of Application

The Department will approve the application within 45 days after determining that all additional information requested from a participant regarding the application has been provided, that the initial or amended application, including the POPE, is in compliance with the Act and this Part, and that an appropriation sufficient to support the participant's application and POPE has been signed into law. The Department will notify the applicant in writing of approval of the application, in whole or in part, within 45 days of the Department's receipt of the application.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

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Section 653.220 Grant Contract Requirements and Procedures

- a) As a condition for receiving ~~State~~ operating assistance, the applicant shall enter into a grant contract with the Department. The Department will send two copies of the grant contract to the applicant as soon as possible following notification that the application has been approved.
- b) The grant contract shall include, at a minimum, consist of the following terms and conditions:
- 1) funding amounts and limitations;
 - 2) payment procedures and conditions;
 - 3) the Department's attendance at the participant's FTA triennial reviews~~description of eligible expenses, deficits and ineligible expenses;~~
 - 4) records maintenance and access requirements ~~(see Section 653.500)~~;
 - 5) participant's authority to contract;
 - 6) inspection rights of the State;
 - 7) indemnification of the State;
 - 8) audit scope, procedures and requirements~~(see Section 653.410)~~;
 - ~~9) audit procedures and requirements (see Subpart E);~~
 - ~~9) provisions governing the legal relationships between the participant and the State, and other provisions as~~ required by State or local laws; and
 - ~~10) provisions regarding ethics, prohibited interests, a drug free workplace, non-discrimination, school bus operations, and other provisions as~~ required by State law.
 - ~~11) provisions governing the legal relationships between the participant and the State.~~

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- c) The applicant shall execute both copies of the grant contract and ~~shall~~ return both copies to the Department together with a resolution of the applicant's governing board and an opinion of counsel as described in ~~subsections~~paragraphs (d) and (e) ~~below~~.
- d) The applicant shall submit, with the executed grant contract, a certified resolution or ordinance adopted by the applicant's governing body ~~that which~~ authorizes the execution of the grant contract and identifies the person, by position, authorized to sign the grant contract and payment requisitions and to provide official information to the Department.
- e) The applicant shall submit, with the executed grant contract, a legal opinion from an attorney licensed to practice law in ~~the~~this State ~~and~~, authorized to represent the applicant in the matter of the grant contract, stating that ~~the applicant is~~:
- 1) the applicant is lawfully organized;
 - 2) the applicant is an eligible participant under the Act;
 - 3) the applicant is legally authorized to enter into the grant contract; and
 - 4) ~~that~~ the grant contract will be legally binding on the applicant.
- f) Upon receipt of the applicant's executed grant contract, the applicant's governing body resolution or ordinance and the legal opinion, the Department will execute the grant contract on behalf of the State and will return one executed copy to the ~~applicant~~participant.
- g) The application and all other documents or materials requested by the Department, submitted by the applicant and accepted by the Department before and after grant contract execution, shall become a part of and incorporated into the grant contract.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.230 Amounts of and Limitations on Grants

- a) For fiscal year 2008 and thereafter, the~~The~~ Department is authorized under the

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~~continuing appropriation language of Sections 2-3(d) and 2-7(b) of the Act to pay a participant in an amount equal to 65% of the participant's actual eligible operating expenses up to the amount set forth in the State's annual budget or the formula amount required under Section 2-7(b-10) of the Act, whichever is greater. If a participant's actual eligible operating expenses for a particular fiscal year are unknown at the time the grant agreement is executed for the year, the Department will, as soon as practicable at the beginning of that fiscal year, enter into a grant contract for the amount set forth in the State's annual budget or for the formula amount required under Section 2-7(b-10) of the Act, depending on which is greater. (See Section 2-7 of the Act.) make grants to a participant in an amount equal to 40% of the participant's eligible operating expenses. However, in no event shall the participant receive a grant for eligible operating expenses in excess of the amount appropriated for the participant for that fiscal year. Further, in the event that the participant reduces its operating expenses in direct response to a reduction in available federal operating assistance, then the participant shall receive in any fiscal year an amount not less than the amount received in the previous year, regardless of whether the amount received for the current year is in excess of 40% of eligible operating expenses for that year.~~

- b) The amount of operating assistance received from the State under the Act, together with any other operating assistance received from any ~~federal~~Federal, State or local agency, shall not exceed the participant's operating deficit for that fiscal year.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.240 Disapproval of Application (Repealed)

- a) ~~The Department shall not approve an application that contains:~~
- ~~1) proposed expenditures not related to the actual operation, maintenance or improvement of an existing system of public transportation serving the residents of the applicant, for example, the Department would not fund the maintenance cost of city trucks which are not used exclusively in public transportation; or~~
 - ~~2) proposed expenditures for projects which are not included in the established comprehensive transportation plans for an applicant or a region of which it is a part. By way of example, proposed expenditures~~

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~~for a project must be consistent with long and short range planning documents which are approved by a metropolitan planning organization; or~~

- ~~3) proposed expenditures or other information as required in the application which is not in compliance with the Act and Section 653.110 of this Part.~~
- b) ~~The Department shall notify the applicant in writing of the parts of the application that cannot be approved and give the reasons. The applicant shall have 45 days from receipt of the notification to submit an amended application for that part of the application which was not approved. The Department will review and evaluate the amended application in the same manner as provided in Section 653.200. The decision of the Department on the amended application shall be final.~~

(Source: Repealed at 34 Ill. Reg. 13142, effective August 24, 2010)

SUBPART D: PROGRAM MANAGEMENT

Section 653.300 Quarterly Reports/Requisitions for Advance Payment

- a) Thirty calendar days before the end of a current quarter, the participant may~~shall~~ file, on a form prescribed by the Department (~~Form OP-10~~), the Quarterly Financial Report request for advance payment of estimated eligible operating expenses and revenues for the next quarter. This report shall contain a description of and amounts of estimated revenues and expenses and any other information required by the Department.~~(see items listed in Section 653.110(b)(6)).~~
- b) The earliest date that requisitions for payments based on estimates may be processed by the Department are detailed in this subsection (b); however, no payments will be made until the State's annual budget has been passed and grant contracts are fully executed by both the Department and the participant and filed with the Office of the Comptroller.~~The filing deadlines for the quarterly report are as follows:~~
- 1) June 1 – for the 1st quarter (July, Aug., Sept.)
 - 2) Sept. 1 – for the 2nd quarter (Oct., Nov., Dec.)

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- 3) Dec. 1 – for the 3rd quarter (Jan., Feb., Mar.)
- 4) March 1 – for the 4th quarter (Apr., May, June)

(See Section 2-7(b) of the Act.)

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.310 Reporting of Actual Expenses for all Quarters

a) By December 1, March 1, May 1 and August 1, the participant shall file, on a form prescribed by the Department, ~~(Form OP-5)~~ a statement of actual eligible expenses incurred in the 1st, 2nd, 3rd and 4th quarters respectively, known as the Quarterly Financial Report – Actual Revenues and Expenses. ~~b) The estimated expenses for any given quarter shall be reconciled with the actual expenses for any prior quarter by appropriate payment or credit. c) Section 653.300 allows participants to requisition based on estimated expenses and revenues. However, if a participant prefers to requisition based on its actual expenses and revenues, then it shall be permitted to do so. Such requisitions shall be filed with the Department quarterly on a form prescribed by the Department (Form OP-5) and no later than 30 days following the last day of each quarter.~~

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.320 Payment

- a) Participants may requisition based on estimated or actual expenses and revenues, or any combination of the two. Requisitions shall be filed with the Department, quarterly, on forms prescribed by the Department. All Quarterly Financial Reports shall be accompanied by the "Request for Payment" form prescribed by the Department. The Request for Payment form shall specifically state the amount requested by the participant and the period of time for which the funds are requested.
- b) All payments by the Department are contingent upon the General Assembly's passing legislation, signed by the Governor, that appropriates and provides for the release of funds to the participant for operating assistance under the Act and this Part.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

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Section 653.330 Notification of Change in Services

- a) The participant shall file a Notification of Change in Services on a form prescribed by the Department ~~at least (Form OP-8) no later than~~ 30 days prior to the participant's implementation of a proposed change in services when the change in services was not included in the application. If the participant does not file a Notification of Change in Services form at least 30 days prior to the implementation of the proposed change in services, the participant must not implement the change in services. The Notification of Change in Services shall include, ~~but not be limited to by way of example only and not by way of limitation,~~ the following information:
- 1) the nature of the proposed change;
 - 2) whether the proposed change is in an approved planning document; and
 - 3) ~~and~~ a description of, and the budgetary impact of, the proposed change ~~that which~~ includes an estimate of the increase or decrease in operational expenses, revenues and ridership ~~an estimate of an increase or decrease in ridership, an increase or decrease in revenues~~ and an indication of the extent to which the service change will require additional equipment acquisition or reduction in equipment usage or needs.
- b) A change in service means any of the following:
- 1) new service areas ~~routes; extension or discontinuance of routes;~~
 - 2) discontinuance of routes and/or service areas; ~~structural revision of routes;~~
 - 3) a structural revision of routes; ~~increase or decrease in service frequency;~~
 - 4) ~~or a change in service period or an increase or decrease in fares or execution of purchase of service contracts.~~
 - 4) a change in hours or days of service; or
 - 5) execution or termination of a purchased transportation contract.
- c) A change in service does not mean:

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- 1) temporary changes, e.g., routing due to temporary road closures, seasonal adjustments, natural disasters or emergencies; or
- 2) any changes described in subsection (b) that result in less than a 20% increase or decrease in total service provided or fares collected. ~~or any changes which will alter a route, schedule or fare by less than 25%.~~

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.335 Notification of Change in Fares

The participant shall file a Notification of Change in Fares on a form, prescribed by the Department, at least 90 days prior to the participant's implementation of any proposed increase in fares when an increase in fares was not included in the application. If the participant does not file a Notification of Change in Fares form at least 90 days prior to the implementation of the proposed increase in fares, the participant must not implement the fare increase. When submitting the required notification, the participant shall, at a minimum, explain in detail why the fare increase is necessary and why other approaches to financial and operational management will not eliminate the need for an increase in fares.

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.340 Filing of Reconciliation Report for Actual Expenses Accrued in Fiscal Year

- a) On or before August 1 following each fiscal year for which the participant has received operating assistance, the participant shall file with the Department, on a form prescribed by the Department, a reconciliation statement and final requisition for actual but unaudited revenues and expenses accrued during that fiscal year. ~~This requirement is satisfied by filing the 4th Quarter Requisition and Financial Report (Form OP-5) if such Report contains the actual expenses and actual revenues for that fiscal year.~~
- b) Upon receipt of the documents referenced in subsection (a), ~~report~~ the Department ~~will~~shall reconcile the actual amounts paid to the participant with the total eligible reimbursement owed based on actual eligible ~~actual~~ expenses accrued for the fiscal year and ~~will~~shall make payment to the participant for any amounts due.

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- c) Payment to the participant under this Section is contingent upon submission of the fiscal year final requisition and reconciliation report by August 1 as provided for in subsection Section 653.340(a) for actual expenses and revenues. All funds in the Downstate Public Transportation Fund, except funds designated for payment of audit adjustments and 1st quarter estimated expenses for the succeeding fiscal year, revert to the Downstate Transit Improvement Fund~~General Revenue Fund~~ on September 30 following the fiscal year for which ~~thesaid~~ funds were appropriated. Failure to timely file the fiscal year final requisition and reconciliation ~~report~~payment under this Section may jeopardize the Comptroller's ability to make a payment during the lapse period. In the event that the late filing by participant does not allow time for the Department to process payment under this Section, any funds due the participant upon completion of the State audit shall be paid to the participant as provided in Section 653.450.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.350 Downstate Transit Improvement Fund

- a) Except as otherwise provided in Section 2-15 of the Act, all funds that remain in the Downstate Public Transportation Fund or the Metro-East Public Transportation Fund after the payment of the fourth quarterly payment to participants other than Metro-East Transit District participants and the last monthly payment to Metro-East Transit participants in each fiscal year shall be transferred to the Downstate Transit Improvement Fund. Transfers shall be made no later than 90 days following the end of the fiscal year. Beginning fiscal year 2010, all moneys each year in the Downstate Transit Improvement Fund, held solely for the benefit of the participants in the Downstate Public Transportation Fund, shall be appropriated to the Department to make competitive capital grants to the participants of the respective funds. However, such amount as the Department determines to be necessary for allocation to participants for the purposes of Section 2-7 of the Act for the first quarter of the succeeding fiscal year and an amount equal to 2% of the total allocations to participants in the fiscal year that just ended to be used for the purpose of audit adjustments shall be retained in such funds to be used by the Department for such purposes. (Section 2-15 of the Act)
- b) Competitive capital grants shall not be available for projects, purchases or purposes that are not:

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- 1) required for the provision of public transportation;
- 2) identified in the Department's annual Capital Needs Assessment, which can be obtained from the Division of Public and Intermodal Transportation;
- 3) identified in the comprehensive long range or short range planning documents in the region for which the applicant is a part; and
- 4) in accordance with the guidelines set forth in the Department's Procedural Handbook for Public Transportation Capital Improvement Grants, which can be obtained from the Division of Public and Intermodal Transportation.

(Source: Added at 34 Ill. Reg. 13142, effective August 24, 2010)

SUBPART E: AUDIT PROCEDURES/GRANT CLOSEOUT

Section 653.400 Year End Operating Data Report

On or before August 1 following the fiscal year for which the participant has received State operating assistance under the Act, the participant shall file the Year End Operating Data Report (~~Form OP-9~~) with the Department. The report shall be on a form prescribed by the Department and shall include at a minimum:

- a) operators' and other employees' salary and wages by position;
- b) vehicle use; and
- c) passenger trips by service type, passenger category and fare category~~ount~~. (See Section 2-4 of the Act.)

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.410 Independent Audit Requirements and Procedures

- a) **Deadline for Submission of Audit**
No later than 180 days following the last day of the fiscal year, the participant shall provide the Department with an independent audit prepared by a licensed

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certified public accountant. This deadline may be changed, at the discretion of the Department, to accommodate the participant's fiscal year periods or due to unforeseen circumstances. (See Section 2-7(c) of the Act.)

b) Selection of Auditor

The selection of the licensed certified public accountant shall be made by the participant. However, any licensed certified public accountant selected by the participant shall be independent and shall not have a relationship with the participant ~~that~~which would create a conflict of interest. A conflict of interest will be deemed by the Department to exist where the licensed certified public accountant serves the participant in any capacity other than that of auditor for the participant or where the licensed certified public accountant has a relationship, contractual or otherwise, with the participant ~~that~~which would inhibit the ability to perform an independent audit.

c) Audit Requirements

1) The independent auditor shall ~~review~~read the following materials in preparing the audit report:

A) ~~Articles I and II of the Act;~~

B) ~~the grant~~Grant contract between the Department and participant;

C) ~~this Part and Regulations for State Operating Assistance to Downstate Areas, 92 Ill. Adm. Code 653, and the pertinent forms prescribed by the Department; and OP-1 through OP-10.~~

D) ~~the~~The appropriation legislation relating to the operating assistance grant.

2) The independent auditor shall examine the systems of internal control, systems established to ensure compliance with laws and regulations affecting the expenditure of State funds, financial transactions and accounts, and financial statements and reports of the participant. "Examine" means "all that is necessary for the auditor to make the determinations required in ~~this subsection (c)(2)~~Section 653.410(e)(2)(A)-(D)". These examinations are to determine whether:

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- A) There is effective control over and proper accounting for revenues, expenditures, assets, and liabilities.
 - B) The financial statements are presented fairly in accordance with generally accepted accounting principles adopted by ~~AICPA~~ the American Institute of Certified Public Accountants (AICPA) (1981).
 - C) The financial reports contain accurate and reliable financial data.
 - D) State funds are being expended in accordance with the terms of the grant contract and those applicable provisions of state law and regulations.
- 3) Compliance with Audit Standards
The audit shall be made in accordance with generally accepted auditing standards established by ~~the American Institute of Certified Public Accountants (AICPA) (1981)~~.
- d) Requirements for Independent Audit Reports
- 1) Audit Report Elements
The audit report shall contain the following elements:
 - A) Scope of audit
 - B) A description of audit procedures used
 - C) Opinion
 - D) Findings
 - E) Recommendations
 - F) Financial statements and analyses
 - G) On forms prescribed by the Department, a scheduleSchedules of operating revenues and expenses for the participant's grant contract periodon a form prescribed by the Department. (See Section 2-4 of

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the Act.)

2) Contents of Report

The audit report shall consist of the following:

- A) Financial statements, including footnotes, of the participant.
- B) The auditor's comments on the financial statements, which ~~shall~~:
 - i) Identify the statements examined, and the period covered.
 - ii) Express an opinion as to whether the financial statements are fairly presented in accordance with generally accepted accounting principles. If an unqualified opinion cannot be expressed, the nature of the qualification shall be stated.
- C) Calculations, assurances, (i.e., positive or negative assurances that something has been done), and certifications, (i.e., statements by which it is declared that a fact is true or a requirement has been met), stating whether the requirements of ~~subsection (c)(2)~~ ~~Section 653.410(c)(2)~~ have been met by the Department, including, but not limited to by the way of example only and not by way of limitation, the following:
 - i) A determination and calculation of eligible and ineligible operating expenses.
 - ii) A determination and calculation that the State operating assistance, when added to the ~~federal~~ ~~Federal~~ operating assistance, does not exceed the total operating deficit. Operating deficit shall be calculated as eligible expenses less revenues. In determining deficit, the definition of eligible expenses in the Act and this Part and the definition of revenue in the Act shall govern.
- D) The auditor's assurances that:
 - i) The financial statements of the participant were prepared in accordance with generally accepted accounting principles

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- adopted by the ~~American Institute of Certified Public Accountants (AICPA) (1981)~~.
- ii) Applicable laws, ~~particularly Ill. Rev. Stat. 1985, ch. 111²/₃, par. 661 et seq., as amended, and 92 Ill. Adm. Code 653; Regulations for Operating Assistance to Downstate Areas~~ were complied with by the participant.
- iii) The participant's system of internal accounting controls and procedures were adequate relating to funds received and costs chargeable to the grant contract.
- iv) State funds were expended in accordance with the grant contract.
- E) The auditor's comments on compliance and internal control, which shall include:
- i) Comments on weaknesses in and noncompliance with the systems of internal control, separately identifying material weaknesses.
- ii) Identification of instances of noncompliances with the terms of the grant contract, State law or this Part, and the effect of the noncompliance, if any, on the reliability or accuracy of the financial statements and reports filed under this Part.
- F) Comments on the accuracy and completeness of financial reports and claims for advances or reimbursement.
- G) Comments on corrective action taken or planned by the participant relative to the audit findings of the previous year and recommendations for current year corrective action.
- e) Access to and Retention of Auditor's Records
- 1) The participant shall require the independent auditor, in the letter of engagement or other contract for services document between the

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participant and the independent auditor, to give authorized representatives of the Department access to the independent auditor's working papers pertaining to the audit of the participant at reasonable times convenient to the Department and the independent auditor.

- 2) Work papers and reports shall be retained by the auditor for a minimum of three years from the date of the audit report unless the auditor is notified in writing by the Department of the need to extend the retention period. The ~~period of the three~~ year period~~years~~ will be extended under the following conditions:
 - A) When the State audit is not conducted within the three year period; and
 - B) When there is litigation involving the provision of funds to the grantee.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.430 State Audit

- a) The Department shall perform or commission an audit, known as the State audit, of the participant's financial records and the audit performed by the independent auditor submitted by the participant with its own forces or by contracting with an independent licensed certified public accountant solely at the expense of the Department. Any audit under this Section~~section~~ shall begin no later than three years following the last day of the fiscal year that is being audited. The Department will perform a State audit on all grants. The State audit will be done after the Department receives the independent audit. The Department will give written notice to the participant of the dates~~date(s)~~ scheduled for the State audit, which shall be an agreed-upon time arrived at between the grantee and the Department.
- b) The independent auditor and the participant shall work with the Department in resolving any issues raised by the State audit. Any issues that cannot be resolved to the mutual agreement of the Department, the participant and/or independent auditor shall be decided by the Department consistent with the Act, this Part~~these~~ regulations and the Department's application and interpretation of generally accepted accounting principles adopted by the American Institute of Certified

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~~Public Accountants (AICPA) (1981).~~ The Department's decisions shall be considered final.

- c) Upon resolution of the issues according to the procedures provided in subsection paragraph(b) above, the Department will issue a final ~~Statestate~~ audit report to the participant. In the absence of fraud, payment issues, audit issues or any other matters pertaining to the grant may not be raised and are forever settled upon issuance of the final ~~Statestate~~ audit.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.460 Grant Closeout

The Department shall consider the grant closed when the final reconciliation payment is made, either by the Department or the participant, as provided in Section 653.440. The Department shall send notification to the participant that the grant is closed. At the discretion of the Department, several years of audit reconciliation balances may be combined to allow for one payment to reconcile minor annual reconciliation balances.

(Source: Amended at 34 Ill. Reg. 13142, effective August 24, 2010)

Section 653.470 Finality of Prior Grant Related Decisions (Repealed)

~~All grants made for fiscal years prior to the fiscal year beginning on July 1, 1986, shall be audited by the State and the independent auditor consistent with the directions, information and policy provided by the Department to the participant or the auditors during the fiscal year for which the grant was made during the period of time that the grant was or is being audited. All such Departmental directions, information and policy shall be considered final and not affected by the regulations under this Part.~~

(Source: Repealed at 34 Ill. Reg. 13142, effective August 24, 2010)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Services Delivered by the Department of Children and Family Services
- 2) Code Citation: 89 Ill. Adm. Code 302
- 3) Section Number: 302.410 Emergency Action: Amended
- 4) Statutory Authority: Children and Family Services Act of 1963 [20 ILCS 505]
- 5) Effective Date of Amendment: September 1, 2010
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency amendment will expire at the end of the 150 days or when permanent rules are adopted, whichever comes first.
- 7) Date filed with the Index Department: August 27, 2010
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: If Section 302.410 is not clarified to include the stated change below, the State may lose millions of dollars in Federal funding from the Department of Health and Human Services Children's Bureau.
- 10) A Complete Description of the Subjects and Issues Involved: The Subsidized Guardianship program, Section 302.410, Subsidized Guardianship Program (KinGap) is being amended to include the State Funded Option of Subsidized Guardianship at the request of the Fed to clarify that any subsidized guardianship awarded to children placed with a non-relative is fully funded by the State. The Department is also increasing the amount allowed for non-recurring expenses associated with obtaining legal guardianship of the child subject from \$500 to the maximum of up to \$2000 per child.
- 11) Are there any other proposed rulemakings pending to this Part? Yes

<u>Section Number:</u> 302.40	<u>Proposed Action:</u> Amendment	<u>Illinois Register Citation:</u> 34 Ill. Reg. 7001; May 21, 2010
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 12) Statement of Statewide Policy Objectives: This amendment does not create or expand a State mandate.
- 13) Information and questions regarding this emergency amendment shall be directed to:

Jeff E. Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65
Springfield, Illinois 62701-1498

Telephone: 217/524-1983
TDD: 217/524-3715
E-Mail: cfpolicy@idcfs.state.il.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER a: SERVICE DELIVERY

PART 302

SERVICES DELIVERED BY THE
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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NOTICE OF EMERGENCY AMENDMENT

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[EMERGENCY](#)

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- 302.APPENDIX B Calculating the Amount of Adoption Assistance (Repealed)

AUTHORITY: Implementing and authorized by the Children and Family Services Act [20 ILCS 505]; Section 3-6-2(g) of the Unified Code of Corrections [730 ILCS 5/3-6-2(g)]; the Illinois Alcoholism and Dangerous Drug Dependency Act [20 ILCS 305]; the Adoption Assistance and Child Welfare Act of 1980 (42 USCA 670 et seq.); 45 CFR 1356.40 and 1356.41; the Juvenile Court Act of 1987 [705 ILCS 405]; and the Adoption Act [750 ILCS 50].

SOURCE: Adopted and codified at 5 Ill. Reg. 13188, effective November 30, 1981; amended at 6 Ill. Reg. 15529, effective January 1, 1983; recodified at 8 Ill. Reg. 992; peremptory amendment at 8 Ill. Reg. 5373, effective April 12, 1984; amended at 8 Ill. Reg. 12143, effective July 9, 1984; amended at 9 Ill. Reg. 2467, effective March 1, 1985; amended at 9 Ill. Reg. 9104, effective June

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14, 1985; amended at 9 Ill. Reg. 15820, effective November 1, 1985; amended at 10 Ill. Reg. 5557, effective April 15, 1986; amended at 11 Ill. Reg. 1390, effective January 13, 1987; amended at 11 Ill. Reg. 1551, effective January 14, 1987; amended at 11 Ill. Reg. 1829, effective January 15, 1987; recodified to 89 Ill. Adm. Code 300 at 11 Ill. Reg. 3492, Sections 302.20, 302.100, 302.110, 302.120, 302.130, 302.140, 302.150, 302.160, 302.170, 302.180, 302.190, Appendix A; amended at 13 Ill. Reg. 18847, effective November 15, 1989; amended at 14 Ill. Reg. 3438, effective March 1, 1990; amended at 14 Ill. Reg. 16430, effective September 25, 1990; amended at 14 Ill. Reg. 19010, effective November 15, 1990; amended at 16 Ill. Reg. 274, effective December 31, 1992; emergency amendment at 17 Ill. Reg. 2513, effective February 10, 1993, for a maximum of 150 days; emergency expired July 9, 1993; amended at 17 Ill. Reg. 13438, effective July 31, 1993; amended at 19 Ill. Reg. 9107, effective June 30, 1995; amended at 19 Ill. Reg. 9485, effective July 1, 1995; emergency amendment at 19 Ill. Reg. 10746, effective July 1, 1995, for a maximum of 150 days; emergency expired November 27, 1995; emergency amendment at 19 Ill. Reg. 16735, effective November 28, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 4606, effective March 15, 1996; amended at 20 Ill. Reg. 6670, effective May 1, 1996; emergency amendment at 21 Ill. Reg. 1033, effective January 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3265, effective March 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 6204, effective May 15, 1997; amended at 21 Ill. Reg. 10912, effective July 29, 1997; amended at 22 Ill. Reg. 7140, effective April 13, 1998; emergency amendment at 22 Ill. Reg. 7289, effective April 13, 1998, for a maximum of 150 days; emergency expired September 10, 1998; amended at 22 Ill. Reg. 8803, effective May 15, 1998; amended at 22 Ill. Reg. 21314, effective December 1, 1998; emergency amendment at 25 Ill. Reg. 4292, effective March 15, 2001, for a maximum of 150 days; emergency expired August 11, 2001; amended at 25 Ill. Reg. 11821, effective August 31, 2001; amended at 25 Ill. Reg. 16243, effective December 15, 2001; amended at 26 Ill. Reg. 11747, effective August 1, 2002; amended at 26 Ill. Reg. 16434, effective October 22, 2002; amended at 28 Ill. Reg. 2155, effective February 1, 2004; emergency amendment at 28 Ill. Reg. 10405, effective July 8, 2004, for a maximum of 150 days; emergency expired December 4, 2004; amended at 29 Ill. Reg. 20354, effective November 30, 2005; amended at 30 Ill. Reg. 2323, effective February 2, 2006; amended at 32 Ill. Reg. 11611, effective July 10, 2008; emergency amendment at 33 Ill. Reg. 14310, effective October 1, 2009, for a maximum of 150 days; amended at 34 Ill. Reg. 3248, effective February 26, 2010; emergency amendment at 34 Ill. Reg. 13182, effective September 1, 2010, for a maximum of 150 days.

SUBPART C: DEPARTMENT CHILD WELFARE SERVICES

Section 302.410 Subsidized Guardianship (KinGap)**EMERGENCY**

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NOTICE OF EMERGENCY AMENDMENT

a) General Provisions

The subsidized guardianship program (KinGap) implements provisions of Public Law 110-351 that allow the State to enter into guardianship agreements to provide assistance payments to grandparents and other relatives who have assumed the legal guardianship of children for whom they have cared as a licensed foster parent and for whom they have committed to care on a permanent basis. The program offers a subsidized private guardianship arrangement for children for whom the permanency goals of return home and adoption have been ruled out. Guardianship is governed by the Illinois Probate Act [755 ILCS 5] and the Illinois Juvenile Court Act [705 ILCS 405]. A licensed relative foster parent caring for a child determined to be eligible for the subsidized guardianship program shall be made aware of the availability of subsidized guardianship and the types of assistance available. The subsidized guardianship agreement must be signed prior to the transfer of guardianship.

b) Subsidized Guardianship Agreement

The type, amount and duration of subsidized guardianship shall be agreed to in writing by the Department and the subsidized guardian prior to the transfer of guardianship and shall be set forth in the subsidized guardianship agreement, which shall be binding on the parties to the agreement. The agreement shall also stipulate that the agreement shall remain in effect regardless of the state where the subsidized guardian resides currently or in the future and shall contain provisions for the protection of the interests of the child in cases in which the subsidized guardian and child move to another state while the agreement is in effect. The amounts of ongoing subsidized guardianship payments are subject to change based on changes in State or federal law regarding adoption assistance payments. Subsidized guardians may refuse any or all payments offered by the Department. The child for whom guardianship is transferred and for whom the guardian is receiving a subsidy shall receive only those services and/or payments specified in the subsidized guardianship agreement. The child may require services in the future that are not currently being provided for pre-existing physical, emotional or mental health needs or risk factors. Any pre-existing conditions must be described in the subsidized guardianship agreement to be eligible for assistance through the Adoption Assistance Program at a future date. Assistance cannot be granted for services for pre-existing conditions if the conditions are not listed in the subsidized guardianship agreement. The subsidized guardianship agreement must be signed, and a copy of the signed agreement must be provided to the prospective guardian, prior to the transfer of guardianship.

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c) Eligibility Criteria

1) Eligibility for Subsidized Guardianship under KinGap

A) For a child to qualify for subsidized guardianship under KinGap, the following criteria must be met:

iA) the child must have been removed from his or her home pursuant to a voluntary placement agreement or as a result of a judicial determination to the effect that continuation in the home would be contrary to the welfare and the best interest of the child; and

iiB) the child must be eligible for foster care maintenance payments while residing for at least 6 consecutive months in the home of a licensed prospective relative guardian immediately prior to the establishment of the guardianship; and

iiiC) the prospective relative guardian must have been a licensed foster parent for at least the consecutive 6 month period that the child has been in his/her home immediately prior to the establishment of the guardianship; and

ivD) being returned home or adopted are not appropriate permanency options for the child; and

vE) the child demonstrates a strong attachment to the prospective relative guardian and the relative guardian has a strong commitment to caring permanently for the child; and

viF) with respect to a child who has attained 14 years of age, the child has been consulted and the child has agreed to the guardianship arrangement.;

B2) ~~Children who meet the following criteria, outlined in this subsection (c)(2), also qualify for subsidized guardianship under KinGap: A) the child is a~~ sibling of an eligible child who is placed

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with the same relative as the eligible child under a kinship guardianship agreement, ~~when and~~ DCFS and the relative guardian agree that the placement is appropriate, also qualifies for subsidized guardianship under KinGap. Siblings of an eligible child under subsection (c)(2)(B) are not eligible for the sibling exception; or

2) Eligibility for the State Funded Option of Subsidized Guardianship

AB) the child is 14 years of age or older; and

B) the child has lived with a licensed non-relative for at least the 6 consecutive month period prior to the establishment of the guardianship and meets the following:

- i) the child was removed from his or her home pursuant to a voluntary placement agreement or as a result of a judicial determination to the effect that continuation in the home would be contrary to the welfare and best interest of the child; and
- ii) the child was eligible for foster care maintenance payments while residing for at least 6 consecutive months in the licensed non-relative home immediately prior to establishing guardianship; and
- iii) the prospective guardian has been a licensed foster parent for at least the consecutive 6 month period immediately prior to the establishment of the guardianship; and
- iv) being returned home or adopted are not appropriate permanency options for the child; and
- v) the child demonstrates a strong attachment to the prospective guardian and the prospective guardian has a strong commitment to caring permanently for the child; and
- vi) the child has been consulted and has agreed to the guardianship arrangement.

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- d) Determination Whether Subsidized Guardianship under the KinGap Program is in the Best Interests of the Child
- 1) Prior to approving a subsidized guardianship arrangement for a child, the Department shall determine whether subsidized guardianship is in the best interests of the child. In making this determination, the Department shall consider all relevant factors, including but not limited to:
 - A) the wishes of the child's prospective subsidized guardian and the guardian's demonstrated ability to provide care that meets the special needs of the child, if any;
 - B) the wishes of the child under the age of 14 or the consent of the child, if over age 14;
 - C) the interaction and interrelationship between the child and the prospective subsidized guardian;
 - D) the child's adjustment to the present home, school and community;
 - E) the child's need for stability and continuity of relationship with the prospective subsidized guardian; and
 - F) the mental and physical health of all individuals involved.
 - 2) The Department shall ensure that the subsidized guardianship arrangement is safe and suitable placement by means of a safety checks, which shall include a CANTS/SACWIS and LEADS check.
- e) Types of Assistance
A child meeting the eligibility criteria for subsidized guardianship is entitled to the following types of assistance: ~~The types of assistance that a family may apply for include:~~
- 1) Non-recurring Expenses
Payment for non-recurring expenses associated with obtaining legal guardianship for the child subject to the maximum of up to \$2000 per child. ~~Payment for non-recurring expenses for reasonable and necessary~~

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~~miscellaneous costs, and legal fees related to subsidy review, that are directly related to the transfer of guardianship, subject to the maximum set by the Department of up to \$500 per child.~~

- 2) Ongoing Monthly Payments
 - A) An ongoing monthly payment to be determined through the discussion and negotiation process between the prospective guardian and the Department based on the needs of the child and the circumstances of the family. This payment should combine with the guardian's resources to cover the ordinary and special needs of the child. This payment shall not exceed the amount the child receives in his or her current foster family home upon transfer of guardianship. The ongoing monthly payment shall only be issued to one custodial caregiver identified as payee in the assistance agreement, and this person shall be the designated authority for the purpose of service provision. In the event that there is a change in the custodial status of the child, the Department shall be notified. If a change in payee is necessary, notification shall be sent to the Department in writing with the supporting legal documentation attached. The ongoing monthly payment may be adjusted for any benefits the child will continue to receive, such as Social Security, Veteran's benefits, railroad retirement or black lung benefits. Supplemental Security Income (SSI) benefits shall not be considered in determining the ongoing monthly payment amount. When the child is SSI-eligible following the transfer of guardianship, the guardian shall tell the Social Security Administration the amount of the ongoing monthly payment that they are receiving. The Social Security Administration may reduce the SSI payment dollar for dollar as the receipt of SSI is based on income.
 - B) Although eligibility for a subsidy under the subsidized guardianship program shall be determined regardless of the financial circumstances of the prospective subsidized guardian, the types and amounts of assistance under each subsidized guardianship agreement shall be determined by the Department in the same manner as described for adoption assistance in Section 302.310(c) of this Part.

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- 3) A Medicaid card.
- 4) Needs Not Payable through Other Sources
A child meeting the eligibility criteria for subsidized guardianship entitled to the types of assistance outlined in subsections (e)(1), (2) and (3) may also apply for the following types of assistance:
 - A) Physical, emotional and mental health needs not payable through insurance or public resources (e.g., other State or community funded programs) that are associated with, or result from, a condition whose onset has been established as occurring prior to the transfer of guardianship. Payment shall not be made until the Department has been notified in writing that the services will begin and has approved the requested services, and a contract (when applicable) has been executed. The Department's reimbursement shall be limited to what is usual, customary and reasonable based on Medicaid-eligible service rates in the community as determined by the Department.
 - B) The Department will not pay for physical, emotional, medical, mental health or psychological services or treatment for a pre-existing condition or risk factors unless the pre-existing condition, service or risk factor is included in the subsidized guardianship agreement.
- 5) Therapeutic Day Care
Therapeutic day care is available only for children who are determined to have a disability that requires special education services through an Individualized Education Plan (IEP), an Individual Family Service Plan (IFSP), or a 504 Educational Special Needs Plan and is not fundable through another source. Specific therapeutic interventions must be provided as an integral part of the day care programming. Payment for therapeutic day care shall not be made until the Department has been notified in writing that those services will begin and has approved the requested services, and a contract has been executed (when applicable).
- 6) Employment Related Day Care

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Payment may be made for day care for children under the age of 3 years if the guardian is employed or in a training program that will lead to employment. Payment for day care services shall end on the child's third birthday. This day care payment cannot be used in addition to therapeutic day care.

- 7) College Scholarships and the Education and Training Voucher Program
Children who are receiving subsidized guardianship assistance may apply for a 4-year college scholarship awarded by the Department on a competitive basis. A limited number of scholarships is awarded by the Department each year to high school or high school equivalent graduates. Youth who enter into subsidized guardianship or are adopted from foster care after attaining age 16 are eligible to enter the Education and Training Voucher (ETV) Program.
- f) Responsibilities of the Subsidized Guardian
Subsidized guardians are responsible for the following:
- 1) ensuring that parents have the opportunity to visit their children in accordance with the provisions/orders of the court; and
 - 2) notifying the Department no later than 30 days after any one of the following occurrences:
 - A) the child is no longer the legal responsibility of the guardian;
 - B) the guardian no longer financially supports the child;
 - C) the child graduates from high school or equivalent;
 - D) there is a change of residential address or mailing address of the guardian or the child;
 - E) the child dies;
 - F) the child becomes an emancipated minor;
 - G) the child marries;

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- H) the child enlists in the military;
 - I) the mental or physical incapacity of the guardian prevents the guardian from discharging the responsibilities necessary to protect and care for the child;
 - J) the custodial status of the child changes; or
 - K) the guardianship is vacated.
- g) Department Responsibilities
- 1) The Department shall ensure that members of sibling groups are placed together, unless there is an explicit determination that they should not be placed together for the reasons described in 89 Ill. Adm. Code 301 (Placement and Visitation Services).
 - 2) The Department shall explain in the child's service plan the following:
 - A) the steps that the agency has taken to determine that it is not appropriate for the child to be returned home or adopted;
 - B) the reasons for any separation of siblings during placement;
 - C) the reasons why a permanent placement with a fit and willing relative through a subsidized guardianship assistance arrangement is in the child's best interests;
 - D) the ways in which the child meets the eligibility requirements for a subsidized guardianship assistance payment;
 - E) the efforts the agency has made to discuss adoption with the child's relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons not to pursue; and

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- F) the efforts made by the Department to discuss with the child's parent or parents the subsidized guardianship assistance arrangement, or the reasons why the efforts were not made.
- 3) The Department shall offer short-term support services for foster care and relative home providers prior to and during subsidized guardianship. Services will include preliminary screening, assessment, assistance in applying for subsidized guardianship, and payment of one time only court costs and legal fees, if required.
- 4) The Department shall ensure that an orientation is provided to the caregiver's family to ensure that all family members understand the benefits and responsibilities of all the participants in the subsidized guardianship arrangement.
- 5) The Department shall ensure that each guardian has access to post-guardianship staff to respond to requests for information and assistance.
- 6) The Department shall ensure that all guardians are aware of their right to appeal service decisions with which they may disagree under 89 Ill. Adm. Code 337 (Service Appeal Process).
- 7) The Department shall accept custody of the child in accordance with the Abused and Neglected Child Reporting Act [325 ILCS 5] if the guardian does not care for the child to the extent the child's health or well-being is endangered.
- h) **Periodic Reviews**
Periodic reviews are annual re-certifications that are required for children in guardianship homes to maintain their eligibility for the Title XIX Medicaid Program. The Department shall conduct periodic reviews to confirm that the child remains eligible for a Medicaid card. The guardians will receive written notice of the review, and response from the guardians to this notice is a requirement.
- i) **Termination of Payments**
Payments for subsidized guardianship assistance shall terminate when the Department has determined that any one of the following has occurred:

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- 1) when the terms of the subsidized guardianship agreement are fulfilled;
- 2) the guardian has requested that the payment permanently stop;
- 3) the guardian is no longer financially supporting the child;
- 4) the child becomes an emancipated minor;
- 5) the child marries;
- 6) the child enlists in the military;
- 7) the child reaches age 18; a child 18 years of age graduates from high school or equivalent or reaches age 19, whichever occurs first; or a child who has a physical, mental or emotional disability that was documented prior to the 18th birthday reaches age 21;
- 8) the guardian dies;
- 9) the guardianship is vacated; or
- 10) the child dies.

(Source: Emergency amendment at 34 Ill. Reg. 13182, effective September 1, 2010, for a maximum of 150 days)

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NOTICE OF EMERGENCY RULES

- 1) Heading of the Part: Sexual Assault Evidence Submission Act
- 2) Code Citation: 20 Ill. Adm. Code 1255
- 3)

<u>Section Numbers:</u>	<u>Emergency Action:</u>
1255.10	New Section
1255.20	New Section
1255.30	New Section
1255.40	New Section
1255.50	New Section
- 4) Statutory Authority: Implementing and authorized by Section 45 of the Sexual Assault Evidence Submission Act [725 ILCS 202/45] and authorized by 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].
- 5) Effective Date of Rules: September 1, 2010
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: These rules will not expire before the end of the 150-day period.
- 7) Date Filed with the Index Department: August 24, 2010
- 8) A copy of the emergency rules, including any material incorporated by reference, is on file with the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: The rule is needed in order to comply with Public Act 96-1011 that established the Sexual Assault Evidence Submission Act effective September 1, 2010. Agencies will need to ensure compliance with the provisions of the law in such a manner that the needs of the forensic laboratories are also met. Without the rules, insufficient or unnecessary information may be provided regarding Section 20 of the Act. In addition, required certification of the criminal nature of the evidence to be submitted under either Section 10 or Section 20 of the Act may not be provided by the agency, resulting in DNA samples being ineligible for entry into the CODIS database which otherwise would be eligible. Without the rules, DNA profiles that could assist in solving serious crimes may not be appropriately identified, directly leading to criminals remaining unidentified and free to commit additional crimes.

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NOTICE OF EMERGENCY RULES

- 10) A Complete Description of the Subjects and Issues Involved: The purpose of this Part is to provide procedures and define responsibilities for the submission of sexual assault evidence in connection with the investigation of a criminal case to a Department of State Police laboratory or a laboratory approved and designated by the Director of the State Police.
- 11) Are there any proposed amendments to this part pending? No
- 12) Statement of Statewide Policy Objectives: These rules will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 13) Information and questions regarding this emergency rulemaking shall be directed to:

Mr. John M. Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South 7th Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461

217/782-7658

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

DEPARTMENT OF STATE POLICE

NOTICE OF EMERGENCY RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER II: DEPARTMENT OF STATE POLICEPART 1255
SEXUAL ASSAULT EVIDENCE SUBMISSION ACT

SUBPART A: PROMULGATION

Section

1255.10 Purpose

EMERGENCY

1255.20 Definitions

EMERGENCY

SUBPART B: OPERATIONS

Section

1255.30 Responsibilities

EMERGENCY

1255.40 Procedures for Submission

EMERGENCY

1255.50 Expungement of Records

EMERGENCY

AUTHORITY: Implementing and authorized by Section 45 of the Sexual Assault Evidence Submission Act [725 ILCS 202/45] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

SOURCE: Adopted by emergency rulemaking at 34 Ill. Reg. 13197, effective September 1, 2010, for a maximum of 150 days.

SUBPART A: PROMULGATION

Section 1255.10 Purpose**EMERGENCY**

The purpose of this Part is to provide procedures and define responsibilities for the submission of sexual assault evidence in connection with the investigation of a criminal case to a Department

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of State Police laboratory or a laboratory approved and designated by the Director of the State Police.

Section 1255.20 Definitions**EMERGENCY**

Unless otherwise specified, all terms shall have the meanings set forth in Section 5 of the Act.

"Act" means the Sexual Assault Evidence Submission Act [725 ILCS 202].

"Approved Laboratories" means all laboratories within Illinois that are designated as National DNA Index System (NDIS) Participating by the Federal Bureau of Investigation and that are approved by the Director of the Department of State Police under this statute. For example, all Illinois State Police laboratories that conduct DNA casework, the DuPage County Forensic Science Center, and the Northeastern Illinois Regional Crime Laboratory are approved laboratories, provided the individual laboratories maintain their respective status as NDIS Participating laboratories.

"CODIS" means the Combined DNA Index System.

"Department" means the Department of State Police.

"DNA Record" means the DNA profile or genetic marker grouping.

"Law Enforcement Agency" means local, county, state or federal law enforcement agencies involved in the investigation of sexual assault cases in Illinois.

SUBPART B: OPERATIONS

Section 1255.30 Responsibilities**EMERGENCY**

- a) Law Enforcement Agencies
 - 1) By October 15, 2010, each law enforcement agency is required to complete and submit to the Department an inventory of sexual assault cases that have not previously been submitted to a laboratory as described in Section 20 of the Act, per the instructions provided by the Department.

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- 2) Each law enforcement agency must confirm the submitted inventory form is a complete listing of all previously unsubmitted sexual assault cases in its possession.
- b) Illinois State Police
- 1) The Department will provide, by mail, to each law enforcement agency instructions for completing the inventory of cases required by Section 20 of the Act.
 - 2) By February 15, 2011, the Department will submit a plan for analyzing cases submitted pursuant to this Act to the Governor, the Attorney General, and both houses of the General Assembly.

**Section 1255.40 Procedures for Submission
EMERGENCY**

- a) Certification
- 1) All sexual assault cases submitted to the laboratory pursuant to any Section of the Act must include a certification that the evidence is submitted in connection with a criminal investigation, as required by Section 30 of the Act. The submitting law enforcement agency must sign the certification required by this subsection (a) (1), stating the evidence is part of a prior or current criminal investigation, for each submission of evidence. This certification relates to the status of the investigation (whether it is criminal or non-criminal) at the time of submission. Evidence from cases that subsequent to collection have been determined to be non-criminal cannot be submitted for analysis since DNA profiles from non-criminal cases are prohibited from being entered into the CODIS database. This certification, to accompany each case submission, is required to ensure that the laboratories are able to comply with all federal and State laws for entering and searching DNA profiles, at the State level, of CODIS. The certification shall read as follows:

This evidence is being submitted by (name of investigating law enforcement agency) in connection with a prior or current criminal investigation. (Section 30 of the Act)

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- 2) With approval of the Department's Forensic Sciences Commander or designee, the statutory certification described in subsection (a) (1) may be incorporated into other documentation in lieu of a separate certification form.
- b) Required Signatures
- 1) Prior to submission, the law enforcement agency must ensure that all required signatures are obtained for the Patient Consent/Authorization to Release Information and Evidence to Law Enforcement Agency form within the Illinois State Police Sexual Assault Evidence Kit. This includes:
 - A) the patient, parent or guardian signing the consent authorizing evidence preservation and collection; and
 - B) the patient, parent or guardian, investigating officer or DCFS representative signing the release portion of the form, authorizing release of information.
 - 2) A case cannot be accepted for laboratory analysis without the required signatures.
- c) Sexual assault evidence submitted to the laboratory pursuant to any Section of the Act must adhere to the laboratory's case acceptance policy. The law enforcement agency and the laboratory will work together to determine which items of evidence in each case will be submitted. Submissions may be limited to the most probative evidence plus standards in each case.
- d) A complete inventory of all previously unsubmitted sexual assault cases, as described by Section 20 of the Act, regardless of statute of limitations or current prosecutorial/investigative status, must be submitted electronically to the Illinois State Police by October 15, 2010, as per the instructions provided by the Department, unless an alternate submission method is approved by the Department's Forensic Sciences Commander or designee.

**Section 1255.50 Expungement of Records
EMERGENCY**

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Upon receipt of notification from the investigating law enforcement agency or State's Attorney's Office by the approved laboratory that analyzed the case that a DNA record, uploaded into CODIS pursuant to the Act, was not connected to a criminal investigation, the DNA record will be removed from the local, State and national CODIS databases. Written confirmation will be sent to the submitting law enforcement agency by the approved laboratory verifying the expungement is completed.

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)

<u>Section Numbers:</u>	<u>Peremptory Action:</u>
310.APPENDIX A TABLE W	Amendment
310.APPENDIX A TABLE AE	New
- 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 (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table W to reflect a Memorandum of Understanding (MOU) between the American Federation of State, County and Municipal Employees (AFSCME) and the State of Illinois signed July 27, 2010. The MOU assigns the Activity Therapist Supervisor title (title code 00163) to the RC-062-20 pay grade Pay Plan Codes B and Q effective May 7, 2010. Issued on May 7, 2010 was the Illinois Labor Relations Board State Panel Certification of Representative (Case No. S-RC-08-048) assigning Activity Therapist Supervisor classification to the RC-062 bargaining unit with no position excluded or disputed.

CMS is adding Section 310.Appendix A Table AE to reflect a Collective Bargaining Agreement between the Metropolitan Alliance of Police Chapter 294 and the State of Illinois signed July 31, 2010. The Agreement assigns the positions at the Department of Corrections allocated to the Internal Security Investigator I (title code 21731) and II (title code 21732) titles to pay grades and the employees appointed to positions to steps in the pay grades effective July 23, 2008. Issued on July 23, 2008 was the Illinois Labor Relations Board State Panel Certification of Representative (Case Nos. S-RC-05-090 and S-RC-07-016) assigning positions at the Department of Corrections allocated to the Internal Security Investigator I (title code 21731) and II (title code 21732) titles to the Metropolitan Alliance of Police Chapter 294 (RC-090) bargaining unit.
- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21].
- 6) Effective Date: August 26, 2010
- 7) A Complete Description of the Subjects and Issues Involved: In the table of contents, the

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Section 310.Appendix A Table AE heading with the description of the bargaining unit is added.

In Section 310.Appendix A Table W, the Activity Therapist Supervisor title, its 00163 title code, RC-062 bargaining unit and RC-062-20 pay grade are added to the title table.

The Section 310.Appendix A Table AE is added with the heading, title table and rate tables effective July 23, 2008, January and July 1, 2009, January and July 1, 2010, and January and June 1, 2011.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: August 26, 2010
- 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? No
- 13) Statement of Statewide Policy Objectives: 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 peremptory amendments shall be directed to:

Mr. Jason Doggett
Manager
Compensation Section
Division of Technical Services and Agency Training and Development
Bureau of Personnel
Department of Central Management Services
504 William G. Stratton Building
Springfield IL 62706

217/782-7964
Fax: 217/524-4570

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CMS.PayPlan@Illinois.gov

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

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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
310.45	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.47	In-Hiring Rate
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 (Repealed)
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 (Repealed)
310.240	Daily or Hourly Rate Conversion
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate

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310.270	Legislated Rate
310.280	Designated Rate
310.290	Out-of-State Rate (Repealed)
310.295	Foreign Service Rate (Repealed)
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 (Repealed)
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section	
310.410	Jurisdiction
310.415	Merit Compensation Salary Range Assignments
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases and Bonuses
310.455	Intermittent Merit Increase (Repealed)
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 and Bonus Guidechart
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	RC-104 (Conservation Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE B	VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' –

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	ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Veterans' Affairs, Natural Resources, Human Services, Historic Preservation and Agriculture Managers, IFPE)
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)
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	VR-704 (Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)
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 (Departments of Natural Resources and Transportation, Teamsters)
310.TABLE AB	RC-150 (Public Service Administrators Option 6, AFSCME)
310.TABLE AC	RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)
310.TABLE AD	RC-184 (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73)
<u>310.TABLE AE</u>	<u>RC-090 (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294)</u>
310.APPENDIX B	Schedule of Salary Grade Pay Grades – Monthly Rates of Pay (Repealed)

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310.APPENDIX C	Medical Administrator Rates (Repealed)
310.APPENDIX D	Merit Compensation System Salary Schedule
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

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; 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

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amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 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.

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3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, 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,

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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 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.

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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, 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

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Ill. Reg. 2684, 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 13, 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; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3,

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2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; preemptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; preemptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; preemptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; preemptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; preemptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; preemptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; preemptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; preemptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; preemptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; preemptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; preemptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; preemptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; preemptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; preemptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; preemptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; preemptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; preemptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; preemptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; preemptory amendment at 33 Ill. Reg. 9138, effective June 12, 2009; emergency amendment at 33 Ill. Reg. 9432, effective July 1, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 10211, effective July 1, 2009; preemptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; preemptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; preemptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; preemptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; preemptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; preemptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; preemptory amendment at 34

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Ill. Reg. 305, effective December 18, 2009; emergency amendment at 34 Ill. Reg. 957, effective January 1, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 1425, effective January 5, 2010; preemptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; preemptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; preemptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; preemptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill. Reg. 7645, effective May 24, 2010; preemptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; preemptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010; amended at 34 Ill. Reg. 9759, effective July 1, 2010; preemptory amendment at 34 Ill. Reg. 10536, effective July 9, 2010; preemptory amendment at 34 Ill. Reg. 11864, effective July 30, 2010; emergency amendment at 34 Ill. Reg. 12240, effective August 9, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 13204, effective August 26, 2010.

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

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Accountant	00130	RC-062	14
Accountant Advanced	00133	RC-062	16
Accountant Supervisor	00135	RC-062	18
Accounting and Fiscal Administration Career Trainee	00140	RC-062	12
Activity Therapist	00157	RC-062	15
Activity Therapist Coordinator	00160	RC-062	17
<u>Activity Therapist Supervisor</u>	<u>00163</u>	<u>RC-062</u>	<u>20</u>
Actuarial Assistant	00187	RC-062	16
Actuarial Examiner	00195	RC-062	16
Actuarial Examiner Trainee	00196	RC-062	13
Actuarial Senior Examiner	00197	RC-062	19
Actuary I	00201	RC-062	20
Actuary II	00202	RC-062	24
Agricultural Market News Assistant	00804	RC-062	12
Agricultural Marketing Generalist	00805	RC-062	14
Agricultural Marketing Reporter	00807	RC-062	18
Agricultural Marketing Representative	00810	RC-062	18
Agriculture Land and Water Resource Specialist I	00831	RC-062	14
Agriculture Land and Water Resource Specialist II	00832	RC-062	17
Agriculture Land and Water Resource Specialist III	00833	RC-062	20
Aircraft Pilot I	00955	RC-062	19
Aircraft Pilot II	00956	RC-062	22
Aircraft Pilot II – Dual Rating	00957	RC-062	23
Appraisal Specialist I	01251	RC-062	14
Appraisal Specialist II	01252	RC-062	16
Appraisal Specialist III	01253	RC-062	18
Arts Council Associate	01523	RC-062	12
Arts Council Program Coordinator	01526	RC-062	18
Arts Council Program Representative	01527	RC-062	15
Assignment Coordinator	01530	RC-062	20
Bank Examiner I	04131	RC-062	16
Bank Examiner II	04132	RC-062	19
Bank Examiner III	04133	RC-062	22

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Behavioral Analyst Associate	04355	RC-062	15
Behavioral Analyst I	04351	RC-062	17
Behavioral Analyst II	04352	RC-062	19
Business Administrative Specialist	05810	RC-062	16
Business Manager	05815	RC-062	18
Buyer	05900	RC-062	18
Capital Development Board Account Technician	06515	RC-062	11
Capital Development Board Art in Architecture Technician	06533	RC-062	12
Capital Development Board Construction Support Analyst	06520	RC-062	11
Capital Development Board Project Technician	06530	RC-062	12
Chemist I	06941	RC-062	16
Chemist II	06942	RC-062	19
Chemist III	06943	RC-062	21
Child Protection Advanced Specialist	07161	RC-062	19
Child Protection Associate Specialist	07162	RC-062	16
Child Protection Specialist	07163	RC-062	18
Child Support Specialist I	07198	RC-062	16
Child Support Specialist II	07199	RC-062	17
Child Support Specialist Trainee	07200	RC-062	12
Child Welfare Associate Specialist	07216	RC-062	16
Child Welfare Staff Development Coordinator I	07201	RC-062	17
Child Welfare Staff Development Coordinator II	07202	RC-062	19
Child Welfare Staff Development Coordinator III	07203	RC-062	20
Child Welfare Staff Development Coordinator IV	07204	RC-062	22
Children and Family Service Intern – Option I	07241	RC-062	12
Children and Family Service Intern – Option II	07242	RC-062	15
Clinical Laboratory Technologist I	08220	RC-062	18
Clinical Laboratory Technologist II	08221	RC-062	19
Clinical Laboratory Technologist Trainee	08229	RC-062	14
Communications Systems Specialist	08860	RC-062	23
Community Management Specialist I	08891	RC-062	15
Community Management Specialist II	08892	RC-062	17
Community Management Specialist III	08893	RC-062	19
Community Planner I	08901	RC-062	15
Community Planner II	08902	RC-062	17
Community Planner III	08903	RC-062	19
Conservation Education Representative	09300	RC-062	12
Conservation Grant Administrator I	09311	RC-062	18
Conservation Grant Administrator II	09312	RC-062	20

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Conservation Grant Administrator III	09313	RC-062	22
Construction Program Assistant	09525	RC-062	12
Correctional Counselor I	09661	RC-062	15
Correctional Counselor II	09662	RC-062	17
Correctional Counselor III	09663	RC-062	19
Corrections Apprehension Specialist	09750	RC-062	19
Corrections Industries Marketing Representative	09803	RC-062	17
Corrections Leisure Activities Specialist I	09811	RC-062	15
Corrections Leisure Activities Specialist II	09812	RC-062	17
Corrections Leisure Activities Specialist III	09813	RC-062	19
Corrections Parole Agent	09842	RC-062	17
Corrections Senior Parole Agent	09844	RC-062	19
Criminal Intelligence Analyst I	10161	RC-062	18
Criminal Intelligence Analyst II	10162	RC-062	20
Criminal Intelligence Analyst Specialist	10165	RC-062	22
Criminal Justice Specialist I	10231	RC-062	16
Criminal Justice Specialist II	10232	RC-062	20
Criminal Justice Specialist Trainee	10236	RC-062	13
Curator of the Lincoln Collection	10750	RC-062	16
Data Processing Supervisor I	11435	RC-062	11
Data Processing Supervisor II	11436	RC-062	14
Data Processing Supervisor III	11437	RC-062	18
Day Care Licensing Representative I	11471	RC-062	16
Developmental Disabilities Council Program Planner I	12361	RC-062	12
Developmental Disabilities Council Program Planner II	12362	RC-062	16
Developmental Disabilities Council Program Planner III	12363	RC-062	18
Dietary Manager I	12501	RC-062	16
Dietary Manager II	12502	RC-062	18
Dietitian	12510	RC-062	15
Disability Appeals Officer	12530	RC-062	22
Disability Claims Adjudicator I	12537	RC-062	16
Disability Claims Adjudicator II	12538	RC-062	18
Disability Claims Adjudicator Trainee	12539	RC-062	13
Disability Claims Analyst	12540	RC-062	21
Disability Claims Specialist	12558	RC-062	19
Disaster Services Planner	12585	RC-062	19
Document Examiner	12640	RC-062	22
Economic Development Representative I	12931	RC-062	17
Economic Development Representative II	12932	RC-062	19

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Educational Diagnostician	12965	RC-062	12
Educator – Provisional	13105	RC-062	12
Employment Security Field Office Supervisor	13600	RC-062	20
Employment Security Manpower Representative I	13621	RC-062	12
Employment Security Manpower Representative II	13622	RC-062	14
Employment Security Program Representative	13650	RC-062	14
Employment Security Program Representative – Intermittent	13651	RC-062	14H
Employment Security Service Representative	13667	RC-062	16
Employment Security Service Representative (Intermittent)	13667	RC-062	16H
Employment Security Specialist I	13671	RC-062	14
Employment Security Specialist II	13672	RC-062	16
Employment Security Specialist III	13673	RC-062	19
Employment Security Tax Auditor I	13681	RC-062	17
Employment Security Tax Auditor II	13682	RC-062	19
Energy and Natural Resources Specialist I	13711	RC-062	15
Energy and Natural Resources Specialist II	13712	RC-062	17
Energy and Natural Resources Specialist III	13713	RC-062	19
Energy and Natural Resources Specialist Trainee	13715	RC-062	12
Engineering Technician IV (Department of Public Health)	13734	RC-062	18
Environmental Health Specialist I	13768	RC-062	14
Environmental Health Specialist II	13769	RC-062	16
Environmental Health Specialist III	13770	RC-062	18
Environmental Protection Associate	13785	RC-062	12
Environmental Protection Specialist I	13821	RC-062	14
Environmental Protection Specialist II	13822	RC-062	16
Environmental Protection Specialist III	13823	RC-062	18
Environmental Protection Specialist IV	13824	RC-062	22
Equal Pay Specialist	13837	RC-062	17
Executive I	13851	RC-062	18
Executive II	13852	RC-062	20
Financial Institutions Examiner I	14971	RC-062	16
Financial Institutions Examiner II	14972	RC-062	19
Financial Institutions Examiner III	14973	RC-062	22
Financial Institutions Examiner Trainee	14978	RC-062	13
Fire Protection Specialist I	15351	RC-062	16
Flight Safety Coordinator	15640	RC-062	22
Forensic Scientist I	15891	RC-062	18
Forensic Scientist II	15892	RC-062	20
Forensic Scientist III	15893	RC-062	22

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Forensic Scientist Trainee	15897	RC-062	15
Gaming Senior Special Agent	17191	RC-062	23
Gaming Special Agent	17192	RC-062	19
Gaming Special Agent Trainee	17195	RC-062	14
Guardianship Representative	17710	RC-062	17
Habilitation Program Coordinator	17960	RC-062	17
Handicapped Services Representative I	17981	RC-062	11
Health Facilities Surveyor I	18011	RC-062	16
Health Facilities Surveyor II	18012	RC-062	19
Health Facilities Surveyor III	18013	RC-062	20
Health Information Administrator	18041	RC-062	15
Health Services Investigator I – Opt. A	18181	RC-062	19
Health Services Investigator I – Opt. B	18182	RC-062	20
Health Services Investigator II – Opt. A	18185	RC-062	22
Health Services Investigator II – Opt. B	18186	RC-062	22
Health Services Investigator II – Opt. C	18187	RC-062	25
Health Services Investigator II – Opt. D	18188	RC-062	25
Historical Documents Conservator I	18981	RC-062	13
Historical Exhibits Designer	18985	RC-062	15
Historical Research Editor II	19002	RC-062	14
Human Relations Representative	19670	RC-062	16
Human Resources Representative	19692	RC-062	17
Human Resources Specialist	19693	RC-062	20
Human Rights Investigator I	19774	RC-062	16
Human Rights Investigator II	19775	RC-062	18
Human Rights Investigator III	19776	RC-062	19
Human Rights Specialist I	19778	RC-062	14
Human Rights Specialist II	19779	RC-062	16
Human Rights Specialist III	19780	RC-062	18
Human Services Casework Manager	19788	RC-062	20
Human Services Caseworker	19785	RC-062	16
Human Services Grants Coordinator I	19791	RC-062	14
Human Services Grants Coordinator II	19792	RC-062	17
Human Services Grants Coordinator III	19793	RC-062	20
Human Services Grants Coordinator Trainee	19796	RC-062	12
Human Services Sign Language Interpreter	19810	RC-062	16
Iconographer	19880	RC-062	12
Industrial and Community Development Representative I	21051	RC-062	17
Industrial and Community Development Representative II	21052	RC-062	19

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Industrial Services Consultant I	21121	RC-062	14
Industrial Services Consultant II	21122	RC-062	16
Industrial Services Consultant Trainee	21125	RC-062	11
Industrial Services Hygienist	21127	RC-062	19
Industrial Services Hygienist Technician	21130	RC-062	16
Industrial Services Hygienist Trainee	21133	RC-062	12
Information Technology/Communication Systems Specialist I	21216	RC-062	19
Information Technology/Communication Systems Specialist II	21217	RC-062	24
Instrument Designer	21500	RC-062	18
Insurance Analyst III	21563	RC-062	14
Insurance Analyst IV	21564	RC-062	16
Insurance Company Claims Examiner II	21602	RC-062	19
Insurance Company Field Staff Examiner	21608	RC-062	16
Insurance Company Financial Examiner Trainee	21610	RC-062	13
Insurance Performance Examiner I	21671	RC-062	14
Insurance Performance Examiner II	21672	RC-062	17
Insurance Performance Examiner III	21673	RC-062	20
Intermittent Unemployment Insurance Representative	21689	RC-062	12H
Internal Auditor I	21721	RC-062	17
Internal Security Investigator I, not Department of Corrections	21731	RC-062	18
Internal Security Investigator II, not Department of Corrections	21732	RC-062	21
International Marketing Representative I, Department of Agriculture	21761	RC-062	14
Juvenile Justice Youth and Family Specialist, Option 1	21991	RC-062	18
Juvenile Justice Youth and Family Specialist, Option 2	21992	RC-062	20
KidCare Supervisor	22003	RC-062	20
Labor Conciliator	22750	RC-062	20
Laboratory Equipment Specialist	22990	RC-062	18
Laboratory Quality Specialist I	23021	RC-062	19
Laboratory Quality Specialist II	23022	RC-062	21
Laboratory Research Specialist I	23027	RC-062	19
Laboratory Research Specialist II	23028	RC-062	21
Land Acquisition Agent I	23091	RC-062	15
Land Acquisition Agent II	23092	RC-062	18
Land Acquisition Agent III	23093	RC-062	21
Land Reclamation Specialist I	23131	RC-062	14
Land Reclamation Specialist II	23132	RC-062	17
Liability Claims Adjuster I	23371	RC-062	14
Liability Claims Adjuster II	23372	RC-062	18

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Library Associate	23430	RC-062	12
Life Sciences Career Trainee	23600	RC-062	12
Liquor Control Special Agent II	23752	RC-062	15
Local Historical Services Representative	24000	RC-062	17
Local Housing Advisor I	24031	RC-062	14
Local Housing Advisor II	24032	RC-062	16
Local Housing Advisor III	24033	RC-062	18
Local Revenue and Fiscal Advisor I	24101	RC-062	15
Local Revenue and Fiscal Advisor II	24102	RC-062	17
Local Revenue and Fiscal Advisor III	24103	RC-062	19
Lottery Regional Coordinator	24504	RC-062	19
Lottery Sales Representative	24515	RC-062	16
Management Operations Analyst I	25541	RC-062	18
Management Operations Analyst II	25542	RC-062	20
Manpower Planner I	25591	RC-062	14
Manpower Planner II	25592	RC-062	17
Manpower Planner III	25593	RC-062	20
Manpower Planner Trainee	25597	RC-062	12
Medical Assistance Consultant I	26501	RC-062	13
Medical Assistance Consultant II	26502	RC-062	16
Medical Assistance Consultant III	26503	RC-062	19
Mental Health Administrator I	26811	RC-062	18
Mental Health Administrator II	26812	RC-062	20
Mental Health Administrator Trainee	26817	RC-062	16
Mental Health Recovery Support Specialist I	26921	RC-062	17
Mental Health Recovery Support Specialist II	26922	RC-062	18
Mental Health Specialist I	26924	RC-062	12
Mental Health Specialist II	26925	RC-062	14
Mental Health Specialist III	26926	RC-062	16
Mental Health Specialist Trainee	26928	RC-062	11
Meteorologist	27120	RC-062	18
Methods and Procedures Advisor I	27131	RC-062	14
Methods and Procedures Advisor II	27132	RC-062	16
Methods and Procedures Advisor III	27133	RC-062	20
Methods and Procedures Career Associate I	27135	RC-062	11
Methods and Procedures Career Associate II	27136	RC-062	12
Methods and Procedures Career Associate Trainee	27137	RC-062	09
Metrologist Associate	27146	RC-062	15
Microbiologist I	27151	RC-062	16

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Microbiologist II	27152	RC-062	19
Natural Resources Advanced Specialist	28833	RC-062	20
Natural Resources Coordinator	28831	RC-062	15
Natural Resources Specialist	28832	RC-062	18
Oral Health Consultant	30317	RC-062	18
Paralegal Assistant	30860	RC-062	14
Pension and Death Benefits Technician I	30961	RC-062	12
Pension and Death Benefits Technician II	30962	RC-062	19
Plumbing Consultant (Department of Public Health)	32910	RC-062	22
Police Training Specialist	32990	RC-062	17
Program Integrity Auditor I	34631	RC-062	16
Program Integrity Auditor II	34632	RC-062	19
Program Integrity Auditor Trainee	34635	RC-062	12
Property Consultant	34900	RC-062	15
Public Aid Investigator	35870	RC-062	19
Public Aid Investigator Trainee	35874	RC-062	14
Public Aid Lead Casework Specialist	35880	RC-062	17
Public Aid Program Quality Analyst	35890	RC-062	19
Public Aid Quality Control Reviewer	35892	RC-062	17
Public Aid Quality Control Supervisor	35900	RC-062	19
Public Aid Staff Development Specialist I	36071	RC-062	15
Public Aid Staff Development Specialist II	36072	RC-062	17
Public Health Educator Associate	36434	RC-062	14
Public Health Program Specialist I	36611	RC-062	14
Public Health Program Specialist II	36612	RC-062	16
Public Health Program Specialist III	36613	RC-062	19
Public Health Program Specialist Trainee	36615	RC-062	12
Public Information Coordinator	36750	RC-062	18
Public Information Officer I	37001	RC-062	12
Public Information Officer II	37002	RC-062	14
Public Information Officer III	37003	RC-062	19
Public Information Officer IV	37004	RC-062	21
Public Safety Inspector	37007	RC-062	16
Public Safety Inspector Trainee	37010	RC-062	10
Public Service Administrator, Option 8Z	37015	RC-062	19
Public Service Administrator, Options 2 and 7			
Gaming Board and Department of Revenue	37015	RC-062	24
Public Service Administrator, Options 8B and 8Y	37015	RC-062	23
Railroad Safety Specialist I	37601	RC-062	19

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Railroad Safety Specialist II	37602	RC-062	21
Railroad Safety Specialist III	37603	RC-062	23
Railroad Safety Specialist IV	37604	RC-062	25
Real Estate Investigator	37730	RC-062	19
Real Estate Professions Examiner	37760	RC-062	22
Recreation Worker I	38001	RC-062	12
Recreation Worker II	38002	RC-062	14
Rehabilitation Counselor	38145	RC-062	17
Rehabilitation Counselor Senior	38158	RC-062	19
Rehabilitation Counselor Trainee	38159	RC-062	15
Rehabilitation Services Advisor I	38176	RC-062	20
Rehabilitation Workshop Supervisor I	38194	RC-062	12
Rehabilitation Workshop Supervisor II	38195	RC-062	14
Rehabilitation Workshop Supervisor III	38196	RC-062	16
Reimbursement Officer I	38199	RC-062	14
Reimbursement Officer II	38200	RC-062	16
Research Economist I	38207	RC-062	18
Research Scientist I	38231	RC-062	13
Research Scientist II	38232	RC-062	16
Research Scientist III	38233	RC-062	20
Residential Services Supervisor	38280	RC-062	15
Resource Planner I	38281	RC-062	17
Resource Planner II	38282	RC-062	19
Resource Planner III	38283	RC-062	22
Retirement System Disability Specialist	38310	RC-062	19
Revenue Audit Supervisor (IL)	38369	RC-062	25
Revenue Audit Supervisor (states other than IL and not assigned to RC-062-29)	38369	RC-062	27
Revenue Audit Supervisor (See Note)	38369	RC-062	29
Revenue Auditor I (IL)	38371	RC-062	16
Revenue Auditor I (states other than IL and not assigned to RC-062-21)	38371	RC-062	19
Revenue Auditor I (See Note)	38371	RC-062	21
Revenue Auditor II (IL)	38372	RC-062	19
Revenue Auditor II (states other than IL and not assigned to RC-062-24)	38372	RC-062	22
Revenue Auditor II (See Note)	38372	RC-062	24
Revenue Auditor III (IL)	38373	RC-062	22
Revenue Auditor III (states other than IL and not assigned to	38373	RC-062	24

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RC-062-26)			
Revenue Auditor III (See Note)	38373	RC-062	26
Revenue Auditor Trainee (IL)	38375	RC-062	12
Revenue Auditor Trainee (states other than IL and not assigned to RC-062-15)	38375	RC-062	13
Revenue Auditor Trainee (See Note)	38375	RC-062	15
Revenue Collection Officer I	38401	RC-062	15
Revenue Collection Officer II	38402	RC-062	17
Revenue Collection Officer III	38403	RC-062	19
Revenue Collection Officer Trainee	38405	RC-062	12
Revenue Computer Audit Specialist (IL)	38425	RC-062	23
Revenue Computer Audit Specialist (states other than IL and not assigned to RC-062-27)	38425	RC-062	25
Revenue Computer Audit Specialist (See Note)	38425	RC-062	27
Revenue Senior Special Agent	38557	RC-062	23
Revenue Special Agent	38558	RC-062	19
Revenue Special Agent Trainee	38565	RC-062	14
Revenue Tax Specialist I	38571	RC-062	12
Revenue Tax Specialist II (IL)	38572	RC-062	14
Revenue Tax Specialist II (states other than IL, CA or NJ)	38572	RC-062	17
Revenue Tax Specialist II (CA or NJ)	38572	RC-062	19
Revenue Tax Specialist III	38573	RC-062	17
Revenue Tax Specialist Trainee	38575	RC-062	10
Site Assistant Superintendent I	41071	RC-062	15
Site Assistant Superintendent II	41072	RC-062	17
Site Interpretive Coordinator	41093	RC-062	13
Site Services Specialist I	41117	RC-062	15
Site Services Specialist II	41118	RC-062	17
Social Service Consultant I	41301	RC-062	18
Social Service Consultant II	41302	RC-062	19
Social Service Program Planner I	41311	RC-062	15
Social Service Program Planner II	41312	RC-062	17
Social Service Program Planner III	41313	RC-062	20
Social Service Program Planner IV	41314	RC-062	22
Social Services Career Trainee	41320	RC-062	12
Social Worker I	41411	RC-062	16
Staff Development Specialist I	41771	RC-062	18
Staff Development Technician I	41781	RC-062	12

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NOTICE OF PEREMPTORY AMENDMENTS

Staff Development Technician II	41782	RC-062	15
State Mine Inspector	42230	RC-062	19
State Police Field Specialist I	42001	RC-062	18
State Police Field Specialist II	42002	RC-062	20
Statistical Research Specialist I	42741	RC-062	12
Statistical Research Specialist II	42742	RC-062	14
Statistical Research Specialist III	42743	RC-062	17
Storage Tank Safety Specialist	43005	RC-062	18
Telecommunications Specialist	45295	RC-062	15
Telecommunications Systems Analyst	45308	RC-062	17
Telecommunications Systems Technician I	45312	RC-062	10
Telecommunications Systems Technician II	45313	RC-062	13
Terrorism Research Specialist I	45371	RC-062	18
Terrorism Research Specialist II	45372	RC-062	20
Terrorism Research Specialist III	45373	RC-062	22
Terrorism Research Specialist Trainee	45375	RC-062	14
Unemployment Insurance Adjudicator I	47001	RC-062	11
Unemployment Insurance Adjudicator II	47002	RC-062	13
Unemployment Insurance Adjudicator III	47003	RC-062	15
Unemployment Insurance Revenue Analyst I	47081	RC-062	15
Unemployment Insurance Revenue Analyst II	47082	RC-062	17
Unemployment Insurance Revenue Specialist	47087	RC-062	13
Unemployment Insurance Special Agent	47096	RC-062	18
Vehicle Emission Compliance Supervisor, Environmental Protection Agency	47583	RC-062	15
Veterans Educational Specialist I	47681	RC-062	15
Veterans Educational Specialist II	47682	RC-062	17
Veterans Educational Specialist III	47683	RC-062	21
Veterans Employment Representative I	47701	RC-062	14
Veterans Employment Representative II	47702	RC-062	16
Volunteer Services Coordinator I	48481	RC-062	13
Volunteer Services Coordinator II	48482	RC-062	16
Volunteer Services Coordinator III	48483	RC-062	18
Wage Claims Specialist	48770	RC-062	09
Weatherization Specialist I	49101	RC-062	14
Weatherization Specialist II	49102	RC-062	17
Weatherization Specialist III	49103	RC-062	20
Weatherization Specialist Trainee	49105	RC-062	12
Workers Compensation Insurance Compliance Investigator	49640	RC-062	20

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NOTE: The positions allocated to the Public Service Administrator title that are assigned to the negotiated RC-062 pay grade have the following options: 2; 7; 8B; 8Y; and 8Z. See the definition of option in Section 310.50.

For the Revenue Tax Specialist II position classification title only – The pay grade assigned to the employee is based on the location of the position and the residence held by the employee. In the same position classification, the employee holding a position and residence outside the boundaries of the State of Illinois is assigned to a different pay grade than the pay grade assigned to the employee holding a position within the boundaries of the State of Illinois. The pay grade assigned to the employee holding a position located within the boundaries of the State of Illinois is the pay grade with the (IL) indication next to the position classification. The pay grade assigned to the employee holding the position located outside the boundaries of the State of Illinois is determined by the location of the employee's residence or position location (e.g., IL, CA or NJ or a state other than IL, CA or NJ). If the employee's residence moves to another state while the employee is in the same position located outside the boundaries of the State of Illinois, or moves into another position located outside the boundaries of the State of Illinois in the same position classification, the base salary may change depending on the location of the employee's new residence. In all cases, change in base salary shall be on a step for step basis (e.g., if the original base salary was on Step 5 in one pay grade, the new base salary will also be on Step 5 of the newly appropriate pay grade).

For the Revenue Audit Supervisor, Revenue Auditor I, II and III, Revenue Auditor Trainee, and Revenue Computer Audit Specialist position classification titles only – Effective July 1, 2010, State employees appointed to positions allocated to the Revenue Audit Supervisor, Revenue Auditor I, II and III, Revenue Auditor Trainee, and Revenue Computer Audit Specialist classifications shall be assigned to the pay grades:

Revenue Audit Supervisor, RC-062-29
Revenue Auditor I, RC-062-21
Revenue Auditor II, RC-062-24
Revenue Auditor III, RC-062-26
Revenue Auditor Trainee, RC-062-25
Revenue Computer Audit Specialist, RC-062-27

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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if the employee lives in California, 50% or more of the employee's work is within a 200 mile radius of the Paramus NJ Illinois Department of Revenue office, or 50% or more of the employee's work is within the District of Columbia.

Effective January 1, 2010
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
09	B	2776	2846	2917	3008	3104	3200	3303	3400	3560	3703
09	Q	2888	2960	3036	3128	3230	3329	3437	3540	3710	3859
09	S	2956	3025	3099	3194	3296	3398	3507	3609	3780	3932
10	B	2867	2939	3011	3121	3213	3319	3424	3530	3711	3860
10	Q	2979	3054	3132	3246	3345	3458	3566	3678	3874	4029
10	S	3047	3120	3197	3311	3413	3525	3634	3752	3946	4104
11	B	2970	3047	3122	3228	3332	3453	3566	3677	3872	4027
11	Q	3090	3167	3248	3363	3473	3598	3718	3835	4043	4204
11	S	3156	3232	3312	3429	3539	3666	3788	3908	4114	4278
12	B	3088	3165	3248	3367	3477	3607	3725	3863	4070	4232
12	Q	3211	3294	3381	3506	3622	3761	3889	4030	4250	4420
12	S	3276	3361	3447	3573	3690	3833	3963	4106	4326	4499
12H	B	19.00	19.48	19.99	20.72	21.40	22.20	22.92	23.77	25.05	26.04
12H	Q	19.76	20.27	20.81	21.58	22.29	23.14	23.93	24.80	26.15	27.20
12H	S	20.16	20.68	21.21	21.99	22.71	23.59	24.39	25.27	26.62	27.69
13	B	3201	3281	3370	3494	3627	3762	3899	4046	4270	4441
13	Q	3331	3418	3510	3638	3781	3930	4073	4223	4463	4641
13	S	3399	3486	3577	3709	3854	4005	4145	4300	4540	4722
14	B	3332	3423	3514	3648	3790	3956	4100	4255	4504	4684
14	Q	3473	3565	3663	3803	3958	4129	4285	4448	4707	4894

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14	S	3539	3633	3731	3878	4029	4204	4359	4525	4781	4971
14H	B	20.50	21.06	21.62	22.45	23.32	24.34	25.23	26.18	27.72	28.82
14H	Q	21.37	21.94	22.54	23.40	24.36	25.41	26.37	27.37	28.97	30.12
14H	S	21.78	22.36	22.96	23.86	24.79	25.87	26.82	27.85	29.42	30.59
15	B	3463	3557	3653	3815	3972	4127	4296	4455	4724	4911
15	Q	3608	3708	3812	3979	4145	4312	4491	4656	4934	5133
15	S	3675	3778	3883	4053	4218	4389	4567	4731	5012	5212
16	B	3619	3718	3824	3995	4173	4345	4528	4708	4986	5185
16	Q	3773	3881	3991	4173	4361	4543	4730	4920	5213	5422
16	S	3847	3955	4067	4248	4438	4622	4806	4998	5285	5496
16H	B	22.27	22.88	23.53	24.58	25.68	26.74	27.86	28.97	30.68	31.91
16H	Q	23.22	23.88	24.56	25.68	26.84	27.96	29.11	30.28	32.08	33.37
16H	S	23.67	24.34	25.03	26.14	27.31	28.44	29.58	30.76	32.52	33.82
17	B	3783	3893	4008	4191	4385	4571	4756	4949	5243	5453
17	Q	3949	4065	4181	4382	4583	4774	4968	5171	5478	5699
17	S	4023	4139	4256	4458	4660	4853	5045	5246	5559	5780
18	B	3979	4094	4217	4420	4627	4837	5033	5236	5548	5770
18	Q	4154	4277	4405	4624	4836	5056	5262	5471	5800	6031
18	S	4227	4355	4479	4696	4911	5132	5339	5550	5873	6109
19	B	4189	4313	4444	4671	4891	5117	5334	5556	5894	6130
19	J	4189	4313	4444	4671	4891	5117	5334	5556	5894	6130
19	Q	4379	4510	4644	4882	5108	5352	5574	5808	6158	6405
19	S	4456	4588	4723	4959	5187	5427	5652	5886	6234	6484
20	B	4430	4560	4695	4933	5162	5407	5644	5877	6233	6483
20	Q	4629	4765	4907	5154	5397	5653	5896	6142	6517	6777
20	S	4703	4842	4985	5231	5471	5728	5972	6218	6590	6853
21	B	4676	4814	4958	5214	5465	5720	5981	6230	6619	6883
21	U	4676	4814	4958	5214	5465	5720	5981	6230	6619	6883

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NOTICE OF PEREMPTORY AMENDMENTS

21	Q	4887	5030	5182	5450	5710	5979	6251	6513	6917	7193
21	S	4962	5106	5259	5523	5786	6056	6327	6587	6993	7274
22	B	4942	5092	5242	5515	5784	6058	6339	6601	7013	7293
22	Q	5165	5319	5476	5764	6048	6330	6623	6901	7328	7620
22	S	5240	5396	5556	5838	6123	6405	6700	6980	7406	7702
23	B	5242	5398	5560	5855	6155	6447	6744	7037	7480	7780
23	Q	5476	5643	5814	6121	6435	6737	7049	7355	7815	8127
23	S	5556	5720	5889	6195	6510	6814	7125	7430	7892	8206
24	B	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306
24	J	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306
24	Q	5827	6006	6186	6516	6854	7184	7513	7854	8348	8681
24	S	5904	6080	6263	6589	6929	7259	7591	7932	8422	8759
25	B	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	J	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	Q	6215	6397	6590	6952	7316	7686	8052	8416	8956	9315
25	S	6288	6479	6668	7029	7392	7760	8125	8489	9032	9394
26	B	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
26	U	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
27	B	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
27	J	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
27	U	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
28	B	6970	7179	7540	7949	8369	8794	9206	9619	10242	10652
29	U	7313	7535	7912	8342	8782	9230	9660	10094	10747	11176

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Pay Pay
Grade Plan

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NOTICE OF PEREMPTORY AMENDMENTS

	Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
09	B	2874	2946	3038	3135	3232	3336	3434	3596	3740
09	Q	2990	3066	3159	3262	3362	3471	3575	3747	3898
09	S	3055	3130	3226	3329	3432	3542	3645	3818	3971
10	B	2968	3041	3152	3245	3352	3458	3565	3748	3899
10	Q	3085	3163	3278	3378	3493	3602	3715	3913	4069
10	S	3151	3229	3344	3447	3560	3670	3790	3985	4145
11	B	3077	3153	3260	3365	3488	3602	3714	3911	4067
11	Q	3199	3280	3397	3508	3634	3755	3873	4083	4246
11	S	3264	3345	3463	3574	3703	3826	3947	4155	4321
12	B	3197	3280	3401	3512	3643	3762	3902	4111	4274
12	Q	3327	3415	3541	3658	3799	3928	4070	4293	4464
12	S	3395	3481	3609	3727	3871	4003	4147	4369	4544
12H	B	19.67	20.18	20.93	21.61	22.42	23.15	24.01	25.30	26.30
12H	Q	20.47	21.02	21.79	22.51	23.38	24.17	25.05	26.42	27.47
12H	S	20.89	21.42	22.21	22.94	23.82	24.63	25.52	26.89	27.96
13	B	3314	3404	3529	3663	3800	3938	4086	4313	4485
13	Q	3452	3545	3674	3819	3969	4114	4265	4508	4687
13	S	3521	3613	3746	3893	4045	4186	4343	4585	4769
14	B	3457	3549	3684	3828	3996	4141	4298	4549	4731
14	Q	3601	3700	3841	3998	4170	4328	4492	4754	4943
14	S	3669	3768	3917	4069	4246	4403	4570	4829	5021
14H	B	21.27	21.84	22.67	23.56	24.59	25.48	26.45	27.99	29.11
14H	Q	22.16	22.77	23.64	24.60	25.66	26.63	27.64	29.26	30.42
14H	S	22.58	23.19	24.10	25.04	26.13	27.10	28.12	29.72	30.90
15	B	3593	3690	3853	4012	4168	4339	4500	4771	4960
15	Q	3745	3850	4019	4186	4355	4536	4703	4983	5184
15	S	3816	3922	4094	4260	4433	4613	4778	5062	5264

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

16	B	3755	3862	4035	4215	4388	4573	4755	5036	5237
16	Q	3920	4031	4215	4405	4588	4777	4969	5265	5476
16	S	3995	4108	4290	4482	4668	4854	5048	5338	5551
16H	B	23.11	23.77	24.83	25.94	27.00	28.14	29.26	30.99	32.23
16H	Q	24.12	24.81	25.94	27.11	28.23	29.40	30.58	32.40	33.70
16H	S	24.58	25.28	26.40	27.58	28.73	29.87	31.06	32.85	34.16
<u>17</u>	B	3932	4048	4233	4429	4617	4804	4998	5295	5508
<u>17</u>	Q	4106	4223	4426	4629	4822	5018	5223	5533	5756
<u>17</u>	S	4180	4299	4503	4707	4902	5095	5298	5615	5838
<u>18</u>	B	4135	4259	4464	4673	4885	5083	5288	5603	5828
18	Q	4320	4449	4670	4884	5107	5315	5526	5858	6091
18	S	4399	4524	4743	4960	5183	5392	5606	5932	6170
19	B	4356	4488	4718	4940	5168	5387	5612	5953	6191
19	J	4356	4488	4718	4940	5168	5387	5612	5953	6191
19	Q	4555	4690	4931	5159	5406	5630	5866	6220	6469
19	S	4634	4770	5009	5239	5481	5709	5945	6296	6549
20	B	4606	4742	4982	5214	5461	5700	5936	6295	6548
20	Q	4813	4956	5206	5451	5710	5955	6203	6582	6845
20	S	4890	5035	5283	5526	5785	6032	6280	6656	6922
21	B	4862	5008	5266	5520	5777	6041	6292	6685	6952
21	U	4862	5008	5266	5520	5777	6041	6292	6685	6952
21	Q	5080	5234	5505	5767	6039	6314	6578	6986	7265
21	S	5157	5312	5578	5844	6117	6390	6653	7063	7347
22	B	5143	5294	5570	5842	6119	6402	6667	7083	7366
22	Q	5372	5531	5822	6108	6393	6689	6970	7401	7696
22	S	5450	5612	5896	6184	6469	6767	7050	7480	7779
23	B	5452	5616	5914	6217	6511	6811	7107	7555	7858
23	Q	5699	5872	6182	6499	6804	7119	7429	7893	8208

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23	S	5777	5948	6257	6575	6882	7196	7504	7971	8288
24	B	5802	5977	6294	6626	6942	7263	7590	8067	8389
24	J	5802	5977	6294	6626	6942	7263	7590	8067	8389
24	Q	6066	6248	6581	6923	7256	7588	7933	8431	8768
24	S	6141	6326	6655	6998	7332	7667	8011	8506	8847
25	B	6185	6371	6719	7073	7427	7779	8134	8655	9002
25	J	6185	6371	6719	7073	7427	7779	8134	8655	9002
25	Q	6461	6656	7022	7389	7763	8133	8500	9046	9408
25	S	6544	6735	7099	7466	7838	8206	8574	9122	9488
26	B	6540	6798	7170	7551	7934	8303	8676	9236	9605
26	U	6540	6798	7170	7551	7934	8303	8676	9236	9605
27	B	6910	7257	7652	8056	8464	8861	9259	9857	10252
27	J	6910	7257	7652	8056	8464	8861	9259	9857	10252
27	U	6910	7257	7652	8056	8464	8861	9259	9857	10252
28	B	7251	7615	8028	8453	8882	9298	9715	10344	10759
29	U	7610	7991	8425	8870	9322	9757	10195	10854	11288

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Pay Grade	Pay Plan Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
09	B	2903	2975	3068	3166	3264	3369	3468	3632	3777
09	Q	3020	3097	3191	3295	3396	3506	3611	3784	3937
09	S	3086	3161	3258	3362	3466	3577	3681	3856	4011
10	B	2998	3071	3184	3277	3386	3493	3601	3785	3938
10	Q	3116	3195	3311	3412	3528	3638	3752	3952	4110
10	S	3183	3261	3377	3481	3596	3707	3828	4025	4186

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11	B	3108	3185	3293	3399	3523	3638	3751	3950	4108
11	Q	3231	3313	3431	3543	3670	3793	3912	4124	4288
11	S	3297	3378	3498	3610	3740	3864	3986	4197	4364
12	B	3229	3313	3435	3547	3679	3800	3941	4152	4317
12	Q	3360	3449	3576	3695	3837	3967	4111	4336	4509
12	S	3429	3516	3645	3764	3910	4043	4188	4413	4589
12H	B	19.87	20.39	21.14	21.83	22.64	23.38	24.25	25.55	26.57
12H	Q	20.68	21.22	22.01	22.74	23.61	24.41	25.30	26.68	27.75
12H	S	21.10	21.64	22.43	23.16	24.06	24.88	25.77	27.16	28.24
13	B	3347	3438	3564	3700	3838	3977	4127	4356	4530
13	Q	3487	3580	3711	3857	4009	4155	4308	4553	4734
13	S	3556	3649	3783	3932	4085	4228	4386	4631	4817
14	B	3492	3584	3721	3866	4036	4182	4341	4594	4778
14	Q	3637	3737	3879	4038	4212	4371	4537	4802	4992
14	S	3706	3806	3956	4110	4288	4447	4616	4877	5071
14H	B	21.49	22.06	22.90	23.79	24.84	25.74	26.71	28.27	29.40
14H	Q	22.38	23.00	23.87	24.85	25.92	26.90	27.92	29.55	30.72
14H	S	22.81	23.42	24.34	25.29	26.39	27.37	28.41	30.01	31.21
15	B	3629	3727	3892	4052	4210	4382	4545	4819	5010
15	Q	3782	3889	4059	4228	4399	4581	4750	5033	5236
15	S	3854	3961	4135	4303	4477	4659	4826	5113	5317
16	B	3793	3901	4075	4257	4432	4619	4803	5086	5289
16	Q	3959	4071	4257	4449	4634	4825	5019	5318	5531
16	S	4035	4149	4333	4527	4715	4903	5098	5391	5607
16H	B	23.34	24.01	25.08	26.20	27.27	28.42	29.56	31.30	32.55
16H	Q	24.36	25.05	26.20	27.38	28.52	29.69	30.89	32.73	34.04

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

16H	S	24.83	25.53	26.66	27.86	29.02	30.17	31.37	33.18	34.50
17	B	3971	4088	4275	4473	4663	4852	5048	5348	5563
17	Q	4147	4265	4470	4675	4870	5068	5275	5588	5814
17	S	4222	4342	4548	4754	4951	5146	5351	5671	5896
18	B	4176	4302	4509	4720	4934	5134	5341	5659	5886
18	Q	4363	4493	4717	4933	5158	5368	5581	5917	6152
18	S	4443	4569	4790	5010	5235	5446	5662	5991	6232
19	B	4400	4533	4765	4989	5220	5441	5668	6013	6253
19	J	4400	4533	4765	4989	5220	5441	5668	6013	6253
19	Q	4601	4737	4980	5211	5460	5686	5925	6282	6534
19	S	4680	4818	5059	5291	5536	5766	6004	6359	6614
20	B	4652	4789	5032	5266	5516	5757	5995	6358	6613
20	Q	4861	5006	5258	5506	5767	6015	6265	6648	6913
20	S	4939	5085	5336	5581	5843	6092	6343	6723	6991
21	B	4911	5058	5319	5575	5835	6101	6355	6752	7022
21	U	4911	5058	5319	5575	5835	6101	6355	6752	7022
21	Q	5131	5286	5560	5825	6099	6377	6644	7056	7338
21	S	5209	5365	5634	5902	6178	6454	6720	7134	7420
22	B	5194	5347	5626	5900	6180	6466	6734	7154	7440
22	Q	5426	5586	5880	6169	6457	6756	7040	7475	7773
22	S	5505	5668	5955	6246	6534	6835	7121	7555	7857
23	B	5507	5672	5973	6279	6576	6879	7178	7631	7937
23	Q	5756	5931	6244	6564	6872	7190	7503	7972	8290
23	S	5835	6007	6320	6641	6951	7268	7579	8051	8371
24	B	5860	6037	6357	6692	7011	7336	7666	8148	8473
24	J	5860	6037	6357	6692	7011	7336	7666	8148	8473
24	Q	6127	6310	6647	6992	7329	7664	8012	8515	8856

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

24	S	6202	6389	6722	7068	7405	7744	8091	8591	8935
25	B	6247	6435	6786	7144	7501	7857	8215	8742	9092
25	J	6247	6435	6786	7144	7501	7857	8215	8742	9092
25	Q	6526	6723	7092	7463	7841	8214	8585	9136	9502
25	S	6609	6802	7170	7541	7916	8288	8660	9213	9583
26	B	6605	6866	7242	7627	8013	8386	8763	9328	9701
26	U	6605	6866	7242	7627	8013	8386	8763	9328	9701
27	B	6979	7330	7729	8137	8549	8950	9352	9956	10355
27	J	6979	7330	7729	8137	8549	8950	9352	9956	10355
27	U	6979	7330	7729	8137	8549	8950	9352	9956	10355
28	B	7324	7691	8108	8538	8971	9391	9812	10447	10867
29	U	7686	8071	8509	8959	9415	9855	10297	10963	11401

Effective June 1, 2011
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
09	B	2961	3035	3129	3229	3329	3436	3537	3705	3853
09	Q	3080	3159	3255	3361	3464	3576	3683	3860	4016
09	S	3148	3224	3323	3429	3535	3649	3755	3933	4091
10	B	3058	3132	3248	3343	3454	3563	3673	3861	4017
10	Q	3178	3259	3377	3480	3599	3711	3827	4031	4192
10	S	3247	3326	3445	3551	3668	3781	3905	4106	4270
11	B	3170	3249	3359	3467	3593	3711	3826	4029	4190
11	Q	3296	3379	3500	3614	3743	3869	3990	4206	4374
11	S	3363	3446	3568	3682	3815	3941	4066	4281	4451

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

12	B	3294	3379	3504	3618	3753	3876	4020	4235	4403
12	Q	3427	3518	3648	3769	3914	4046	4193	4423	4599
12	S	3498	3586	3718	3839	3988	4124	4272	4501	4681
12H	B	20.27	20.79	21.56	22.26	23.10	23.85	24.74	26.06	27.10
12H	Q	21.09	21.65	22.45	23.19	24.09	24.90	25.80	27.22	28.30
12H	S	21.53	22.07	22.88	23.62	24.54	25.38	26.29	27.70	28.81
13	B	3414	3507	3635	3774	3915	4057	4210	4443	4621
13	Q	3557	3652	3785	3934	4089	4238	4394	4644	4829
13	S	3627	3722	3859	4011	4167	4313	4474	4724	4913
14	B	3562	3656	3795	3943	4117	4266	4428	4686	4874
14	Q	3710	3812	3957	4119	4296	4458	4628	4898	5092
14	S	3780	3882	4035	4192	4374	4536	4708	4975	5172
14H	B	21.92	22.50	23.35	24.26	25.34	26.25	27.25	28.84	29.99
14H	Q	22.83	23.46	24.35	25.35	26.44	27.43	28.48	30.14	31.34
14H	S	23.26	23.89	24.83	25.80	26.92	27.91	28.97	30.62	31.83
15	B	3702	3802	3970	4133	4294	4470	4636	4915	5110
15	Q	3858	3967	4140	4313	4487	4673	4845	5134	5341
15	S	3931	4040	4218	4389	4567	4752	4923	5215	5423
16	B	3869	3979	4157	4342	4521	4711	4899	5188	5395
16	Q	4038	4152	4342	4538	4727	4922	5119	5424	5642
16	S	4116	4232	4420	4618	4809	5001	5200	5499	5719
16H	B	23.81	24.49	25.58	26.72	27.82	28.99	30.15	31.93	33.20
16H	Q	24.85	25.55	26.72	27.93	29.09	30.29	31.50	33.38	34.72
16H	S	25.33	26.04	27.20	28.42	29.59	30.78	32.00	33.84	35.19
17	B	4050	4170	4361	4562	4756	4949	5149	5455	5674
17	Q	4230	4350	4559	4769	4967	5169	5381	5700	5930

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

17	S	4306	4429	4639	4849	5050	5249	5458	5784	6014
18	B	4260	4388	4599	4814	5033	5237	5448	5772	6004
18	Q	4450	4583	4811	5032	5261	5475	5693	6035	6275
18	S	4532	4660	4886	5110	5340	5555	5775	6111	6357
19	B	4488	4624	4860	5089	5324	5550	5781	6133	6378
19	J	4488	4624	4860	5089	5324	5550	5781	6133	6378
19	Q	4693	4832	5080	5315	5569	5800	6044	6408	6665
19	S	4774	4914	5160	5397	5647	5881	6124	6486	6746
20	B	4745	4885	5133	5371	5626	5872	6115	6485	6745
20	Q	4958	5106	5363	5616	5882	6135	6390	6781	7051
20	S	5038	5187	5443	5693	5960	6214	6470	6857	7131
21	B	5009	5159	5425	5687	5952	6223	6482	6887	7162
21	U	5009	5159	5425	5687	5952	6223	6482	6887	7162
21	Q	5234	5392	5671	5942	6221	6505	6777	7197	7485
21	S	5313	5472	5747	6020	6302	6583	6854	7277	7568
22	B	5298	5454	5739	6018	6304	6595	6869	7297	7589
22	Q	5535	5698	5998	6292	6586	6891	7181	7625	7928
22	S	5615	5781	6074	6371	6665	6972	7263	7706	8014
23	B	5617	5785	6092	6405	6708	7017	7322	7784	8096
23	Q	5871	6050	6369	6695	7009	7334	7653	8131	8456
23	S	5952	6127	6446	6774	7090	7413	7731	8212	8538
24	B	5977	6158	6484	6826	7151	7483	7819	8311	8642
24	J	5977	6158	6484	6826	7151	7483	7819	8311	8642
24	Q	6250	6436	6780	7132	7476	7817	8172	8685	9033
24	S	6326	6517	6856	7209	7553	7899	8253	8763	9114
25	B	6372	6564	6922	7287	7651	8014	8379	8917	9274
25	J	6372	6564	6922	7287	7651	8014	8379	8917	9274

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

25	Q	6657	6857	7234	7612	7998	8378	8757	9319	9692
25	S	6741	6938	7313	7692	8074	8454	8833	9397	9775
26	B	6737	7003	7387	7780	8173	8554	8938	9515	9895
26	U	6737	7003	7387	7780	8173	8554	8938	9515	9895
27	B	7119	7477	7884	8300	8720	9129	9539	10155	10562
27	J	7119	7477	7884	8300	8720	9129	9539	10155	10562
27	U	7119	7477	7884	8300	8720	9129	9539	10155	10562
28	B	7470	7845	8270	8709	9150	9579	10008	10656	11084
29	U	7840	8232	8679	9138	9603	10052	10503	11182	11629

(Source: Amended by preemptory rulemaking at 34 Ill. Reg. 13204, effective August 26, 2010)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE AE RC-090 (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
<u>Internal Security Investigator I</u>	<u>21731</u>	<u>RC-090</u>	<u>Q</u>
<u>Internal Security Investigator II</u>	<u>21732</u>	<u>RC-090</u>	<u>Q</u>

Effective July 23, 2008

<u>Title</u>	<u>STEPS</u>							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Internal Security Investigator I</u>	<u>4221</u>	<u>4426</u>	<u>4629</u>	<u>4835</u>	<u>5031</u>	<u>5230</u>	<u>5535</u>	<u>5757</u>
<u>Internal Security Investigator II</u>	<u>4956</u>	<u>5205</u>	<u>5453</u>	<u>5706</u>	<u>5963</u>	<u>6207</u>	<u>6590</u>	<u>6854</u>

Effective January 1, 2009

<u>Title</u>	<u>STEPS</u>							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Internal Security Investigator I</u>	<u>4284</u>	<u>4492</u>	<u>4698</u>	<u>4908</u>	<u>5106</u>	<u>5308</u>	<u>5618</u>	<u>5843</u>
<u>Internal Security Investigator II</u>	<u>5030</u>	<u>5283</u>	<u>5535</u>	<u>5792</u>	<u>6052</u>	<u>6300</u>	<u>6689</u>	<u>6957</u>

Effective July 1, 2009

<u>Title</u>	<u>STEPS</u>							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Internal Security Investigator I</u>	<u>4391</u>	<u>4604</u>	<u>4815</u>	<u>5031</u>	<u>5234</u>	<u>5441</u>	<u>5758</u>	<u>5989</u>
<u>Internal Security Investigator II</u>	<u>5156</u>	<u>5415</u>	<u>5673</u>	<u>5937</u>	<u>6203</u>	<u>6458</u>	<u>6856</u>	<u>7131</u>

Effective January 1, 2010

<u>Title</u>	<u>STEPS</u>							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Internal Security Investigator I</u>	<u>4479</u>	<u>4696</u>	<u>4911</u>	<u>5132</u>	<u>5339</u>	<u>5550</u>	<u>5873</u>	<u>6109</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Internal Security Investigator II 5259 5523 5786 6056 6327 6587 6993 7274

Effective July 1, 2010

<u>Title</u>	<u>STEPS</u>							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Internal Security Investigator I</u>	<u>4524</u>	<u>4743</u>	<u>4960</u>	<u>5183</u>	<u>5392</u>	<u>5606</u>	<u>5932</u>	<u>6170</u>
<u>Internal Security Investigator II</u>	<u>5312</u>	<u>5578</u>	<u>5844</u>	<u>6117</u>	<u>6390</u>	<u>6653</u>	<u>7063</u>	<u>7347</u>

Effective January 1, 2011

<u>Title</u>	<u>STEPS</u>							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Internal Security Investigator I</u>	<u>4569</u>	<u>4790</u>	<u>5010</u>	<u>5235</u>	<u>5446</u>	<u>5662</u>	<u>5991</u>	<u>6232</u>
<u>Internal Security Investigator II</u>	<u>5365</u>	<u>5634</u>	<u>5902</u>	<u>6178</u>	<u>6454</u>	<u>6720</u>	<u>7134</u>	<u>7420</u>

Effective June 1, 2011

<u>Title</u>	<u>STEPS</u>							
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Internal Security Investigator I</u>	<u>4660</u>	<u>4886</u>	<u>5110</u>	<u>5340</u>	<u>5555</u>	<u>5775</u>	<u>6111</u>	<u>6357</u>
<u>Internal Security Investigator II</u>	<u>5472</u>	<u>5747</u>	<u>6020</u>	<u>6302</u>	<u>6583</u>	<u>6854</u>	<u>7277</u>	<u>7568</u>

(Source: Amended by peremptory rulemaking at 34 Ill. Reg. 13204, effective August 26, 2010)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
SEPTEMBER AGENDA

SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
11:00 A.M.
SEPTEMBER 14, 2010

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to *Register* submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706
Email: jcar@ilga.gov
Phone: 217/785-2254*

RULEMAKINGS CURRENTLY BEFORE JCAR**PROPOSED RULEMAKINGS**Commerce and Economic Opportunity

1. Intermodal Facilities Promotion Program (14 Ill. Adm. Code 523)
 - First Notice Published: 34 Ill. Reg. 7340 – 5/28/10
 - Expiration of Second Notice: 9/22/10

Commerce Commission

2. Relocation Towing (92 Ill. Adm. Code 1710)
 - First Notice Published: 34 Ill. Reg. 3182 – 3/12/10
 - Expiration of Second Notice: 9/15/10

JOINT COMMITTEE ON ADMINISTRATIVE RULES
SEPTEMBER AGENDA

Education

3. Certification (23 Ill. Adm. Code 25)
 - First Notice Published: 34 Ill. Reg. 7624 – 6/4/10
 - Expiration of Second Notice: 9/30/10

Environmental Protection Agency

4. Alternate Fuels Program (35 Ill. Adm. Code 275)
 - First Notice Published: 34 Ill. Reg. 5492 – 4/16/10
 - Expiration of Second Notice: 10/3/10

Financial and Professional Regulation

5. Cemetery Oversight Act (68 Ill. Adm. Code 1249)
 - First Notice Published: 34 Ill. Reg. 5047 – 4/9/10
 - Expiration of Second Notice: 10/24/10
6. Nursing and Advanced Practice Nursing Act – Registered Professional Nurse and Licensed Practical Nurse (Repealer) (68 Ill. Adm. Code 1300)
 - First Notice Published: 33 Ill. Reg. 13581 – 10/2/09
 - Expiration of Second Notice: 9/25/10
7. Nurse Practice Act (68 Ill. Adm. Code 1300)
 - First Notice Published: 33 Ill. Reg. 13642 – 10/2/09
 - Expiration of Second Notice: 9/25/10
8. Nursing and Advanced Practice Nursing Act – Advanced Practice Nurse (Repealer) (68 Ill. Adm. Code 1305)
 - First Notice Published: 33 Ill. Reg. 13746 – 10/2/09
 - Expiration of Second Notice: 9/25/10

Healthcare and Family Services

9. Child Support Enforcement (89 Ill. Adm. Code 160)
 - First Notice Published: 34 Ill. Reg. 5089 – 4/9/10
 - Expiration of Second Notice: 9/15/10

Housing Development Authority

JOINT COMMITTEE ON ADMINISTRATIVE RULES
SEPTEMBER AGENDA

10. Illinois Affordable Housing Tax Credit Program (47 Ill. Adm. Code 355)
 - First Notice Published: 34 Ill. Reg. 8029 – 6/18/10
 - Expiration of Second Notice: 9/30/10
11. Predatory Lending Database Program (47 Ill. Adm. Code 390)
 - First Notice Published: 34 Ill. Reg. 8057 – 6/18/10
 - Expiration of Second Notice: 9/25/10

Natural Resources

12. Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 Ill. Adm. Code 530)
 - First Notice Published: 34 Ill. Reg. 8141 – 6/25/10
 - Expiration of Second Notice: 10/1/10
13. Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)
 - First Notice Published: 34 Ill. Reg. 8169 – 6/25/10
 - Expiration of Second Notice: 10/1/10
14. Late-Winter Deer Hunting Season (17 Ill. Adm. Code 680)
 - First Notice Published: 34 Ill. Reg. 8230 – 6/25/10
 - Expiration of Second Notice: 10/1/10

Secretary of State

15. Issuance of Licenses (92 Ill. Adm. Code 1030)
 - First Notice Published: 34 Ill. Reg. 8914 – 7/9/10
 - Expiration of Second Notice: 10/8/10

State Fire Marshal

16. Pyrotechnic Distributor and Operator Licensing Rules (41 Ill. Adm. Code 230)
 - First Notice Published: 34 Ill. Reg. 8236 – 6/25/10
 - Expiration of Second Notice: 10/2/10
17. Pyrotechnic and Consumer Display Permitting Rules (41 Ill. Adm. Code 235)
 - First Notice Published: 34 Ill. Reg. 8274 – 6/25/10
 - Expiration of Second Notice: 10/2/10
18. Fire Protection District Grant (41 Ill. Adm. Code 295)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
SEPTEMBER AGENDA

-First Notice Published: 34 Ill. Reg. 8868 – 7/9/10

-Expiration of Second Notice: 10/8/10

EMERGENCY RULEMAKINGS

Aging

19. Community Care Program (89 Ill. Adm. Code 240)
-Notice Published: 34 Ill. Reg. 10845 – 7/30/10
20. Community Care Program (89 Ill. Adm. Code 240)
-Notice Published: 34 Ill. Reg. 12224 – 8/20/10

Agriculture

21. Illinois Bovidae and Cervidae Tuberculosis Eradication Act (8 Ill. Adm. Code 80)
-Notice Published: 34 Ill. Reg. 12236 – 8/20/10

Central Management Services

22. Pay Plan (80 Ill. Adm. Code 310)
-Notice Published: 34 Ill. Reg. 12240 – 8/20/10
23. Conditions of Employment (80 Ill. Adm. Code 303)
-Notice Published: 34 Ill. Reg. 12985 – 9/3/10

Education

24. Technology Immersion Pilot Project (23 Ill. Adm. Code 365)
-Notice Published: 34 Ill. Reg. 12297 – 9/3/10

Environmental Protection Agency

25. Procedures for Operation of the Clean Construction or Demolition Debris Fill Operation Fee System (35 Ill. Adm. Code 1150)
-Notice Published: 34 Ill. Reg. 11854 – 8/13/10

Workers' Compensation Commission

26. Miscellaneous (50 Ill. Adm. Code 7110)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
SEPTEMBER AGENDA

-Notice Published: 34 Ill. Reg. 10222 – 7/16/10

PEREMPTORY RULEMAKING

Central Management Services

27. Pay Plan (80 Ill. Adm. Code 310)
-Notice Published: 34 Ill. Reg. 11864 – 8/13/10

ADOPTED RULEMAKING

Board of Higher Education

28. Public Information, Rulemaking and Organization (2 Ill. Adm. Code 5050)
-Notice Published: 34 Ill. Reg. 12794 – 9/3/10

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notice was received by the Joint Committee on Administrative Rules during the period of August 24, 2010 through August 30, 2010 and has been scheduled for review by the Committee at its September 14, 2010 meeting. 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>
10/8/10	<u>Secretary of State, Issuance of Licenses (92 Ill. Adm. Code 1030)</u>	7/9/10 34 Ill. Reg. 8914	9/14/10
10/8/10	<u>Office of the State Fire Marshal, Fire Protection District Grant (41 Ill. Adm. Code 295)</u>	7/9/10 34 Ill. Reg. 8868	9/14/10

PROCLAMATIONS

**2010-265
Constitution Week**

WHEREAS, the Second Continental Congress declared independence of the United States from Great Britain in 1776, and asserted their inalienable rights, including life, liberty, and the pursuit of happiness; and,

WHEREAS, in 1787, a convention of delegates from 12 of the original 13 states met in Philadelphia and framed the United States Constitution, which was ratified in 1788 and replaced the Articles of Confederation the following year as the supreme law of the land; and,

WHEREAS, two years later, 10 amendments, commonly referred to as the Bill of Rights, were adopted to establish and protect certain individual rights, such as freedom of speech and exercise of religion; and,

WHEREAS, since that time, more than 10,000 amendments to the Constitution have been proposed, yet only 27 have been adopted, and today, the Constitution is the oldest living government covenant in the world; and,

WHEREAS, in accord with Public Law 915, the President of the United States issues a proclamation designating September 17-23 as Constitution Week every year; and,

WHEREAS, this year, we celebrate the 223rd anniversary of the signing of the Constitution of the United States, under which Illinois became the 21st state in 1818:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17-23, 2010 as **CONSTITUTION WEEK** in Illinois, in tribute to the enduring greatness of the United States Constitution, and encourage all citizens to read and study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

Issued by the Governor August 6, 2010

Filed by the Secretary of State August 26, 2010

**2010-266
National Day of Listening**

WHEREAS, the National Day of Listening is an effort to encourage all Americans to honor a friend, loved one, or member of their community by interviewing them about their lives; and,

PROCLAMATIONS

WHEREAS, the National Day of Listening occurs every year on the day after Thanksgiving when friends and families come together; and,

WHEREAS, the National Day of Listening acknowledges that everyday people make a difference in communities across the United States, and recognizes the need for the stories of these unsung heroes to be told; and,

WHEREAS, the National Day of Listening allows people to honor and celebrate one another's lives through listening; and,

WHEREAS, the National Day of Listening helps to create a kinder, more thoughtful and compassionate nation:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 26, 2010 as **NATIONAL DAY OF LISTENING** in Illinois, and encourage all citizens to participate in this worthy observance.

Issued by the Governor August 6, 2010

Filed by the Secretary of State August 26, 2010

2010-267**National Gymnastics Day**

WHEREAS, gymnastics provides a great foundation for building strength, flexibility, and fitness and also for life skills like enhancing self-esteem and developing goal-setting abilities; and,

WHEREAS, USA Gymnastics, whose mission it is to encourage participation and the pursuit of excellence in sports, and its member clubs across the country annually celebrate National Gymnastics Day to showcase the sport of gymnastics and to encourage and promote physical fitness and healthy lifestyles among our nation's youth; and,

WHEREAS, National Gymnastics Day seeks to promote the value of physical fitness and good nutrition for everyone, regardless of age, gender, and ability level; and,

WHEREAS, in support of National Gymnastics Day, gymnastics clubs across the United States partner with USA Gymnastics to heighten the visibility of the sport and encourage participation at the grassroots level; and,

WHEREAS, National Gymnastics Day also aims to serve the greater community good by raising funds for the Children's Miracle Network to provide comfort and assistance to children who are unable to provide for themselves:

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 18, 2010 as **NATIONAL GYMNASTICS DAY** in Illinois, and encourage citizens of the state to support the worthy efforts of USA Gymnastics.

Issued by the Governor August 6, 2010

Filed by the Secretary of State August 26, 2010

2010-268**Flag Honors – Firefighter Christopher Wheatley**

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally in otherwise terrifying situations; and,

WHEREAS, in the early morning of August 9, 2010, one of these brave souls, Firefighter Christopher Wheatley of the Chicago Fire Department, was suddenly taken from us at the age of 31; and,

WHEREAS, friends and fellow firefighters said Firefighter Wheatley's dream was to be a firefighter, a dream he achieved in 2008 after eight years as a paramedic in Romeoville and Chicago; and,

WHEREAS, when Firefighter Wheatley wasn't on the job with the Chicago Fire Department he taught emergency medical techniques to students and doctors at the Clinical Performance Center, an office within the UIC College of Medicine, relaying his real-world experience and expertise to thousands of students; and,

WHEREAS, we will always remember that throughout his career as a proud member of the Chicago Fire Department, Firefighter Wheatley courageously volunteered to walk into fires as everyone else ran out; and,

WHEREAS, although Firefighter Wheatley is no longer with us, we will not forget the countless lives that were impacted by his public service as a firefighter and as a paramedic; and,

PROCLAMATIONS

WHEREAS, not only did Firefighter Wheatley serve the citizens of Chicago and of this great state as a dedicated firefighter, but he was also a beloved son, brother, brother in law, cousin, nephew, and friend; and,

WHEREAS, funeral services for Firefighter Wheatley will be held on Friday, August 13, 2010:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on August 11, 2010 until sunset on August 13, 2010 in honor and remembrance of Firefighter Christopher Wheatley, whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 10, 2010

Filed by the Secretary of State August 26, 2010

2010-269**Flag Honors – Officer Jeremy Hubbard**

WHEREAS, all citizens owe a tremendous debt of gratitude to the dedicated men and women of law enforcement who selflessly serve to protect our lives and keep our families and communities safe; and,

WHEREAS, every day, the men and women who work in law enforcement face great risks and, in many cases, put their safety on the line to perform their duties; and,

WHEREAS, on the night of Tuesday, August 10, 2010 one of these dedicated public servants, Officer Jeremy Hubbard of the Cowden Police Department, was suddenly taken from us at the age of 35; and,

WHEREAS, a part-time officer for the Village of Cowden for several years, Officer Hubbard loved the job and was pursuing his dream of being a full-time police officer; and,

WHEREAS, throughout his career as a proud member and officer of the Cowden Police Department, Officer Hubbard represented the State of Illinois admirably; and,

WHEREAS, although Officer Hubbard is no longer with us, he will always be remembered for the countless lives that were impacted by his public service; and,

WHEREAS, Officer Hubbard, in addition to being a law enforcement officer, was a husband and father of two children; and,

WHEREAS, funeral services for Officer Hubbard will be held on Saturday, August 14, 2010:

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on August 12, 2010 until sunset on August 14, 2010 in honor and remembrance of Officer Hubbard, whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 12, 2010

Filed by the Secretary of State August 26, 2010

2010-270**Allen Entwistle Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Allen Entwistle of Riverton; and

WHEREAS, Allen Entwistle grew up exhibiting livestock in the Junior and Open shows at the Illinois State Fair; and

WHEREAS, Allen Entwistle has been actively involved in Sangamon County 4-H programs for over two decades; and

WHEREAS, Allen Entwistle, a family man, is a farmer with a curiosity for new farming methods and techniques applied as he farms over 2,000 acres in Central Illinois; and

PROCLAMATIONS

WHEREAS, Allen Entwistle is a dependable, hard working, dedicated gentleman who always greets you with a smile on his face and always has an interesting story to share; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 13, 2010** as **ALLEN ENTWISTLE DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 13, 2010

Filed by the Secretary of State August 26, 2010

2010-271**Martin Vilimek Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisian of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Martin Vilimek of Bridgeview; and

WHEREAS, Martin Vilimek has served the Village of Bridgeview for 45 years, starting as a fireman and then retiring as a Fire Lieutenant; and

WHEREAS, Martin Vilimek has served as a Mason and a Medinah Shriner since 1987, serving as the Fire Chief of the Medinah Fire Unit for 15 years of those 23 years and still continues to serve as a volunteer in many community organizations; and

PROCLAMATIONS

WHEREAS, Martin Vilimek has volunteered each year for over 35 years in the Illinois Fire Services Tent during the Illinois State Fair giving fire safety classes to children and adults; and

WHEREAS, Martin Vilimek is a dependable, hardworking, dedicated gentleman who always greets you with a smile on his face and always has an interesting story to share; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 14, 2010** as **MARTIN VILIMEK DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 14, 2010

Filed by the Secretary of State August 26, 2010

2010-272

Eric Lampman Day

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Eric Lampman, of Fairview Heights; and

WHEREAS, Eric Lampman has contributed countless hours as an adult volunteer for Speak Out for Military Kids (S.O.M.K.) at Scott Air Force Base; and

PROCLAMATIONS

WHEREAS, Eric Lampman has helped to raise awareness of issues faced by local military families and actively support these families in practical, hands-on ways; and

WHEREAS, Eric Lampman has made sure that during the holidays, Santa was in the picture, Easter eggs were available and birthday candles were on the cake for military families; and

WHEREAS, Eric Lampman provides much energy, enthusiasm, motivation, and dedication to this cause

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 15, 2010** as **ERIC LAMPMAN DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 15, 2010

Filed by the Secretary of State August 26, 2010

2010-273**H. W. "Bill" Wright Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is H. W. "Bill" Wright of Morton; and

WHEREAS, H. W. "Bill" Wright continues the family tradition, started by his father, involving the love of racing standardbreds at the Illinois State Fair; and

PROCLAMATIONS

WHEREAS, H. W. "Bill" Wright is retired from Caterpillar and continues to support many horse-related activities on the Illinois State Fairgrounds; and

WHEREAS, H. W. "Bill" Wright helped establish the Strategic Planning Council whose members include horse racing organizations, the race tracks, and the Illinois Department of Agriculture; and

WHEREAS, H. W. "Bill" Wright is a dependable, hard working and dedicated gentleman who stays centered, focused and down to earth with the help of his family.

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 16, 2010** as **H. W. "Bill" WRIGHT DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 16, 2010

Filed by the Secretary of State August 26, 2010

2010-274**Gordon Ropp Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Gordon Ropp of Normal; and

WHEREAS, Gordon Ropp served as Illinois Director of Agriculture from 1970 – 1973; and

PROCLAMATIONS

WHEREAS, Gordon Ropp represented the citizens of the Bloomington-Normal area as a State Representative from 1979 to 1993; and

WHEREAS, Gordon Ropp is still very active with the local McLean County 4-H program serving as the leader of their club and on multiple committees; and

WHEREAS, Gordon Ropp has shown and exhibited Purebred Ropp Jersey Cows at the Illinois State Fair for over 75 years; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 17, 2010** as **GORDON ROPP DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 17, 2010

Filed by the Secretary of State August 26, 2010

2010-275**Bob Vogelbaugh Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Bob Vogelbaugh of Moline; and

PROCLAMATIONS

WHEREAS, Bob Vogelbaugh has offered an annual free Thanksgiving dinner for the past 39 years for those in the Moline community who would otherwise be alone; and

WHEREAS, Bob Vogelbaugh, in recent years, has coordinated the efforts of 400 volunteers to serve nearly 2,500 individuals at the annual Thanksgiving dinner; and

WHEREAS, Bob Vogelbaugh has been given the title "Mr. Thanksgiving" by his local community and has received many prestigious awards including election to the Moline High School Hall of Honor; and

WHEREAS, Bob Vogelbaugh gives up time with his family to make life a little brighter for others less fortunate than himself; and

WHEREAS, Bob Vogelbaugh is a dependable, hard working, dedicated gentleman who always greets you with a smile on his face and always has an interesting story to share; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 18, 2010** as **BOB VOGELBAUGH DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 18, 2010

Filed by the Secretary of State August 26, 2010

2010-276**Dr. Kenneth "Doc" Walker Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

PROCLAMATIONS

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Dr. Kenneth "Doc" Walker of Sherman; and

WHEREAS, Dr. Kenneth "Doc" Walker and his wife Pat own and operate Walker's Standardbred Farm near Sherman; and

WHEREAS, Dr. Kenneth "Doc" Walker is a member of the Illinois Trotter and Pacer Hall of Fame as well as the United States Trotting Association Hall of Fame; and

WHEREAS, Dr. Kenneth "Doc" Walker is a farmer at heart and loves agriculture; and

WHEREAS, Dr. Kenneth "Doc" Walker is a dependable, hard working and dedicated gentleman who has helped many people in the horse racing industry in a quiet modest manner.

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 19, 2010** as **DR. KENNETH "DOC" WALKER DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 19, 2010

Filed by the Secretary of State August 26, 2010

2010-277**CASA Child Advocate Day**

WHEREAS, each year, approximately 780,000 children in the United States are caught in the court and child welfare system because they are unable to live safely at home; and,

WHEREAS, during this time many unfamiliar people come into these children's lives: police officers, foster parents, therapists, social workers, judges, lawyers, and more. Often, this includes a Court Appointed Special Advocate (CASA) volunteer; and,

WHEREAS, CASA volunteers are appointed by judges to watch over and advocate for abused and neglected children, to ensure they are not lost in the overburdened legal and social service system or languish in inappropriate groups or foster homes; and,

PROCLAMATIONS

WHEREAS, concerned judges appoint CASA advocates, officers of the court, to serve at-risk children and improve their quality of care by acting as the court's eyes and ears in the child's life; and,

WHEREAS, CASA volunteers come from a variety of professional, educational, and ethnic backgrounds and act as advocates for children who are victims of abuse and/or neglect in the unfamiliar and often frightening court and child welfare systems; and,

WHEREAS, the Illinois Court Appointed Special Advocates programs have established a distinguished record of public service through their work to enhance the quality of life for children in thirty-four counties in Illinois; and,

WHEREAS, the CASA program's purpose is to protect children from harm and ensure that abused and neglected children's best interests are served in the Juvenile Justice System; and,

WHEREAS, last year, more than 70,900 CASA volunteers across the country served more than 237,000 abused and neglected children through 1,055 program offices. Since the program was first established in 1977, CASA volunteers have helped more than two million abused children:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 28, 2010, as **CASA CHILD ADVOCATE DAY** in Illinois, in recognition of everything Court Appointed Special Advocates do for children throughout the Land of Lincoln.

Issued by the Governor August 19, 2010

Filed by the Secretary of State August 26, 2010

2010-278**Howard Chinn Day**

WHEREAS, Howard Chinn P.E., Chief Engineer for the Environmental Division of the Illinois Attorney General's Office, has provided more than 38 years of dedicated service to the people of Illinois and protection of the environment, serving under six Attorneys General; and,

WHEREAS, Mr. Chinn's expertise in process engineering management has been invaluable since 1971 in developing technical resolutions to hundreds of pollution cases that he investigated, and provided testimony and ongoing monitoring; and,

WHEREAS, Mr. Chinn played a key role in such landmark environmental cases as the closing and exhumation of a hazardous chemical waste landfill in Wilsonville, where his thousands of hours of work in the 1970s and early 1980s won him the deep affection and gratitude of the residents of that small community; and,

PROCLAMATIONS

WHEREAS, some of the other major cases in which Mr. Chinn was deeply involved in crafting settlements, process improvements and subsequent monitoring to protect the environment and public included a large oil spill in Lake Michigan in the 1970s; a hazardous waste incinerator in Chicago in the 1980s and 1990s; a chemical plant explosion in 1989; a refinery in Blue Island in the 1990s up until the present; and a major refinery release in Joliet in 1999; and,

WHEREAS, Mr. Chinn's technical expertise and nonpartisan professionalism won him the respect and trust of environmental engineers and attorneys at the Illinois Environmental Protection Agency, judges and the Illinois Pollution Control Board, as well as his colleagues in the Attorney General's Office; and,

WHEREAS, Mr. Chinn's work ethic and commitment has been a model for all public servants, giving up many weekends, holidays and vacation days over the past four decades to help investigate and respond to environmental emergencies; and,

WHEREAS, Mr. Chinn is retiring from the Illinois Attorney General's Office on August 31, 2010, although he is truly irreplaceable; and,

WHEREAS, Mr. Chinn's friends and colleagues will honor him at a luncheon in Chicago on August 24, 2010:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 24, 2010, as **HOWARD CHINN DAY** in Illinois, in grateful honor of his extraordinary service to the citizens of Illinois and protection of our environment and offer him best wishes for retirement.

Issued by the Governor August 19, 2010

Filed by the Secretary of State August 26, 2010

2010-279**Women's Equality Day**

WHEREAS, throughout our Nation's history, women have contributed to our economic vitality as meaningful participants in the workforce; and,

WHEREAS, women have tirelessly balanced their responsibilities in work, family, and community, strengthened our economic leadership and enriched our national life; and,

WHEREAS, the number of working females and the range of fields in which they have entered continues to expand and has reached unprecedented levels; and,

PROCLAMATIONS

WHEREAS, despite evidencing strength and intelligence in these accomplishments, women have nonetheless been marginalized and denied equal opportunity in some cases; and,

WHEREAS, while today there are more women in America's workforce than ever before, they still face significant obstacles to equal economic opportunity and advancement; and,

WHEREAS, the struggle to overcome gender inequality has been ongoing for over 160 years, when a group of women's rights advocates met for the Seneca Falls Convention; and,

WHEREAS, the achievements made since that time have been extensive, including the 19th amendment to obtain the right to vote, the 1938 Fair Labor Standards Act to ensure minimum wage and maximum hours, and the Equal Pay Act of 1963; and,

WHEREAS, unfortunately, the battle for true equality is far from over, as the fight for the opportunity for career advancement, for improved working conditions, and for equal compensation wages on; and,

WHEREAS, Women's Equality Day, begun in 1971 as a joint resolution of the United States Congress, acknowledges this continued struggle and commemorates the achievements made on behalf of women thus far; and,

WHEREAS, this year holds even greater significance, as it marks the 90th Anniversaries of the 19th Amendment and the creation of the Women's Bureau of the U.S. Department of Labor:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 26, 2010 as **WOMEN'S EQUALITY DAY** in Illinois, and encourage all citizens to join the nation in celebrating the anniversaries of both the 19th Amendment and the Women's Bureau and to recognize the challenges women still face in the workforce today.

Issued by the Governor August 19, 2010

Filed by the Secretary of State August 26, 2010

2010-280**National Society of Hispanic MBAs Week**

WHEREAS, founded in 1988, the National Society of Hispanic MBAs (NSHMBA) is a non-profit organization widely known as the "Premier Hispanic Organization"; and,

WHEREAS, NSHMBA has established 32 chapters and serves more than 8,200 members in the United States and Puerto Rico; and,

PROCLAMATIONS

WHEREAS, NSHMBA strives to foster Hispanic leadership through graduate management education and professional development in order to develop business leaders who can provide cultural awareness and sensitivity vital to the management of the nation's diverse workforce; and,

WHEREAS, the NSHMBA Annual Conference & Career Expo serves as the nation's largest convention dedicated to career opportunities for thousands of motivated Hispanic MBA professionals and students; and,

WHEREAS, the companies and educational institutions who embrace diversity and who seek talented Hispanic professionals and students attend this event because it is an unparalleled assemblage of the most educated, driven, and professional candidates from which to recruit for a wide range of positions; and,

WHEREAS, the 2010 NSHMBA Conference & Career Expo will be held on October 21-23 in Chicago:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 17 – 23, 2010 as **NATIONAL SOCIETY OF HISPANIC MBAs WEEK** in Illinois, and welcome the NSHMBA and its members to Chicago, Illinois for the occasion of their Annual Conference & Career Expo.

Issued by the Governor August 19, 2010

Filed by the Secretary of State August 26, 2010

2010-281**Wesley Pourchot Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

PROCLAMATIONS

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Wesley Pourchot of Greenville; and

WHEREAS, Wesley Pourchot has been a local 4-H Club leader for 16 years, volunteers with local FFA Chapters, serves on multiple 4-H committees, numerous community boards and committees as well as volunteering at various community events; and

WHEREAS, Wesley Pourchot, during 2007 and 2008, volunteered over 1,387 hours in service to 34 different organizations; and

WHEREAS, Wesley Pourchot, with exceptional time management skills, still works full-time as a grain farmer on 890 acres and provides custom farming services for over 1,000 acres; and

WHEREAS, Wesley Pourchot is a dependable, hard working, dedicated gentleman who always greets you with a smile on his face and always has an interesting story to share; and

WHEREAS, Wesley Pourchot, even with his busy schedule, stays centered, focused and down to earth with the help of his wife, five children and grandchildren.

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 20, 2010** as **WESLEY POURCHOT DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 19, 2010

Filed by the Secretary of State August 26, 2010

2010-282**Lee Gaule Day**

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

PROCLAMATIONS

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Lee Gaule of Springfield; and

WHEREAS, Lee Gaule's love for the Illinois State Fair began at an early age beside his dad, Luke, who was Swine Superintendent for many years and also next to his father while he conducted numerous livestock and horse auctions in the #26 Sale Barn; and

WHEREAS, Lee Gaule, one of Illinois' great auctioneers and known nationally for his quick wit, humor and honesty, continues to work side by side with his son, David, to carry on the 4-generation Auctioneer family tradition; and

WHEREAS, Lee Gaule volunteers many hours helping community events with auctions, including the annual Governor's Sale of Champions at the Illinois State Fair; and

WHEREAS, Lee Gaule has been involved for many years with 4-H clubs, and continues to stay involved in the State Fair Western Horse Show, Standardbred Race Horses and can also be found on the Illinois State Fairgrounds most anytime of the year at any livestock or farm related venue; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 21, 2010** as **LEE GAULE DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 21, 2010

Filed by the Secretary of State August 26, 2010

2010-283

Kathryn Baumgartner Day

WHEREAS, the hard work and determination of America's citizens is among our greatest resources; and

WHEREAS, one person can effect a positive change with just a single selfless act, no matter how big or small; and

PROCLAMATIONS

WHEREAS, the Land of Lincoln is blessed with men and women who dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and

WHEREAS, countless people throughout the state strive to improve our communities by supporting volunteer and community service efforts; and

WHEREAS, to recognize several of these individuals, on each day of the Illinois State Fair one person will be named **Illinoisan of the Day**; and

WHEREAS, each winner is being honored for making a difference in their community, displaying a true Illinois spirit through their hard work and dedication to helping others, and for making the State of Illinois a great place to live; and

WHEREAS, one such person is Kathryn Baumgartner of Lena; and

WHEREAS, Kathryn Baumgartner has been a local 4-H Club member for over 21 years serving in numerous leadership roles and committees including Camp Nurse; and

WHEREAS, Kathryn Baumgartner continues to give freely of her time through numerous community organizations including Hospice, County Emergency Team, Meals on Wheels, American Red Cross and many more; and

WHEREAS, Kathryn Baumgartner started a Parish Health Program in her church over 16 years ago and continues to serve as nurse for numerous related activities; and

WHEREAS, Kathryn Baumgartner is a person who makes things happen for the betterment of people; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim **August 22, 2010** as **KATHRYN BAUMGARTNER DAY** in Illinois, in recognition of his positive impact on our state.

Issued by the Governor August 22, 2010

Filed by the Secretary of State August 26, 2010

2010-284**Flag Honors – Lance Corporal Kevin E. Oratowski**

WHEREAS, on Wednesday, August 18, United States Marine Corps Lance Corporal Kevin E. Oratowski of Wheaton, Illinois died at age 23 while supporting combat operations in Helmand

PROCLAMATIONS

Province, Afghanistan, where Lance Corporal Oratowski was serving in support of Operation Enduring Freedom; and,

WHEREAS, Lance Corporal Oratowski was assigned to the 1st Light Armored Reconnaissance Battalion, 1st Marine Division, I Marine Expeditionary Force, based at Camp Pendleton, California; and,

WHEREAS, a 2005 graduate of Glenbard South High School, Lance Corporal Oratowski was a valued member of the community and very active at the local Park District; and,

WHEREAS, this was Lance Corporal Oratowski's first military deployment since enlisting in the Marines in June of 2008; and,

WHEREAS, over the course of his military service, Lance Corporal Oratowski earned numerous awards and commendations, including the Purple Heart, Combat Action Ribbon, National Defense Service Medal, Afghanistan Campaign Medal, Global War on Terrorism Service Medal and the Sea Service Deployment Ribbon; and,

WHEREAS, a memorial service will be held on Friday, August 27 and a funeral will be held on Saturday, August 28 for Lance Corporal Oratowski, who is survived by his parents and his sister:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on August 26, 2010 until sunset on August 28, 2010 in honor and remembrance of Lance Corporal Oratowski, whose selfless service and sacrifice is an inspiration.

Issued by the Governor August 24, 2010

Filed by the Secretary of State August 26, 2010

2010-285**Chamber of Commerce Week**

WHEREAS, chambers of commerce encourage the growth of existing industries, services, and commercial firms and encourage new businesses and individuals to locate in Illinois, acting as a liaison with the State of Illinois, local governments, schools and the business community; and,

WHEREAS, chambers of commerce work with Illinois businesses, merchants, and industry to advance the civic, economic, industrial, professional, and cultural life of our state; and,

PROCLAMATIONS

WHEREAS, chambers of commerce have contributed to the civic and economic life of Illinois for 172 years, since the Galena Chamber of Commerce was founded in 1838; and,

WHEREAS, Illinois is home to international chambers of commerce, the Great Lakes Regional Office of the United States Chamber of Commerce, the Illinois Chamber of Commerce, and more than 456 local chambers of commerce; and,

WHEREAS, this year marks the 91st anniversary of the founding of the Illinois Chamber of Commerce, the state's leading broad-based business organization which serves as the unified voice for business; and,

WHEREAS, this year also marks the 95th anniversary of the Illinois Association of Chamber of Commerce Executives (IACCE), a career development organization for chamber of commerce professionals; and,

WHEREAS, during the week of September 13 – 17, various local chambers of commerce in Illinois will be hosting open houses, business expos, business of the year awards, and other promotional events in order to promote their involvement in the local economy:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 13 – 17, 2010 as **CHAMBER OF COMMERCE WEEK** in Illinois, and encourage all citizens to recognize the important role that chambers of commerce play in the economic well being of their communities.

Issued by the Governor August 24, 2010

Filed by the Secretary of State August 26, 2010

2010-286**Cultural Month of Jalisco**

WHEREAS, the Jaliciences represent one of the largest groups of Mexicans living in the United States; and,

WHEREAS, of the 400,000 Jaliciences living in the Midwest, 200,000 have chosen the State of Illinois as their newly adopted home; and,

WHEREAS, the Federación de Jaliciences del Medio Oeste is a not-for-profit organization that promotes the wellbeing and advancement of the Jaliciences in the Midwest as well as Mexico, through educational, cultural, civic and social projects; and,

PROCLAMATIONS

WHEREAS, the Federación de Jaliciences del Medio Oeste has especially distinguished itself for welcoming, cultivating and encouraging leadership by youth and women; and,

WHEREAS, the Federación de Jaliciences del Medio Oeste has chosen the Land of Lincoln as the home of Casa Jalisco; and,

WHEREAS, Casa Jalisco, which will serve as the social, cultural, and economic development center for the community will open its doors in September; and,

WHEREAS, this year, the Federación is also commemorating the Bicentennial of Mexico's Independence and the Centennial of the Mexican Revolution; and,

WHEREAS, once again this year, the Honorable Emilio González Márquez, Governor of the Mexican State of Jalisco, will visit Chicago in September for an annual commemoration that brings together Jaliciences from all over the region to celebrate the rich culture of Jalisco:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2010 as **CULTURAL MONTH OF JALISCO** in Illinois, in recognition of the contributions of Jalisco culture and in support of the Federación de Jaliciences del Medio Oeste en Illinois.

Issued by the Governor August 24, 2010

Filed by the Secretary of State August 26, 2010

2010-287**Day of the Deployed**

WHEREAS, this nation is kept strong and free by the loyal citizens who protect our precious heritage through their positive declaration and actions; and,

WHEREAS, our service members, serving at home and abroad, have courageously answered this nation's call to duty; and,

WHEREAS, as we think of the many selfless actions demanded of service members and their loved ones across the globe, the willingness to deploy anywhere, anytime serves as a tangible reminder of the sacrifice being made in homes across America every day; and,

WHEREAS, every deployment reflects the deep commitment of not only the deploying member, but of the many friends and loved ones who are left behind to aid them in answering our nation's call; and,

PROCLAMATIONS

WHEREAS, these selfless men, women and children who are called upon to set aside their personal comfort and convenience to support the heroes they call mom, dad, father, mother, brother, sister, friend; and,

WHEREAS, deployments reflect all that makes this country great as they remind us of what can be accomplished when people choose to think less about themselves and more about others—simply because it's the right thing to do; and,

WHEREAS, the brave men and women currently deployed to protect and preserve our way of life deserve the utmost respect, appreciation, and support of all citizens; and,

WHEREAS, since 2006, the nonprofit organization Soldiers' Angels, dedicated to the support of all branches of the Armed Forces, have honored our deployed heroes with a day set aside in recognition of their hard work, dedication and commitment to the United States of America:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 26, 2010 as **DAY OF THE DEPLOYED** in Illinois.

Issued by the Governor August 24, 2010

Filed by the Secretary of State August 26, 2010

2010-288**Operation MOMS Cookies Day**

WHEREAS, Operation MOMS Cookies is a grassroots, non-partisan, non-profit organization whose mission is to serve those who serve by supporting our military men and women who are stationed and deployed all over the world, thousands of miles from home; and,

WHEREAS, Operation MOMS Cookies exists to promote patriotism, community activism and encourage the human spirit while sustaining and uplifting the morale of all deployed service members of the United States Armed Forces; and,

WHEREAS, Operation MOMS Cookies was founded in 2002 by Debbie Trippiedi of Wilmington, Illinois; and,

WHEREAS, Operation MOMS Cookies sends care packages that average more than 10,000 pounds per shipment to those serving the United States Armed Forces around the world through the Box-of-Home Program; and,

PROCLAMATIONS

WHEREAS, the annual Run For Those "Over There" serves to benefit the continued work of Operation MOMS Cookies and increase awareness of the needs of those serving in our military around the globe; and,

WHEREAS, the 2nd annual Run For Those "Over There" will be held on September 18, 2010, and will begin with a motorcycle escort from Beverly Cemetery in Chicago, Illinois, travel to the American Legion Post in New Lenox, Illinois, and finish in Wilmington, Illinois where they will be met by a flag line of more than 200 local residents; and,

WHEREAS, following the Run, the all-day event will continue with a community-wide festival recognizing and honoring the men and women of the United States Armed Forces, and celebrating the way of life we enjoy which is protected by those in uniform:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 18, 2010 as **OPERATION MOMS COOKIES DAY** in Illinois, in recognition of this wonderful organization and founder Debbie Trippiedi for all they do to support our nation's servicemen and women.

Issued by the Governor August 24, 2010

Filed by the Secretary of State August 26, 2010

2010-289**Tee It Up For the Troops Day**

WHEREAS, the courageous men and women of our Armed Forces serving overseas selflessly put the defense of the United States ahead of their own personal safety and comfort; and,

WHEREAS, it is vital to the success of our troops that we show our support for their service and display our pride in their accomplishment; and,

WHEREAS, Tee it Up for the Troops was created to help support the fallen and disabled members of our Armed Forces and their families, as well as to honor veterans of all wars and acknowledge their sacrifice; and,

WHEREAS, on August 30, 2010, the Second Annual Tee it Up for the Troops Central Illinois Golf Classic will be held to support the Wounded Warrior Project and families of Central Illinois service members currently facing financial challenges as a result of their loved ones' service, and to support scholarships for children of financially challenged veterans; and,

WHEREAS, the Friday closest to September 11th has been designated by Tee it Up for the Troops as a National Day of Golf to salute all those who have answered the call of duty:

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 10, 2010 as **TEE IT UP FOR THE TROOPS DAY** in Illinois, and encourage all citizens to show their support for our service members and veterans.

Issued by the Governor August 24, 2010

Filed by the Secretary of State August 26, 2010

ILLINOIS ADMINISTRATIVE CODE
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