

2002

ILLINOIS

REGISTER RULES OF GOVERNMENTAL AGENCIES



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Issue 15 - April 11, 2003: Data through March 31, 2003 (1st Quarter)
Issue 28 - July 11, 2003: Data through June 30, 2003 (2nd Quarter)
Issue 41 - October 10, 2003: Data through September 29, 2003 (3rd Quarter)
Issue 2 - January 9, 2004: Data through December 29, 2003 (Annual)

If I may draw your attention to:

1 Ill. Adm. Code 100.130 Illinois Administrative Code Organization

- b)4) When a Part is repealed, the Index Department will enter that Part into a Table of Repealed Parts that will be published along with other supplementary materials to the Code (indexes, etc.). For two years after the date of a Part's repeal, the headings and Main Source Note will be maintained at that Part's location within the body of the Code. After two years, the headings and Main Source Note will be removed from the body of the Code.

1 Ill. Adm. Code 100.500 Requirements for Filing

- b) Rules to be placed on file shall be titled ILLINOIS ADMINISTRATIVE CODE preceded by the appropriate Chapter number followed by the General Act number, centered on a solid line exactly one inch from the top of the page. The acronym for the State agency shall appear at the far left on the header line. On the right hand side of the solid line shall be the appropriate Part or Section number. Each Section shall begin on a new page.

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. The Register will also contain the Cumulative Index and Sections Affected Indices will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are the end of March, June, Sept, Dec.

Rulemaking activity consist 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 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'

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5ILCS 100/1-1 et seq.].

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ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Right-of-Way Precondemnation Negotiations by Telephone Companies
- 2) Code Citation: 83 Ill. Adm. Code 780
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
780.5	Amendment
780.10	Amendment
780.20	Amendment
APPENDIX A	Amendment
APPENDIX B	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 4 of the Telephone Company Act [220 ILCS 65/4]
- 5) A Complete Description of the Subjects and Issues Involved: In 1991, the Commission adopted 83 Ill. Adm. Code 780, "Right-of-Way Precondemnation Negotiations by Telephone Companies". These rules apply whenever any telephone company seeks to negotiate the acquisition of a land right-of-way easement pursuant to Section 4 of the Telephone Company Act [220 ILCS 65/4]. A review of Part 780 indicates that there is a need for updating statutory citations and addresses in the text of the rules and in the appendices to the Part.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments neither create nor expand any State mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register* in Docket 02-0773, with:

Donna M. Caton

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield IL 62701
217/782-7434

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: These amendments will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. These amendments will not affect any small municipalities or not for profit corporations that are otherwise not jurisdictional entities.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: Managerial skills
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: the Commission did not anticipate the need for these amendments at that time.

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIESPART 780
RIGHT-OF-WAY PRECONDEMNATION NEGOTIATIONS
BY TELEPHONE COMPANIES

Section

780.5	Applicability
780.10	Right-of-Way Precondemnation Requirements
780.20	Precondemnation of Land Right-of-Way Easements
780.30	Compliance with Statute
APPENDIX A	Company Statement
APPENDIX B	Statement of information from the Illinois Commerce Commission concerning acquisition of right-of-way by Illinois telephone companies.

AUTHORITY: Implementing and authorized by Section 4 of the Telephone Company Act [220 ILCS 65/4].

SOURCE: Adopted at 15 Ill. Reg. 5062, effective April 1, 1991; amended at 27 Ill. Reg. _____, effective _____.

Section 780.5 Applicability

- a) This Part shall apply whenever any telephone company seeks to negotiate the acquisition of a land right-of-way easement pursuant to Section 4 of the Telephone Company Act ~~"An Act relating to the powers, duties and property of telephone companies"~~ [220 ILCS 66/4](Ill. Rev. Stat. 1989, ch. 134, par. 20) ("Act").
- b) As used in this Part, "telephone company" shall mean any entity to which the Act is applicable pursuant to Section 1 of the that-Act [220 ILCS 65/1], including telecommunications carriers as defined in Section 13-202 of the Public Utilities Act [220 ILCS 5/13-202]~~Universal Telephone Service Protection Law of 1985~~ (Ill. Rev. Stat. 1989, ch. 111?, par. 13-202).
- c) This Part shall be prospectively applied. This Part shall not affect the following:
 - 1) The validity of any existing certificate issued by the Illinois Commerce Commission ("Commission").
 - 2) The validity of any existing easement.
- d) This Part shall not cause the revocation of any existing Commission certificate.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 780.10 Right-of-Way Precondemnation Requirements

- a) When a telephone company, or its agent, initially contacts any landowner to negotiate the acquisition of a land right-of-way easement, either in person or in writing, the landowner shall be advised in writing that if the landowner has any question about his rights or the rules of the Commission pertaining to the authority of a telephone company to acquire right-of-way easements, inquiry can be directed to the Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, Illinois ~~62701~~62706. The telephone company shall provide the landowner with a copy of Appendix A.
- b) Upon request of the landowner the telephone company shall provide the landowner with the information in Section 780.20(f)(1) and (2) and shall provide the landowner with a copy of Appendix B.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 780.20 Precondemnation of Land Right-of-Way Easements

- a) This Section shall govern the actions of every person acting in behalf of a telephone company when it has been unsuccessful in negotiating a land right-of-way easement, and intends to initiate formal action before the Commission or courts.
- b) At least 14 days prior to a telephone company filing a Petition for an Order under Section 8-503 of ~~the~~The Public Utilities Act [~~220 ILCS 5/8-503~~](~~Ill. Rev. Stat. 1989, ch. 111?, par. 8-503~~) or initiating formal action before a court, as may be applicable, the telephone company representative shall send to the landowner a letter by certified mail, return receipt requested, containing the information detailed in subsection (d) set forth below together with a copy of Appendix B.
- c) The representative shall keep and maintain a record, for one year, of letters sent in compliance with this Section.
- d) The letter sent by the representative shall be on that representative's letterhead or on the letterhead of the telephone company and shall set forth:
 - 1) The identity, address and telephone number of the telephone company representative;
 - 2) The identity of the telephone company attempting to acquire the land or land rights;
 - 3) The general purpose of the proposed project;

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 4) The type of facility to be constructed;
 - 5) The general description of the land or land rights the telephone company seeks to acquire and the type of structures, if any, which the company seeks to build;
 - 6) A statement that the company or its representative continues to seek to negotiate with the landowner to arrive at an agreement for such land or land rights; and
 - 7) An invitation to the landowner to contact the telephone company representative to arrange a mutually agreeable time for an appointment to further discuss the matter.
- e) Each telephone company representative shall carry with him/her and show to every landowner contacted an identification card showing the name and address of the contacting person and his/her employer. The contacting person shall leave his/her telephone number with the landowner.
- f) At the time of the contact, the telephone company representative shall:
- 1) Orally state the reason for the contact, i.e., general purpose of the proposed project, type of facilities to be constructed; and
 - 2) Provide written information and data surrounding the proposed project. This shall include, to the extent then known to the telephone company, a statement outlining briefly the purpose of the project, a map or sketches indicating ~~types~~ type(s) of facility, approximate location of facilities, compensation and basis for compensation and, if applicable, type of structures, and amount (length and width) of the land right-of-way deemed necessary. This information shall be left with the landowner for review, along with any agreement or contract proposed by the telephone company~~utility~~.
- g) If the company and the landowner do not reach agreement within two weeks ~~after~~of the mailing of the original letter, the company may then file a Petition for an Order under Section 8-503 of ~~the~~The Public Utilities Act, or may initiate formal action before a court.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Section 780.APPENDIX A Company Statement

Company Name _____

Company Address _____

Company Contact Name _____

Company Telephone Number _____

As a telephone company responsible for providing telephone service to this area, at times it becomes necessary to place new telephone facilities to serve new customers and improve service to existing customers.

We recognize your rights as a landowner and desire to negotiate with you for an easement to construct these necessary facilities.

Questions pertaining to your rights, as well as our rights to acquire right-of-way easements, may be directed to the Chief Telephone Engineer of the Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL ~~62701.62706, telephone 217-785-8596.~~

Please do not hesitate to contact our representative for answers to questions pertaining to this project.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Section 780.APPENDIX B Statement of information from the Illinois Commerce Commission concerning acquisition of right-of-way by Illinois telephone companies.

The purpose of this Statement is to provide you with the general information concerning the procedures involved. This Statement covers several questions commonly asked of the Illinois Commerce Commission staff by landowners.

This Statement is not a legal opinion concerning your rights under the law or the rules of the Commission, nor is it a detailed analysis of the procedures involved. If you have any questions concerning your legal rights, you may wish to consult an attorney.

Telephone companies and telecommunications carriers are granted the right of eminent domain or condemnation by Illinois law.¹ Eminent domain is simply the power of the State, or those delegated by the State, to take private property for public use upon payment of just compensation as determined by the courts.

Prior to attempting to acquire a right-of-way easement by applying to the courts to exercise the right of eminent domain or condemnation, a telephone company or telecommunications carrier shall attempt to secure the right-of-way easement through negotiations with the landowner.²

Negotiation means discussion and bargaining between the landowner and the telephone company or telecommunications carrier in an effort to arrive at an equitable agreement concerning the land or land rights and the price to be paid for such land or land rights. It does not mean that an agreement must be reached or that either the landowner or the telephone company or telecommunications carrier must agree with the other.

The price to be paid to the landowner by the telephone company or telecommunications carrier for the land or land rights is a matter of negotiation between the landowner and the telephone company or telecommunications carrier. The Commission does not participate in the negotiations, nor does it establish or approve the price. Specific information on the price to be offered for the land or land rights will be provided by the telephone company or telecommunications carrier representative.

The telephone company or telecommunications carrier representative may be negotiating with you for the acquisition of an easement for the use of the land or for the purchase of the land. In either case, the telephone company or telecommunications carrier will have its own form of easement or deed, as the Commission has no standard forms which the utility is required to use.

There is no certainty that the telephone company or telecommunications carrier will be

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

allowed to acquire land or land rights through the use of eminent domain. However, you should not delay in contacting the telephone company or telecommunications carrier's representative to attempt to negotiate fair compensation for the land or land rights which the utility seeks.

If you have any questions about this Statement or the rules and procedures of the Illinois Commerce Commission, please contact the Chief Telephone Engineer, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, Illinois ~~62701~~62706. Any specific questions concerning your individual property should be addressed to the telephone company or telecommunications carrier representative.

¹ ~~220 ILCS 65 Ill. Rev. Stat. 1989, ch. 134, par. 17 et seq.~~

² ~~735 ILCS 5/Art. VII Ill. Rev. Stat. 1989, ch. 110 pars. 7-101 et seq.~~

(Source: Amended at 27 Ill. Reg. _____, effective _____)

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Reimbursement For Expenses
- 2) Code Citation: 20 Ill. Adm. Code 110
- 3)

	<u>Section Numbers:</u>	<u>Proposed Action:</u>
110.10	Amendment	
110.15	Amendment	
110.25	Amendment	
110.30	Amendment	
110.35	Amendment	
- 4) Statutory Authority: Implementing Section 3-7-6 and authorized by Section 3-2-2 of the Unified Code of Corrections [730 ILCS 5/3-7-6 and 3-2-2].
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking is to update procedures concerning the recovery cost of incarceration and require committed persons to provide financial information on a form prescribed by the Department in accordance with Public Act 92-564. Additionally, this rulemaking notifies the public that the offender's failure to cooperate and to provide requested financial information may result in discipline.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain any incorporation by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand any State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments during the 45-day First Notice Period, which commences on the issue date of this publication of the *Illinois Register*, to:

Patricia Lubben, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

P. O. Box 19277
Springfield, Illinois 62794-9277
217/522-2666, extension 6512

All written comments received after 45 days from the date of this publication will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

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

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

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 2002

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

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER 1: DEPARTMENT OF CORRECTIONS
SUBCHAPTER a: ADMINISTRATION AND RULESPART 110
REIMBURSEMENT FOR EXPENSES

SECTION

110.10	Applicability
110.15	Definitions
110.20	Responsibilities
110.25	Charges for Expenses for Costs of Incarceration
110.30	Responsibilities of Offender Liability for Expenses
110.35	Guidelines for Referral to Attorney General

AUTHORITY: Implementing Section 3-7-6 and authorized by Section 3-2-2 of the Unified Code of Corrections [730 ILCS 5/3-7-6 and 3-2-2].

SOURCE: Adopted at 21 Reg. 9758, effective July 15, 1997; amended at 27 Ill. Reg. _____, effective _____.

Section 110.10 Applicability

This Part applies to the ~~adult and juvenile facilities within Adult and Juvenile Divisions of~~ the Department of Corrections.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 110.15 Definitions

"Assets" as defined in Section 3-7-6 of the Unified Code of Corrections [730 ILCS 5/3-7-6] means ~~any property, tangible or intangible, real or personal, belonging to or due to an offender from social security, worker's compensation, veteran's compensation, pension benefits, or from any other source whatsoever~~ and any and all assets and property of whatever character held in the name of the offender-convicted person, held for the benefit of the offender person, or payable or otherwise deliverable to the offender person. Any trust, or portion of a trust, of which an offender a convicted person is a beneficiary shall be construed as an asset of the person if under terms of the trust benefits are required to be payable to the offender person.

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

"Average per capita cost" means the amount calculated for the average per capita cost per day for all ~~offenders committed persons~~ of a particular correctional facility for the fiscal year for which the rate is being calculated.

~~"Offender-Convicted person" means a person who, through judicial determination, has been placed in the custody of the Department on the basis of a conviction as an adult has been sentenced and is presently or was previously committed to the Department.~~

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

"Gang-related activity" has the same meaning ascribed to it ~~as~~ in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act [740 ILCS 147/10].

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 110.25 Charges for Expenses for Costs of Incarceration

- a) The time period for determining the costs of incarcerating ~~an offender a convicted person~~ shall be calculated from the date the ~~offender person~~ was confined within the Department or from July 1, 1982, whichever date is later, until the date the ~~offender person~~ is released.
- b) The maximum rate at which sums shall be charged for the expenses incurred by ~~an offender a convicted person committed to a Department correctional facility~~ for his or her incarceration shall be computed as the average per capita cost ~~per day~~ for all ~~offenders convicted persons~~ of the particular correctional facility in which the ~~offender convicted person~~ is incarcerated for the fiscal year during which the ~~offender convicted person~~ was incarcerated or the average per capita cost for the most recent fiscal year in which a final average per capita cost is known.
- c) The average per capita cost of incarceration for a given Department correctional facility shall be computed by determining the total amount of operational expenditures for a given fiscal year for the particular correctional facility and dividing the expenditures by the average daily ~~offender convicted person~~ population for that particular correctional facility during that fiscal year.
- d) The average per capita cost ~~per day~~ for each Department correctional facility shall be recalculated annually by the Department as soon as the figures of the preceding

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

fiscal year are available.

- e) The ~~offender convicted person~~ shall be charged for the time housed at each correctional facility.
- f) Payments received on behalf of a particular ~~offender convicted person~~, regardless of source, shall be accepted and credited against the expenses charged to the particular ~~offender convicted person~~.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 110.30 Responsibility of Offender Liability for Expenses

- a) An offender A convicted person committed to a Department correctional facility shall be responsible for reimbursing the Department for the expenses incurred by his or her incarceration or for the expenses incurred during incarceration as provided by statute and Department rules, such as educational, medical, or dental expenses.
- b) Offenders shall fully cooperate with the Department by providing complete financial information on the financial status report form. The form shall include, but not be limited to:
 - 1) Offender's age;
 - 2) Offender's marital status;
 - 3) Number and ages of the offender's dependent children and other dependents;
 - 4) Type and value of real estate;
 - 5) Type and value of personal property;
 - 6) Cash and bank accounts;
 - 7) Location of any lock boxes;
 - 8) Type and value of investments, pensions, annuities;
 - 9) Other assets of significant cash value such as jewelry, art work, collectables, and dental and medical insurance policies; and
 - 10) Other information deemed pertinent in the investigation of assets.
- c) All offenders in the custody of the Department on January 1, 2003 and all offenders entering the Department thereafter shall complete the financial information form and shall swear under oath or affirm that to the best of his or her knowledge, the information is complete and accurate.
- d) Offenders shall periodically update their financial information as requested by the Department.
- e) Any offender who willfully refuses to cooperate in providing financial information shall be subject to disciplinary action, including loss of good conduct credits towards his or her sentence of up to 180 days.

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 110.35 Guidelines for Referral to Attorney General

- a) The Director may, when he or she knows or reasonably believes that an offender a convicted person committed to a Department correctional facility or the estate of that offender person has assets which may be used to satisfy all or part of a judgment rendered under Section 3-7-6 of the Unified Code of Corrections [730 ILCS 5/3-7-6] or when he or she knows or reasonably believes that an offender a convicted person committed to a Department correctional facility is engaged in a gang-related activity and has a substantial sum of money or other assets.;
- b) Provide for the forwarding to the Attorney General of a report on the offender and that report shall contain a completed financial status form together with all other information available concerning the assets of the offender and an estimate of the total expenses for that offender.
- c) Authorize authorize the Attorney General to institute proceedings to require the offender convicted person or the estate of that offender person to reimburse the Department for expenses incurred by the offender's convicted person's incarceration.
- b) ~~The Director shall refrain from authorizing the Attorney General to institute proceedings to require a convicted person or the estate of that person to reimburse the Department for the expenses incurred by the convicted person's incarceration when he or she knows or reasonably believes the convicted person or their estate does not have assets in excess of the exemptions from enforcement provided for by Sections 12-704, 12-803, 12-804, 12-901, or 12-1001 of the Code of Civil Procedure [735 ILCS 5/12-704, 12-803, 12-804, 12-901, or 12-1001] or any federal statute or case law exempting the asset in question.~~

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Petition to Review Pollution Control Facility Siting Decisions
- 2) Code citation: 35 Ill. Adm. Code 107
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
107.302	Amend
107.304	Amend
107.500	Amend
APPENDIX A	Repeal
- 4) Statutory authority: 415 ILCS 5/26, 27, 39.2, and 40.1 of the Illinois Environmental Protection Act [415 ILCS 5].
- 5) A complete description of the subjects and issues involved: The Board's rulemaking docket R03-10 proposes to amend the Board's procedural rules to allow electronic filing in all Board proceedings through the Board's new Clerk's Office On-Line (COOL). No paper filing will be required for a document filed electronically, and a paper filing will necessitate only the paper original and one copy. The substantive portion of the proposed new rules is set forth in 35 Ill. Adm. Code 101.Subpart J. The amendments to this Part cross-reference the electronic filing rules proposed in Part 101 and eliminate the requirement for filing multiple copies.
- 6) Will these proposed amendments replace emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of statewide policy objective: Electronic filing is optional. This rulemaking imposes no procedural mandates on units of local government to the extent they may appear before the Board.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal until January 21, 2003. Comments should reference Docket R03-10 and be addressed to:

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

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

Address all questions to Carol Sudman at 217/524-8509 or sudman@ipcb.state.il.us.

Additionally, the Board will hold two public hearings on these rules. The first hearing will be December 12, 2002 at 1:00 p.m. at:

Illinois Pollution Control Board
Hearing Room 403
600 S. Second Street
Springfield IL

The second hearing will be December 19, 2002 at 1:00 p.m. at:

James R. Thompson Center
Room 9-040
100 W. Randolph Street
Chicago IL

- 12) Initial regulatory flexibility analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking affects those small businesses, small municipalities, and not-for-profit corporations that appear before the Board.
- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments do not require extensive reporting, bookkeeping or other procedures.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: as the Board has been able to make technological advancements much more rapidly than anticipated.

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER 1: POLLUTION CONTROL BOARD

PART 107

PETITION TO REVIEW POLLUTION CONTROL FACILITY SITING DECISIONS

SUBPART A: GENERAL PROVISIONS

Section	
107.100	Applicability
107.102	Severability
107.104	Definitions
107.106	Description

SUBPART B: PETITION FOR REVIEW

Section	
107.200	Who May File Petition
107.202	Parties
107.204	Time for Filing Petition
107.206	Filing and Service Requirements
107.208	Petition Content Requirements

SUBPART C: FILING OF LOCAL RECORD

Section	
107.300	Record
107.302	Filing of the Record
107.304	Record Contents
107.306	Preparing of the Record
107.308	Certification of Record

SUBPART D: HEARING

Section	
107.400	General
107.402	Authority and Duties of Hearing Officer
107.404	Public Participation

SUBPART E: BOARD REVIEW AND DECISION

Section	
107.500	Preliminary Board Determination/Set for Hearing
107.502	Dismissal of Petition

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

107.504 Decision Deadline
107.506 Burden of Proof

APPENDIX A Comparison of Former and Current Rules (Repealed)

AUTHORITY: Authorized by Sections 26 and 27 of the Environmental Protection Act (Act) [415 ILCS 5/26 and 27] and implementing Sections 39.2, and 40.1 of the Act [415 ILCS 5/39.2 and 40.1].

SOURCE: Filed with Secretary of State January 1, 1978; amended at 4 Ill. Reg. 2, p. 186, effective December 27, 1979; codified at 6 Ill. Reg. 8357; amended in R85-22 at 10 Ill. Reg. 992, effective February 2, 1986; amended in R86-46 at 11 Ill. Reg. 13457, effective August 4, 1987; amended in R82-1 at 12 Ill. Reg. 12484, effective July 13, 1988; amended in R88-10 at 12 Ill. Reg. 12817, effective July 21, 1988; amended in R88-5(A) at 13 Ill. Reg. 12094, effective July 10, 1989; amended in R88-5(B) at 14 Ill. Reg. 9442, effective June 5, 1990; amended in R93-24 at 18 Ill. Reg. 4230, effective March 8, 1994; amended in R93-30 at 18 Ill. Reg. 11579, effective July 11, 1994; old part repealed, new Part adopted in R00-20 at 25 Ill. Reg. 539, effective January 1, 2001; amended in R03-10 at 27 Ill. Reg. _____, effective _____.

SUBPART C: FILING OF LOCAL RECORD

Section 107.302 Filing of the Record

The siting authority must, in accordance with 35 Ill. Adm. Code 101.302(h), file the record of its proceedings with the Board as directed by Board or hearing officer order. Failure to file the entire record on the date directed by the Board or hearing officer may subject the respondent to sanctions as may be ordered by the Board in accordance with 35 Ill. Adm. Code 101.Subpart H.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 107.304 Record Contents

- a) The record must contain all information or evidence presented to the local siting authority or relied upon by the local siting authority during its hearing process including:
- 1) The siting application;
 - 2) Any and all transcripts of local hearings;
 - 3) All briefs and other arguments and statements of parties and participants;
 - 4) All exhibits relied upon by the local siting authority in making its decision;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 5) All written public comments relevant to the local government proceeding;
 - 6) Minutes of all relevant open meetings of the siting authority;
 - 7) Notices of hearings or all relevant meetings of the siting authority;
 - 8) The written decision of the siting authority made pursuant to Section 39.2 of the Act;
 - 9) Certificate of Record as described in Section 107.308 of this Part; and
 - 10) *If, prior to making a final local siting decision, a county board or governing body of a municipality has negotiated and entered into a host agreement with the local siting applicant, the terms and conditions of the host agreement, whether written or oral, shall be disclosed and made a part of the hearing record for that local siting proceeding. In the case of an oral agreement, the disclosure shall be made in the form of a written summary jointly prepared and submitted by the county board or governing body of the municipality and the siting applicant and shall describe the terms and conditions of the oral agreement. [415 ILCS 5/39.2(e)]*
- b) The record must contain the originals or legible copies of all documents, must be arranged in chronological sequence, and must be sequentially numbered, placing the letter "C" before the number of each page.
- e) ~~Seven copies of the transcript and one original and 9 copies of all other documents in the record must be filed with the Board.~~

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART E: BOARD REVIEW AND DECISION

Section 107.500 Preliminary Board Determination/Set for Hearing

Upon proper filing of the petition, the Board will set the matter for hearing unless it determines that the matter is frivolous or ~~duplicative duplicitous~~ as required by Section 40.1(b) of the Act.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

APPENDIX A Comparison of Former and Current Rules (Repealed)

The following table compare the former procedural rules (in effect on December 31,2000) with the current procedural rules (effective January 1, 2001):

FORMER PART 107	CURRENT SECTION
107.100	105.500
107.101	105.102
107.102	105.502
107.103	105.104
107.120	105.504(a)
107.121	105.504(b)
107.122	105.506
107.123	105.504(e)
107.124	105.508
107.Subpart C	105.108
107.Subpart D	105.510
107.Subpart E	105.100(b) 101.Subpart F
107.Subpart F	105.100(b) 101.Subpart F
107.Subpart G	105.100 101.Subpart E
107.Subpart H	105.100 101.Subpart F
107.Subpart I	105.100 101.Subpart F
107.Subpart K	105.100 101.Subpart F
107.320	105.100 101.Subpart H
107.Subpart M	105.100 101.Subpart I
107.Subpart N	105.100 101.Subpart I

(Source: Repealed at 27 Ill. Reg. _____, effective _____)

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Firearm Transfer Inquiry Program
- 2) Code Citation: 20 Ill. Adm. Code 1235
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1235.40	Amendment
1235.50	Amendment
1235.60	Amendment
1235.70	Amendment
1235.80	Amendment
1235.90	Amendment
1235.110	Amendment
1235.120	Amendment
1235.130	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 3 and Section 3.1 of the Firearm Owner's Identification Card Act [430 ILCS 65/3 and 65/3.1] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendments will update the billing process and telephone number changes associated with the Firearm Transfer Inquiry Program.
- 6) Will this proposed amendment replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These rules will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Within 45 days after the publication of this Notice, any interested person may submit comments, data, views or argument regarding the proposed amendments. The submissions must be in writing and directed to:

Mr. James W. Redlich

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

Chief Legal Counsel
Illinois State Police
124 East Adams Street, Room 102
Post Office Box 19461
Springfield, Illinois 62794-9461
(217) 782-7658

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Federally-licensed firearm dealers.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2002

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

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1235

FIREARM TRANSFER INQUIRY PROGRAM

Section

1235.10	Purpose
1235.20	Definitions
1235.30	Federal and State Laws and Local Ordinances
1235.40	<u>Access to System Hours of Operation</u>
1235.50	Holidays
1235.60	Enrollment
1235.70	Inquiry Requirement
1235.80	Inquiry Procedure
1235.90	Response Procedures
1235.100	Denial Notification
1235.110	Transfer of Firearms
1235.120	Fees
1235.130	Termination of Services

AUTHORITY: Implementing and authorized by Sections 3 and 3.1 of the Firearm Owner's Identification Card Act [430 ILCS 65/3 and 3.1] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

SOURCE: Emergency rule adopted at 15 Ill. Reg. 17785, effective December 1, 1991, for a maximum of 150 days; adopted at 16 Ill. Reg. 7041, effective April 21, 1992; amended at 22 Ill. Reg. 16635, effective September 8, 1998; amended by emergency rulemaking at 26 Ill. Reg. _____, effective December 1, 2002, for a maximum of 150 days; amended at 27 Ill. Reg. _____, effective _____.

Section 1235.40 Access to System Hours of Operation

The Firearm Transfer Inquiry Program will receive automated inquiries 8:30 a.m. to 9:30 p.m., Monday through Sunday, 365 days a year, and manual inquiries from 8:30 a.m. to 4:30 p.m., Monday through Friday. The Firearm Transfer Inquiry Program will receive inquiries from dealers in Illinois from 9:30 a.m. to 9:30 p.m., Monday through Friday, and 9:30 a.m. to 6:30 p.m. on Saturday and Sunday. Hours of operation shall be increased if need is identified and funding is available.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

Section 1235.50 Holidays

~~Automated inquiries will be available on all State holidays. Manual transactions will not be available on State holidays. The Firearm Transfer Inquiry Program will be closed on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.~~

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1235.60 Enrollment

All ~~participating~~ dealers must be ~~federally-enrolled in the Firearm Transfer Inquiry Program prior to transferring firearms. Federally~~-licensed firearm dealers in Illinois ~~and must may~~ enroll ~~in the Firearm Transfer Inquiry Program upon initial licensing and upon renewal of licensing with the Bureau of Alcohol, Tobacco, and Firearms and every three years thereafter~~ by completing the dealer enrollment form provided by the Department. These forms may be obtained from the Firearm Transfer Inquiry Program, P.O. Box 3677, Springfield, IL 62708-3677. The Department shall not charge a fee to enroll. The Department shall provide enrolled dealers with a unique number to be used when inquiring into the Firearm Transfer Inquiry Program. It is the responsibility of the federal firearm licensee to notify the Department of any change, license status, or licensing information.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1235.70 Inquiry Requirement

All dealers shall inquire into the Firearm Transfer Inquiry Program for all transfers which require the transferee to display a currently valid Firearm Owner's Identification Card previously issued in his name by the Department under the provisions of the Act, except that an inquiry is not required for a transfer from one dealer to another dealer. The inquiry requirements apply equally to transfers involving new, used, and trade-in firearms. Regardless of the requirements of this Part, dealers must comply with all State and federal firearm laws.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1235.80 Inquiry Procedure

- a) The dealer will perform the inquiry by calling a ~~toll-free 900~~-telephone number provided by the Department to the dealer. ~~The This~~-number shall be kept confidential by the dealer and only used to perform inquiries required under Section 1235.70.

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

- b) The inquiry will consist of the permanent portion of the dealer's federal firearm license number (the first three digits and the last five digits), the dealer number issued by the Department, and the transferee's Firearm Owner's Identification Card number.
- c) In the event an inquiry results in a conditional denial, the dealer will provide additional information to facilitate a return call from the Department. The additional information shall include a description of the subject firearm(s) sufficient to determine which delivery waiting period applies and information concerning the dealer's business hours for inquiry response ~~call-back~~ purposes.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1235.90 Response Procedures

The Department shall provide, during the initial dealer inquiry, an approval, denial, or conditional denial of the transfer. The time period for the Department to respond shall begin at the time the inquiry is received. When the Department provides a conditional denial, the dealer shall not transfer the firearm until an approval is provided by the Department or the length of time prescribed in Section 24-3 of the Criminal Code of 1961 [720 ILCS 5/24.3] has been exceeded. ~~If the Department has not provided an approval or denial within the prescribed length of time, the dealer may proceed with the transfer.~~ Failure of the Department to provide an approval or denial within the prescribed length of time does not relieve the dealer from compliance with any other statutory restrictions on firearm transfers. Regardless of the requirements of this Part, transactions must comply with all State and federal firearm laws.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1235.110 Transfer of Firearms

The transfer of the firearm(s) associated with a particular inquiry shall only occur after the withholding of delivery provisions of Section 24-3 of the Criminal Code of 1961 [720 ILCS 5/24-3] and within 30 days after the approval to transfer has been provided by the Department.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1235.120 Fees

The fee for inquiries shall be set by the Director; ~~however, the fee.~~ ~~The fee shall be the cost to provide the service, but~~ shall not exceed \$2.00 per inquiry as defined by State statute. The fee shall be collected through a billing process implemented by the Department ~~use of the 900 inquiry number.~~

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1235.130 Termination of Services

- a) If a dealer fails to pay the fees for the Firearm Transfer Inquiry Program transactions 900-number service, ~~which will be included in the dealer's normal telephone bill~~, within 30 days after their ~~its~~ due date, the Department shall notify the dealer that failure to pay this bill will result in termination of services.
- b) If a dealer fails to pay the fees for the Firearm Transfer Inquiry Program transactions 900-number service within 60 days after their ~~its~~ due date, the Department shall terminate Firearm Transfer Inquiry Program services to the dealer.
- c) If a dealer fails to comply with any of the requirements of this Part, the Department shall notify the dealer of the non-compliance. The dealer shall have 30 days from notification of non-compliance in which to respond to the Department.
- d) If a dealer fails to respond to a notice of non-compliance or if the response fails to resolve the non-compliance to the satisfaction of the Department, the Department shall terminate Firearm Transfer Inquiry services to the dealer.
- e) If a dealer's continued access to Firearm Transfer Inquiry Program services would result in a violation of law or create a danger to the public, services may be suspended immediately.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Administration and Operation of the Teachers' Retirement System
- 2) Code Citation: 80 Ill. Adm. Code 1650
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1650.160	Amending
1650.520	Amending
1650.1001	New
- 4) Statutory Authority: Implementing and authorized by Article 16 [40 ILCS 5/16] of the Illinois Pension Code.
- 5) A Complete Description of the Subjects and Issues Involved Through this rulemaking the Teachers' Retirement System (TRS) is amending its confidentiality rule to allow the exchange of certain member information with the Illinois State Board of Education; deleting post-retirement work limitation rule that was rendered obsolete by passage of new post retirement work limitation law; and adding a rule to define "election date/day" for member and annuitant trustee elections.
- 6) Will this proposed amendment replace any emergency amendments currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: Not Applicable
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed amendment may be submitted in writing for a period of 45 days following publication of this Notice to:

Thomas S. Gray, General Counsel
Teachers' Retirement System
2815 West Washington, P. O. Box 19253
Springfield, Illinois 62794-9253
(217) 753-0375

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis: These rules will not affect small businesses.
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: July 2002

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

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE D: RETIREMENT SYSTEMS
CHAPTER III: TEACHERS' RETIREMENT SYSTEM OF
THE STATE OF ILLINOISPART 1650
THE ADMINISTRATION AND OPERATION OF THE
TEACHERS' RETIREMENT SYSTEM

SUBPART A: REPORTS BY BOARD OF TRUSTEES

Section
1650.10 Annual Financial Report (Repealed)

SUBPART B: BASIC RECORDS AND ACCOUNTS

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

SUBPART C: FILING OF CLAIMS

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

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

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

SUBPART D: MEMBERSHIP AND SERVICE CREDITS

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

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section

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

SUBPART F: RULES GOVERNING ANNUITANTS AND BENEFICIARIES

Section

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

SUBPART G: ATTORNEY GENERALS' OPINION

Section

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

Section

1650.610	Staff Responsibility
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TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

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

SUBPART I: AMENDMENTS TO BYLAWS AND RULES

Section	
1650.710	Amendments

SUBPART J: RULES OF ORDER

Section	
1650.810	Parliamentary Procedure

SUBPART K: FREEDOM OF INFORMATION ACT REQUESTS

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

SUBPART L: BOARD ELECTION PROCEDURES

Section	
1650.1000	Nomination of Candidates
<u>1650.1001</u>	<u>Elections Date/Election Day – Defined</u>
1650.1010	Petitions
1650.1020	Eligible Voters
1650.1030	Election Materials

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

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

SUBPART M: QUALIFIED ILLINOIS DOMESTIC RELATIONS ORDERS

Section

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

SUBPART N: PAYROLL DEDUCTION PROGRAM

Section

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

SUBPART O: RETIRMENT BENEFITS

Section

- 1650.2900 Excess Benefit Arrangement

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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

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

SUBPART B: BASIC RECORDS AND ACCOUNTS

Section 1650.160 Confidentiality of Records

The Board, its Executive Director, and agents and employees of the System are prohibited from disclosing the contents of a member's, annuitant's, or beneficiary's files, records, papers, or communications except: for purposes connected with the official responsibility of the Teachers' Retirement System; to other systems subject to and participating in the Reciprocal Act; to the Department of Central Management Services for annuitant health insurance purposes; to the Social Security Administration for government pension offset determination and windfall elimination purposes; to the Illinois State Board of Education for data collection and verification

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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purposes; upon written authorization from the individual whose record is to be released; in response to a subpoena; or when required pursuant to the Freedom of Information Act [5 ILCS 140]. ~~When appropriate, a confidentiality agreement ensuring the confidentiality of the information being furnished by the System shall be executed by the receiving entity. Failure to abide by such confidentiality agreement shall result in the immediate cessation of information sharing with the entity breaching the agreement.~~

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART F: RULES GOVERNING ANNUITANTS AND BENEFICIARIES

Section 1650.520 Suspension of Benefits

- a) ~~Annuitants receiving a retirement annuity under Section 16-132 of the Act may be employed as teachers not in excess of 100 days or 500 hours within any one school year. Employment in excess of 100 days or 500 hours within any one school year shall result in termination of payment. When such employment has terminated, the member may re-apply for retirement annuity to be payable effective on the day following termination of employment.~~
- ab) Monthly benefit payments to annuitants shall be suspended when two monthly warrants remain uncashed. The System shall inquire as to the cause for the non-cashing of the warrants. These and subsequent payments shall be made upon learning the circumstances or whereabouts of the warrants, or upon prompt compliance in cashing same.
- be) Recipients of a non-occupational disability benefit, occupational disability benefit, disability retirement annuity, or a monthly survivor benefit who fail to return documentation of continued eligibility within the specified time period shall have their monthly benefit payment suspended. Upon receipt of the required documentation and upon determination of continued eligibility, these and subsequent payments shall be made.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1650.1001 Election Date/Election Day – Defined

For purposes of Subpart L: Board Election Procedures, the term “election date” or “election day” shall mean “May 1, unless May 1 falls on a Saturday or Sunday, in which event the election shall be conducted on the following Monday” in trustee election years as prescribed in 40 ILCS 5/16-165.

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(Source: Added at 27 Ill. Reg. _____, effective _____)

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
240.400	Amendment
240.865	Amendment
240.920	Amendment
240.950	Amendment
240.1010	Amendment
- 4) Statutory Authority: 20 ILCS 105/4.01 (11) and 5.02
- 5) Effective Date of Amendments: November 25, 2002
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes
- 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.
- 9) Notice of Proposal Published in Illinois Register: July 12, 2002 at 26 Ill. Reg. 10076
- 10) Has JCAR issued a Statement of Objection to this amendment? Yes
 - A) Statement of Objection: October 25, 2002 at 26 Ill. Reg. 15331
 - B) Agency Response: November 29, 2002 at 26 Ill. Reg. 17440
 - C) Date Agency Response Submitted for Approval to JCAR: November 19, 2002
- 11) Differences between proposal and final version: None
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes, (minor clerical changes) other than JCAR's objection filed regarding 89 Ill. Adm. Code 240.400(a).
- 13) Will these amendments replace any emergency amendments currently in effect? Yes

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- 14) Are there any proposed amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The amendments are amended in response to the FY 2003 Budget Implementation Act which requires all applicants and clients to apply for medical assistance effective July 1, 2002. These rules also require case coordination units to perform prescreenings on prisoners/parolees seeking nursing facility placement. Lastly, the rules also make a change to the Department's appeal rule to address the eligibility changes required by State statute.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Ms. Heidi E. Dodd
Assistant General Counsel
Office of General Counsel
Illinois Department on Aging
421 East Capitol Avenue #100
Springfield, Illinois 62701-1789
217/785-3346

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGINGPART 240
COMMUNITY CARE PROGRAM

SUBPART A: GENERAL PROGRAM PROVISIONS

Section

240.100	Community Care Program
240.110	Department Prerogative
240.120	Services Provided
240.130	Maintenance of Effort
240.140	Program Limitations
240.150	Completed Applications Prior to August 1, 1982 (Repealed)
240.160	Definitions

SUBPART B: SERVICE DEFINITIONS

Section

240.210	Homemaker Service
240.220	Chore-Housekeeping Service (Repealed)
240.230	Adult Day Care -Service
240.240	Information and Referral
240.250	Demonstration/Research Projects
240.260	Case Management Service
240.270	Alternative Provider
240.280	Individual Provider

SUBPART C: RIGHTS AND RESPONSIBILITIES

Section

240.300	Applicant/Client Rights and Responsibilities
240.310	Right to Apply
240.320	Nondiscrimination
240.330	Freedom of Choice
240.340	Confidentiality/Safeguarding of Case Information
240.350	Applicant/Client/Authorized Representative Cooperation
240.360	Reporting Changes
240.370	Voluntary Repayment

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SUBPART D: APPEALS

Section	
240.400	Appeals and Fair Hearings
240.405	Representation
240.410	When the Appeal May Be Filed
240.415	What May Be Appealed
240.420	Group Appeals
240.425	Informal Review
240.430	Informal Review Findings
240.435	Withdrawing an Appeal
240.436	Cancelling an Appeal
240.440	Examining Department Records
240.445	Hearing Officer
240.450	The Hearing
240.451	Conduct of Hearing
240.455	Continuance of the Hearing
240.460	Postponement
240.465	Dismissal Due to Non-Appearance
240.470	Rescheduling the Appeal Hearing
240.475	Recommendations of Hearing Officer
240.480	The Appeal Decision
240.485	Reviewing the Official Report of the Hearing

SUBPART E: APPLICATION

Section	
240.510	Application for Community Care Program
240.520	Who May Make Application
240.530	Date of Application
240.540	Statement to be Included on Application

SUBPART F: ELIGIBILITY

Section	
240.600	Eligibility Requirements
240.610	Establishing Eligibility
240.620	Home Visit
240.630	Determination of Eligibility
240.640	Eligibility Decision
240.650	Continuous Eligibility

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NOTICE OF ADOPTED AMENDMENTS

- 240.655 Frequency of Redeterminations
240.660 Extension of Time Limit

SUBPART G: NON-FINANCIAL REQUIREMENTS

- Section
240.710 Age
240.715 Determination of Need
240.720 Clients Prior to Effective Date of This Section (Repealed)
240.725 Clients After Effective Date of This Section (Repealed)
240.726 Emergency Budget Act Reduction (Repealed)
240.727 Minimum Score Requirements
240.728 Maximum Payment Levels for Homemaker Service
240.729 Maximum Payment Levels for Adult Day Care Service
240.730 Plan of Care
240.735 Supplemental Information
240.740 Assessment of Need
240.750 Citizenship
240.755 Residence
250.760 Furnishing of Social Security Number

SUBPART H: FINANCIAL REQUIREMENTS

- Section
240.800 Financial Factors
240.810 Assets
240.815 Exempt Assets
240.820 Asset Transfers
240.825 Income
240.830 Unearned Income Exemptions
240.835 Earned Income
240.840 Potential Retirement, Disability and Other Benefits
240.845 Family
240.850 Monthly Average Income
240.855 Applicant/Client Expense for Care
240.860 Change in Income
240.865 Application For Medical Assistance (Medicaid)
240.870 Determination of Applicant/Client Monthly Expense for Care
240.875 Client Responsibility

SUBPART I: DISPOSITION OF DETERMINATION

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Section	
240.905	Prohibition of Institutionalized Individuals From Receiving Community Care Program Services
240.910	Written Notification
240.915	Service Provision
240.920	Reasons for Denial
240.925	Frequency of Redeterminations (Renumbered)
240.930	Suspension of Services
240.935	Discontinuance of Services to Clients
240.940	Penalty Payments
240.945	Notification
240.950	Reasons for Termination
240.955	Reasons for Reduction or Change

SUBPART J: SPECIAL SERVICES

Section	
240.1010	Nursing Facility Screening
240.1020	Interim Services
240.1040	Intense Service Provision
240.1050	Temporary Service Increase

SUBPART K: TRANSFERS

Section	
240.1110	Individual Transfer Request – Vendor to Vendor – No Change in Service
240.1120	Individual Transfer Request – Vendor to Vendor – With Change in Service
240.1130	Individual Transfers – Case Coordination Unit to Case Coordination Unit
240.1140	Transfer of Pending Applications
240.1150	Interagency Transfers
240.1160	Temporary Transfers – Case Coordination Unit to Case Coordination Unit
240.1170	Caseload Transfer – Vendor to Vendor
240.1180	Caseload Transfer – Case Coordination Unit to Case Coordination Unit

SUBPART L: ADMINISTRATIVE SERVICE CONTRACT

Section	
240.1210	Administrative Service Contract

SUBPART M: CASE COORDINATION UNITS AND PROVIDERS

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Section

- 240.1310 Standard Contractual Requirements for Case Coordination Units and Providers
- 240.1320 Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts
- 240.1330 General Vendor and CCU Responsibilities (Repealed)
- 240.1396 Payment for Services (Repealed)
- 240.1397 Purchases and Contracts (Repealed)
- 240.1398 Safeguarding Case Information (Repealed)
- 240.1399 Suspension/Termination of a Vendor or Case Coordination Unit (CCU)

SUBPART N: CASE COORDINATION UNITS

Section

- 240.1400 Community Care Program Case Management
- 240.1410 Case Coordination Unit Administrative Minimum Standards
- 240.1420 Case Coordination Unit Responsibilities
- 240.1430 Case Management Staff Positions, Qualifications and Responsibilities
- 240.1440 Training Requirements For Case Management Supervisors and Case Managers

SUBPART O: PROVIDERS

Section

- 240.1510 Provider Administrative Minimum Standards
- 240.1520 Provider Responsibilities
- 240.1530 General Homemaker Staffing Requirements
- 240.1535 Homemaker Staff Positions, Qualifications and Responsibilities
- 240.1540 General Chore-Housekeeping Staffing Requirements (Repealed)
- 240.1545 Chore-Housekeeping Staff Positions, Qualifications and Responsibilities (Repealed)
- 240.1550 Standard Requirements for Adult Day ~~Service Care~~ Providers
- 240.1555 General Adult Day ~~Service Care~~ Staffing Requirements
- 240.1560 Adult Day ~~Service Care~~ Staff ~~Qualifications~~
- 240.1565 Adult Day ~~Service Care~~ Satellite Sites
- 240.1570 Service Availability Expansion
- 240.1575 Adult Day Care Site Relocation
- 240.1580 Standards for Alternative Providers
- 240.1590 Standard Requirements for Individual Provider Services

SUBPART P: PROVIDER PROCUREMENT

Section

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240.1600	Provider Contract
240.1605	Procuring Provider Services
240.1610	Procurement Cycle for Provider Services (Repealed)
240.1620	Issuance of Provider Proposal and Guidelines
240.1625	Content of Provider Proposal and Guidelines
240.1630	Criteria for Number of Provider Contracts Awarded
240.1635	Evaluation of Provider Proposals
240.1640	Determination and Notification of Provider Awards
240.1645	Objection to Procurement Action Determination
240.1650	Classification, Identification and Receipt of Provider Service Violations
240.1655	Method of Identification of Provider Service Violations (Repealed)
240.1660	Provider Performance Reviews
240.1661	Provider and Case Coordination Unit Right to Appeal
240.1665	Contract Actions for Failure to Comply with Community Care Program Requirements

SUBPART Q: CASE COORDINATION UNIT PROCUREMENT

Section

240.1710	Procurement Cycle For Case Management Services
240.1720	Case Coordination Unit Performance Review

SUBPART R: ADVISORY COMMITTEE

Section

240.1800	Community Care Program Advisory Committee
240.1850	Technical Rate Review Advisory Committee (Repealed)

SUBPART S: PROVIDER RATES

Section

240.1910	Establishment of Fixed Unit Rates
240.1920	Contract Specific Variations
240.1930	Fixed Unit Rate of Reimbursement for Homemaker Service
240.1940	Fixed Unit Rates of Reimbursement for Adult Day Service and Transportation
240.1950	Adult Day Care Fixed Unit Reimbursement Rates
240.1960	Case Management Fixed Unit Reimbursement Rates

SUBPART T: FINANCIAL REPORTING

Section

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240.2020	Financial Reporting of Homemaker Service
240.2030	Unallowable Costs for Homemaker Service
240.2040	Minimum Direct Service Worker Costs for Homemaker Service
240.2050	Cost Categories for Homemaker Service

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(11) of the Illinois Act on the Aging [20 ILCS 105/4.02 and 4.01(11)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1900, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective July 1, 1985; emergency amendments at 9 Ill. Reg. 14011, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838, effective February 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments modified in response to a suspension by the Joint Committee on Administrative Rules and reinstated at 16 Ill. Reg. 2943; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments at 16 Ill. Reg. 2630, effective February 1, 1992, for a maximum of 150 days; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992; emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11731, effective June 30, 1992; emergency rule added at 16 Ill. Reg. 12615, effective July 23, 1992, for a maximum of 150 days; modified at 16 Ill. Reg. 16680; amended at 16 Ill. Reg. 14565, effective September 8, 1992; amended at 16 Ill. Reg. 18767, effective November 27, 1992; amended at 17 Ill. Reg. 224, effective December 29, 1992; amended at 17 Ill. Reg. 6090, effective April 7, 1993; amended at 18 Ill. Reg. 609, effective February 1, 1994; emergency amendment at 18 Ill. Reg. 5348, effective March 22, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 13375, effective August 19, 1994; amended at 19 Ill. Reg. 9085, effective July 1, 1995; emergency amendment at 19 Ill. Reg. 10186, effective July 1, 1995, for a

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maximum of 150 days; emergency amendment at 19 Ill. Reg. 12693, effective August 25, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16031, effective November 20, 1995; amended at 19 Ill. Reg. 16523, effective December 1, 1995; amended at 20 Ill. Reg. 1493, effective January 10, 1996; emergency amendment at 20 Ill. Reg. 5388, effective March 22, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 8995, effective July 1, 1996; amended at 20 Ill. Reg. 10597, effective August 1, 1996; amended at 21 Ill. Reg. 887, effective January 10, 1997; amended at 21 Ill. Reg. 6183, effective May 15, 1997; amended at 21 Ill. Reg. 12418, effective September 1, 1997; amended at 22 Ill. Reg. 3415, effective February 1, 1998; amended at 23 Ill. Reg. 2496, effective February 1, 1999; amended at 23 Ill. Reg. 5642, effective May 1, 1999; amended at 26 Ill. Reg. 9668, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10829, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17358, effective November 25, 2002.

SUBPART D: APPEALS

Section 240.400 Appeals and Fair Hearings

- a) Any individual who applies for or receives Community Care Program (CCP) services of any kind has the right to appeal a decision, action or inaction of the Department, a Case Coordination Unit (CCU) or a provider. If the decision, action or inaction is based on ~~an~~-automatic, non-discretionary changes ~~change~~-in eligibility, rates or benefits required by Federal or State statute-law or regulation, which adversely affects some or all clients, the appeal will be automatically denied and the individual will not be afforded a hearing. The applicant/client/authorized representative shall be notified of his/her right to appeal by the CCU at the time the applicant/client/authorized representative is notified of the action taken. The individual shall be given an explanation of the right to appeal at the time of the initial home visit and upon request. A copy of the rights and responsibilities of a CCP applicant/client (including an explanation of the right to appeal) shall be provided in written format to all applicants/clients/authorized representatives during the initial home visit for determination of eligibility and upon request.
- b) It shall be the responsibility of the applicant/client/authorized representative to advise the Department of his/her intent to appeal.
- c) The effective date of the appeal is the date on which an applicant/client/authorized representative indicates to the Department the intent to appeal either by telephone or in writing.
- d) If the Department is advised of the intent to appeal either by letter or by telephone, the Department shall, within two work days, send to the appellant a Notice of Appeal to Department on Aging form to be completed and signed by the appellant/authorized representative.

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- e) The written notice of appeal must be filed with the Department on a Notice of Appeal to Department on Aging form and shall be completed and executed by the appellant/authorized representative and returned to the Department.
- f) The executed Notice of Appeal to Department on Aging form must be submitted to the Department at the following address:

Illinois Department on Aging
Division of Long Term Care
421 East Capitol Ave., #100
Springfield, Illinois 62701-1789

- g) No later than ten work days from the date of receipt of Notice of Appeal to Department on Aging form, the Department shall send written acknowledgment of receipt to the appellant/authorized representative and to all other parties to the appeal.
- h) The written Notice of Appeal to Department on Aging shall include the following:
 - 1) the name, address and telephone number of the applicant/client filing the appeal, or on whose behalf the appeal is filed; and
 - 2) the name, address, and telephone number of the authorized representative, if any, filing the appeal on behalf of the applicant/client; and
 - 3) the specific action being appealed, including the date of notice advising the applicant/client/authorized representative of the action appealed and the effective date of that action; and
 - 4) the name of the Case Coordination Unit as indicated on the notice of the action being appealed.
- i) Effective April 1, 1992, Case Coordination Units are to provide a copy of any notice of adverse action to any applicant's/client's authorized representative, if the client has earned ten points on the Mini-Mental State Examination (MMSE). If the authorized representative is a family member residing with the client, the single notice to the client will suffice.

(Source: Amended at 26 Ill. Reg. 17358, effective November 25, 2002)

Section 240.865 Application For Medical Assistance (Medicaid)

Effective July 1, 2002, applicants/clients will be required to apply for who, after having been determined eligible for the Community Care Program, appear to meet eligibility requirements for medical assistance (Medicaid) under Article V of the Illinois Public Aid Code as a condition of eligibility for the Community Care Program. Although applicants/clients must agree to apply for medical assistance (Medicaid), applicants/clients are not required to meet the eligibility criteria for Medicaid to receive benefits under the Community Care Program. from

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~~the Illinois Department of Public Aid (IDPA) are required to apply to IDPA for a determination of eligibility for such medical assistance.~~

(Source: Amended at 26 Ill. Reg. 17358, effective November 25, 2002)

Section 240.920 Reasons for Denial

Denial of Community Care Program (CCP) eligibility shall be based upon one or more of the reasons identified below:

- a) Applicant is less than 60 years of age at the time of the determination of eligibility.
- b) Applicant is not in need of CCP services: scored less than 29 total points/less than 15 points on Part A, Level of Impairment, of the Determination of Need.
- c) Applicant/authorized representative refuses to sign Client Agreement - Plan of Care.
- d) Applicant/authorized representative refuses to sign Client Agreement - Plan of Care based upon the expense to be incurred monthly as required on the Client Agreement - Plan of Care.
- e) Applicant/authorized representative does not agree with plan of care/hours of service.
- f) Applicant is deceased.
- g) Applicant has been institutionalized for more than 60 calendar days from the date of application.
- h) Applicant/authorized representative voluntarily withdraws application.
- i) Applicant cannot be located to determine eligibility/provide CCP services.
- j) Applicant/authorized representative has not provided reasonable documentation supporting eligibility as required by the Department or its Case Coordination Unit (CCU) within 90 calendar days from the date of receipt of the completed application.
- k) Applicant/authorized representative has not cooperated with the Department/CCU/vendor as required and as specified by Section 240.350.
- l) Applicant does not meet citizenship requirements.
- m) Applicant does not meet residency requirements.
- n) A plan of care cannot be developed that adequately meets the applicant's determined needs.
 - 1) The determination that an adequate plan of care cannot be developed shall be sought first through the Physician/Nurse Practitioner/Registered Nurse/Christian Science Practitioner endorsement. Failure to obtain the supportive endorsement that an adequate plan of care cannot be developed shall be so documented.
 - 2) If the Physician/Nurse Practitioner/Registered Nurse/Christian Science

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Practitioner fails to provide the supportive endorsement, the CCU shall make the determination that an adequate plan of care cannot be developed in accordance with Section 240.715.

- o) The total value of applicant's non-exempt assets is in excess of \$10,000.
- p) Applicant has not provided the Physician, Nurse Practitioner, Registered Nurse or Christian Science Practitioner endorsement as required by Section 240.730(d).
- q) Eligibility could not be established for an applicant who was receiving interim services based upon presumptive eligibility as required by Section 240.1020.
- r) Applicant/authorized representative provided fraudulent information.
- s) Applicant whose CCP services were previously denied or terminated for non-cooperation as set forth in Section 240.350 shall be denied services upon re-application, except as the situation or condition which led to the memorandum of understanding (see Section 240.350) has been permanently resolved.
- t) Applicant has an outstanding bill for CCP services provided prior to this application which he/she refuses to pay.
- u) Applicant chooses not to receive CCP services from the list of authorized vendors and has so indicated on the Client's Vendor Selection form.
- v) Applicant received interim services in the past for which an incurred expense was never paid.
- w) Applicant has transferred non-exempt assets within the past 36 months for the purpose of obtaining CCP services.
- x) Applicant/authorized representative has not reported or refused to provide documentation of changes in circumstances which have occurred prior to eligibility determination as required by Section 240.360.
- y) Effective July 1, 2002, applicant refuses to apply for medical assistance (Medicaid) under Article V of the Illinois Public Aid Code.

(Source: Amended at 26 Ill. Reg. 17358, effective November 25, 2002)

Section 240.950 Reasons for Termination

A client shall be terminated from the Community Care Program (CCP) for one or more of the reasons identified below:

- a) client is deceased;
- b) client is an in-patient of any institution or is otherwise not available for services for more than ~~sixty (60)~~ calendar days;
- c) client's condition has improved and there is no longer a need for CCP services as measured by the CCP Determination of Need (DON);
- d) client cannot be located;
- e) client has requested termination of services;
- f) client refuses transfer to different vendor/Case Coordination Unit (CCU) and the

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- current vendor/CCU cannot provide services needed by the client;
- g) client has failed to cooperate with the Department/CCU/vendor as required and as specified in Section 240.350;
 - h) client no longer meets citizenship requirements;
 - i) client no longer meets residency requirements;
 - j) a plan of care cannot be developed that adequately meets the client's determined needs in accordance with Section 240.715.
 - 1) Such determination shall be sought first through the Physician/Nurse Practitioner/Registered Nurse/Christian Science Practitioner endorsement. Failure to obtain the endorsement shall be so documented.
 - 2) If the Physician/Nurse Practitioner/Registered Nurse/Christian Science Practitioner fails to provide the supportive endorsement, the CCU shall make the determination that an adequate plan of care (see Section 240.730(d)) cannot be developed.
 - k) client's non-exempt assets have increased and exceed \$10,000 (see Section 240.810(a));
 - l) client failed to report the transfer of non-exempt assets as required by Section 240.820;
 - m) client, initially determined eligible prior to July 6, 1982 (see Section 240.800(a) and (b)), who has had continuous service since that time, refuses to declare income/assets upon redetermination;
 - n) client has failed to report or refused to provide documentation of changes in circumstances as required by Section 240.360;
 - o) client refuses to sign a Client Agreement - Plan of Care (see Section 240.855(c));
 - p) client rejects CCP services under Section 240.330 and has so indicated on the Client's Vendor Selection form; or
 - q) a client, whose CCP services were discontinued for non-payment of incurred expense for care, has not made payment for the indebtedness, and has not received CCP services for more than ~~one~~(1) year (see Section 240.935(e)).
 - r) Effective July 1, 2002, client refuses to apply for medical assistance (Medicaid) under Article V of the Illinois Public Aid Code.

(Source: Amended at 26 Ill. Reg. 17358, effective November 25, 2002)

SUBPART J: SPECIAL SERVICES

Section 240.1010 Nursing Facility Screening

- a) Nursing facility prescreening is the assessment of the need for long term care placement of all individuals age 60 and over, regardless of the payment source, prior to placement in a nursing facility. Except as indicated in subsections (g) and

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(h) of this Section, any individual seeking admission to a nursing facility must be screened to determine his or her need for nursing facility services pursuant to this Section. For the purposes of this Section, "nursing facility" means a location licensed under the Nursing Home Care Act [210 ILCS 45], or a location certified to participate in the Medicare program under Title XVIII of the Social Security Act (42 USC 301 et seq.) or the Medicaid program under Title XIX of the Social Security Act.

- b) Prescreening shall be accomplished by the administration of the Community Care Program (CCP) Determination of Need, completion of the Illinois Department of Public Aid (DPA) Interagency Certification of Screening Results form, [completion of the Illinois Department on Aging Nursing Facility Parolee Screen Notification form](#), and completion of an Illinois Department of Human Services (DHS) Level I ID Screen if the individual is determined appropriate for nursing facility placement. Prescreening may occur:
- 1) when hospital discharge planners have advised the CCU of the imminent risk of nursing facility placement of a patient who meets the above criteria and in advance of discharge of the patient; or
 - 2) when a CCU has been advised of the imminent risk of nursing facility placement of an individual in the community.
- c) A CCU must complete a DPA Interagency Certification of Screening Results form within two calendar days from the receipt of advice of imminent risk discharge from a hospital or admission from the community.
- d) Responsibility for prescreenings shall be vested in the CCUs. However, CCUs may delegate authority to perform prescreenings to hospital discharge planners/social workers who have received training by the Department (refer to Section 240.740 of this Part), regularly attend required ongoing training, and who, in the professional judgement of the CCU, are qualified and approved to administer the CCP Determination of Need.
- e) The individual who is prescreened shall:
- 1) be informed, of all appropriate options including nursing facility, in-home and community-based services; and
 - 2) be advised of his/her right to refuse nursing facility, in-home, community-based, or all services.
- f) Postscreening shall occur if an individual is admitted to a nursing facility without benefit of prescreening. Postscreening may occur:
- 1) after nursing facility placement in an emergency situation. The CCU shall conduct prescreening within 15 calendar days from the date of the request for postscreening;
 - 2) for nursing facility admissions from a hospital emergency room, outpatient services, or an out-of-state hospital.
- g) Nursing facility prescreening does not apply to the following:

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- 1) Transfers from one nursing facility to another.
 - 2) Admissions to a continuing care retirement community with which the individual has a Life Care contract.
 - 3) Admissions to hospice.
 - 4) Returns to a nursing facility from a hospital.
 - 5) Admissions to a nursing facility from the community for respite care for a period of no more than 15 days.
 - 6) Admissions to sheltered care facilities.
 - 7) Individuals who resided in a nursing facility on June 30, 1996.
 - 8) Individuals who resided in a nursing facility for a period of at least 60 calendar days who are returning to a nursing facility after an absence of not more than 60 calendar days.
- h) Any individual who has been admitted to a nursing facility that operates under the Hospital Licensing Act [210 ILCS 85], or provider licensed under Section 35 of the Alternative Health Care Delivery Act [210 ILCS 3/35], whose actual length of stay in ~~the such~~ facility exceeds 21 days, shall be screened to determine the individual's need for continued services.
- i) Nursing facility conversion screening is the assessment of the appropriateness of in-home and community-based care for nursing facility residents age 60 and over who have applied for and been found eligible for Medicaid assistance.
- 1) Conversion screens shall be initiated by a referral from the Illinois Department of Public Aid.
 - 2) Conversion screens shall be accomplished in accordance with deinstitutionalization (refer to Section 240.1960(g) of this Part).
 - 3) Conversion screens shall include the option of CCP transitional services for those individuals who are appropriate for in-home and community-based services.

(Source: Amended at 26 Ill. Reg. 17358, effective November 25, 2002)

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

<u>Section Numbers:</u>	<u>Adopted Action:</u>
310.110	Amended
310.130	Amended
310.230	Amended
310.290	Amended
310.490	Amended
310.510	Repealed
310.530	Amended
310.540	Amended
APPENDIX B	Amended
APPENDIX C	Amended
APPENDIX D	Amended
APPENDIX G	Amended
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) Effective Date of Amendments: November 25, 2002
- 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 principal office and is available for public inspections. Copies of all Pay Plan amendments and Collective Bargaining contracts are available upon request from the Division of Technical Services.
- 9) Notice of Proposal Published in the Illinois Register: July 12, 2002; Issue #28; 26 Ill. Reg. 10094
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version? In Section 310.230, the hourly salary for the Laborer (Maintenance) title was upgraded from \$6.20 - \$6.75 to \$7.05-\$8.00, which was adopted on October 7, 2002 at 26 Ill. Reg. 14965.

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? Yes
- 14) Are there any proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Register Citation</u>
Table AA	Amend	26 Ill. Reg. 1774, 2/15/02
Table AA	Amend	26 Ill. Reg. 13128, 09/06/02
Table AB	Amend	26 Ill. Reg. 13128, 09/06/02
310.280	Amend	26 Ill. Reg. 13735, 09/20/02
310.280	Amend	26 Ill. Reg. 13901, 09/27/02
310.280	Amend	26 Ill. Reg. 15154, 10/25/02
Table O	Amend	26 Ill. Reg. 15154, 10/25/02

- 15) Summary and Purpose of Amendments: The following amendments to the Pay Plan reflect the Fiscal Year 2003 changes that affect those employees subject to the Schedule of Salary Grades and the Merit Compensation System:

In Sections 310.110 (Implementation of Pay Plan Changes for Fiscal Year 2003), 310.130 (Effective Date, 310.530 (Implementation) and 310.540 (Annual Merit Increase Guidechart for Fiscal Year 2003), the dates were changed to reflect the new Fiscal Year.

In Section 310.230, Part-time Daily or Hourly Special Services Rate, the maximum hourly rates for the Conservation/Historic Preservation Workers were upgraded from \$6.50 to \$9.00 per hour. The hourly and daily rates for the Account Technician II, Office Aide, Office Assistant, Office Associate, Office Clerk and Revenue Tax Specialist I were upgraded to reflect the revised collective bargaining salary ranges for July 2002.

In Section 310.290, Out-of-State or Foreign Service Rate, the salary ranges for the Out-of-State and Foreign Service classes were upgraded to maintain the same differential above the revised Collective Bargaining, Salary Grades and Merit Compensation schedules.

In Section 310.490, Other Pay Provisions, the narrative pertaining to overtime pay in Paragraph c) 2) was revised to include reference to federal guidelines and that classes in MC 07 and above are not eligible for overtime unless required by federal regulation or approval of the Director of Central Management Services.

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Section 310.510, Conversion of Base Salary to Pay Period Units, was repealed for deletion from the Pay Plan.

In Appendix B, the salary ranges for the Schedule of Salary Grades were upgraded by 3.75% with a minimum of \$100 per month. Step 8 for July, 2002 reflects a rate 1% above Step 7, and Step 8 for January, 2003 reflects a rate 2% above Step 7.

In Appendices C, D and G, the salary ranges for the Medical Administrator Rates, Merit Compensation System and Broad-Band Pay Range Classes Salary Schedules were upgraded to reflect an increase of 3.75% in the minimums and the maximums of the ranges. The amount of percentage increases allowable in the Annual Merit Increase Guidechart remains the same in Section 310.540.

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

Ms. Marianne Armento
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
217/785-8609

The full text of the adopted amendment 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
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2003 2002
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate

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310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section	
310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units (<u>Repealed</u>)
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year <u>2003</u> 2002
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services – State of Illinois Building – SEIU)
TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers)
TABLE B	HR-200 (Department of Labor – Chicago, Illinois – SEIU) (Repealed)
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)

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TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)
TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year <u>2003</u> <u>2002</u>
APPENDIX C	Medical Administrator Rates for Fiscal Year <u>2003</u> <u>2002</u>
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year <u>2003</u> <u>2002</u>
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year <u>2003</u> <u>2002</u>

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

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

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

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

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

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

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2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; emergency expired September 28, 2002; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002.

SUBPART A: NARRATIVE

Section 310.110 Implementation of Pay Plan Changes for Fiscal Year ~~2003~~ 2002

The rates of pay for all employees occupying positions subject to the Schedule of Salary Grades shall be as set out in Appendix B, Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year ~~2003~~ 2002.

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

Section 310.130 Effective Date

This Pay Plan Narrative (Subpart A), Schedule of Rates (Subpart B), and Schedule of Salary Grades (Appendix B) shall be effective for Fiscal Year ~~2003-2002~~.

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

SUBPART B: SCHEDULE OF RATES

Section 310.230 Part-Time Daily or Hourly Special Services Rate

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

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Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	14.10 to 19.49 (hourly) 106 to 146 (daily) 13.49 to 18.42 (hourly) 101 to 138 (daily)
Apiary Inspector	8.28 to 10.15 (hourly)
Building/Grounds Laborer	5.15 to 6.00 (hourly)
Building/Grounds Lead I	5.15 to 7.00 (hourly)
Building/Grounds Lead II	5.25 to 8.00 (hourly)
Building/Grounds Maintenance Worker	5.15 to 6.00 (hourly)
Chaplain I	39 to 70 (daily)
Chemist I	39 to 45 (daily)
Conservation/Historic Preservation Worker	5.15 to 6.50 (hourly)
Conservation/Historic Preservation Worker (2nd season – site interpretation)	5.15 to 6.50 (hourly)
Conservation/Historic Preservation Worker (3rd season – site interpretation)	5.15 to 6.50 (hourly)
Dentist I	70 to 150 (daily)
Dentist II	100 to 185 (daily)
Educator	39 to 85 (daily)
Educator Aide	39 (daily)
Guard II	67 to 84 (daily)
Guard III	75 to 96 (daily)
Hearing and Speech Advanced Specialist	15 to 30 (hourly)
Hearings Referee	75 to 200 (daily)
Janitor I	5.15 to 5.30 (hourly)
Labor Maintenance Lead Worker	5.15 to 6.00 (hourly)
Labor Relations Investigator	39 to 70 (daily)
Laborer (Maintenance)	7.05 to 8.00 (hourly)
Maintenance Worker	5.15 (hourly)
Occupational Therapist Program Coordinator	40 to 160 (daily)
Office Aide	10.45 to 13.46 (hourly) 78 to 101 (daily) 9.84 to 12.59 (hourly) 74 to 94 (daily)
Office Assistant	11.56 to 15.26 (hourly) 87 to 114 (daily) 10.95 to 14.34 (hourly)

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Office Associate	82 to 108 (daily) <u>12.24 to 16.42 (hourly)</u> 92 to 123 (daily) 11.62 to 15.49 (hourly) 87 to 116 (daily)
Office Clerk	<u>10.94 to 14.31 (hourly)</u> <u>82 to 107 (daily)</u> 10.32 to 13.41 (hourly) 77 to 101 (daily)
Optometrist	15 to 35 (hourly) 50 to 160 (daily)
Physician	100 to 300 (daily)
Physician Specialist (A)	20 to 60 (hourly) 100 to 325 (daily)
Physician Specialist (B)	20 to 70 (hourly) 100 to 350 (daily)
Physician Specialist (C)	20 to 105 (hourly) 100 to 360 (daily)
Physician Specialist (D)	20 to 115 (hourly) 100 to 370 (daily)
Podiatrist	50 to 125 (daily)
Psychologist I	39 to 80 (daily)
Psychologist II	40 to 125 (daily)
Psychologist III	40 to 150 (daily)
Recreation Worker I	5.33 (hourly) 40 to 45 (daily)
Registered Nurse I	39 to 54 (daily)
Registered Nurse I (2nd or 3rd shift)	41 to 56 (daily)
Registered Nurse I (Cook County)	43 to 58 (daily)
Registered Nurse I (Cook County – 2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II	43 to 58 (daily)
Registered Nurse II (2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II (Cook County)	45 to 60 (daily)
Registered Nurse II (Cook County – 2nd or 3rd shift)	47 to 62 (daily)
Revenue Tax Specialist I	<u>14.10 to 19.49 (hourly)</u> <u>106 to 146 (daily)</u> 13.49 to 18.42 (hourly) 101 to 138 (daily)
Social Worker II	39 to 75 (daily)
Social Worker III	39 to 80 (daily)

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Student Worker	5.15 to 8.00 (hourly)
Technical Advisor II	32 to 35 (hourly)
Technical Advisor III	32 to 60 (hourly)
Veterinarian II	95 to 130 (daily)

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

Section 310.290 Out-of-State or Foreign Service Rate

The rate of pay for employees occupying positions which require payment in accordance with the economic conditions and social legislation of another state or foreign country. An adjustment may be made to the salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate. The Director of the Department of Central Management Services will, before approving an adjustment, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

Title	Range Effective Fiscal Year 2003 <u>2002</u>
Executive II (States Other Than California and New Jersey) (CA, NJ)	3269-5894 <u>3151-5681</u> 3696-6663 <u>3562-6422</u>
Foreign Service Economic Development Executive I	3848-7082 <u>3709-6825</u>
Foreign Service Economic Development Executive II	4929-9283 <u>4751-8946</u>
Foreign Service Economic Development Representative	3269-5894 <u>3151-5681</u>
Office Administrator IV (States Other Than California and New Jersey) (CA, NJ)	2570-4452 <u>2477-4290</u> 2906-5032 <u>2800-4849</u>
Office Assistant (Foreign Service)	2169-2862 <u>2054-2717</u>
Office Associate (States Other Than California and New Jersey) (CA, NJ)	2295-3081 <u>2180-2934</u> 2595-3483 <u>2465-3316</u>
Office Coordinator	

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(States Other Than California and New Jersey) (CA, NJ)	2370-3199 2255-3051 2679-3617 2249-3449
Public Service Administrator (States Other Than California and New Jersey) (CA, NJ)	3445-7542 3321-7268 3895-8525 3754-8216
Revenue Auditor I (States Other Than California and New Jersey) (CA, NJ)	3105-4480 2990-4277 3510-5065 3380-4835
Revenue Auditor II (States Other Than California and New Jersey) (CA, NJ)	3587-5295 3457-5054 4055-5985 3908-5714
Revenue Auditor III (States Other Than California and New Jersey) (CA, NJ)	4226-6301 3854-5676 4778-7123 4356-6417
Revenue Auditor Trainee (States Other Than California and New Jersey) (CA, NJ)	2645-3657 2530-3490 2990-4134 2860-3946
Revenue Tax Specialist I (States Other Than California and New Jersey) (CA, NJ)	2645-3657 2530-3490 2990-4134 2860-3946
Revenue Tax Specialist II (States Other Than California and New Jersey) (CA, NJ)	2861-4047 2746-3862 3234-4575 3104-4365
Revenue Tax Specialist Trainee (States Other Than California and New Jersey) (CA, NJ)	2448-3335 2333-3182 2768-3770 2638-3597
Senior Public Service Administrator (States Other Than California and New Jersey) (CA, NJ)	4750-11161 4578-10757 5369-12617 5175-12160

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

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SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.490 Other Pay Provisions

- a) Transfer – Upon assignment of an employee to a vacant position in a class with the same salary range as the class for the position being vacated, the employee's base salary will not be changed. Upon separation and subsequent appointment to a position in the same salary range, no increase in salary will be given.
- b) Entrance Salary – Normally upon entry to state service, an employee's base salary will be at the minimum salary of the salary range.
 - 1) Qualifications above Minimum Requirements –
 - A) If a candidate possesses directly related training and experience in excess of the minimum requirements of the class specification, the employing agency may grant an entrance salary up to the midpoint of the first half of the salary range; however, this shall not provide more than a 10% increase over the candidate's current salary. Such qualifications above the minimum requirements must possess documented support for higher than the minimum entrance salary.
 - B) An entrance salary above the middle of the first half of the salary range must have prior approval of the Director of Central Management Services. This approval will be based on consideration of the candidate's training and experience exceeding the requirements of the class, prior salary history, particular staffing requirements of an agency, and labor market influence on recruitment needs.
 - 2) Area Differential – For positions where additional compensation is required because of dissimilar economic or other conditions in the geographical area in which such positions are established, a higher entrance salary may be authorized by the Director of Central Management Services. Present employees receiving less than the new rate of pay shall be advanced to the new rate.
 - 3) Upon the geographical transfer from or to an area for which additional compensation has been authorized, an employee will receive an adjustment to the appropriate salary level for the new geographical area of assignment, effective the first day of the month following the date of assignment.
- c) Differential and Overtime Pay – An eligible employee may have an amount added to the base salary for a given pay period for work performed which is in excess of the normal requirements for the position and work schedule, as follows:

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- 1) Shift Differential Pay – An employee may be paid an amount in addition to the base salary for work performed on a regularly scheduled second or third shift. The additional compensation will be at a rate and in a manner approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.
- 2) Overtime Pay – The Director of the Department of Central Management Services shall maintain a listing of classes of positions subject to the provisions of the Merit Compensation System who are eligible for overtime compensation. Classes in salary ranges MC 6 and below are eligible for straight-time overtime unless exceptions are determined by the Director of Central Management Services or federal guidelines. ~~Classes above MC 6 may be added to the list when requested by an agency and approved by the Director of Central Management Services in consideration of need of the agency and relationship to eligible titles.~~ Employees in these classes of positions who are assigned and perform work in excess of the normal work schedule as established by the agency shall be compensated at a straight-time rate on either a cash or compensatory time-off basis for all hours worked in excess of a normal work week. Overtime in less than one-half hour increments per day shall not be accrued. If compensatory time is not liquidated within the fiscal year during which it is accrued, it must be liquidated at the end of the fiscal year in cash at the employee's rate of pay in effect at the time of liquidation. Classes in MC 7 and above are not eligible for overtime unless required by federal regulation or approved by the Director of Central Management Services. ~~Any exception to the above provisions for overtime compensation shall be approved by the Director of the Department of Central Management Services.~~ Such exceptions must be requested by the employing agency and will be determined on the basis of the special nature of the situation, a substantial need to provide overtime compensation and a significant number of hours worked beyond the normal work schedule, and will be granted only for a specified time period for which the special situation is expected to exist.
- d) Part-Time Work – Part-time employees whose base salary is other than an hourly or daily basis shall be paid on a daily rate basis which will be computed from annual rates of salary and the total number of work days in the year.
- e) Out-of-State Assignment – Employees who are assigned to work out-of-state on a temporary basis may receive an appropriate differential during the period of the

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assignment, as approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance.

- f) Lump Sum Payment – Shall be provided for accrued vacation, sick leave* and unused compensatory overtime at the current base rate to those employees separated from employment under the Personnel Code. Leaves of absence and temporary layoff (per 80 Ill. Adm. Code 302.510) are not separations and therefore lump sum payments cannot be given in these transactions. Methods of computation are explained in Section 310.520(a) of the Merit Compensation System.

AGENCY NOTE: The method to be used in computing lump sum payment for vacation, sick leave* and unused compensatory overtime for an incumbent entitled to shift differential during the regular work hours will be to use the current base salary plus the shift differential pay.

*Sick leave earned prior to January 1, 1984 and after December 31, 1997 is not compensable. Sick leave earned and not used between January 1, 1984 and December 31, 1997 will be compensable at the current base daily rate times one-half of the total number of sick days earned and retained during that time period.

- g) Salary Treatment upon Return from Leave – An employee returning from Military Leave, Peace Corps Leave, Vista Leave, Service-Connected Disability Leave, Leave to accept a Temporary, Emergency, Provisional, Exempt or Trainee position, or Education Leave will have his/her salary established as determined appropriate by the employing agency and approved by the Director of Central Management Services. However, in no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the salary range. Creditable service date will be maintained. An employee returning to his/her former salary range from any other leave of over fourteen days will be placed at the salary which the employee received prior to the leave and the creditable service date will be extended by the duration of the leave.
- h) Employees in classes which are made subject to the Merit Compensation System after July 1, 1979, will retain their current salary, except that in no event is the resultant salary to be lower than the minimum rate or higher than the maximum rate of the new salary range.
- i) Extra Duty Pay – An employee may be paid an amount in addition to the base salary for services in addition to the regular work schedule on a special assignment. Additional compensation will be at a rate and manner as approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after

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considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

- j) Salary Treatment Upon Reemployment –
 - 1) Upon the reemployment of an employee in a class with the same salary range as the class for the position held before layoff, the employee will be placed at the same salary as held at the time of the layoff, and his creditable service date will be adjusted to reflect that time on layoff does not count as creditable service time.
 - 2) Upon the reemployment of an employee in a class at a lower salary range than the range of the class for the position held before layoff, the employee will be placed at the same salary as held at the time of layoff, except that if this exceeds the maximum of the new range, the employee will be placed at that maximum salary. The creditable service date will be adjusted to reflect that time on layoff does not count as creditable service time.
- k) Reinstatement – The salary upon reinstatement of an employee will be as determined by the employing agency and approved by the Director of Central Management Services. This salary should not provide more than a 10% increase over the candidate's current salary, or exceed the salary rate held in the position where previously certified. In no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the salary range.
- l) Bilingual Pay – Effective July 1, 2000, individual positions whose job descriptions require the use of sign language, a second language or Braille shall receive 5% or \$100 per month, whichever is greater, in addition to the employee's base rate.
- m) Clothing or Equipment Allowance – An employee may be paid an amount in addition to his/her base salary to compensate for clothing or equipment which is required in the performance of assigned duties. The amount will be determined by the Director of the employing agency, and will require approval of the Director of the Department of Central Management Services. The Director of the Department of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance.

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

Section 310.510 Conversion of Base Salary to Pay Period Units (Repealed)

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~~For purposes of converting a base salary to an amount applicable for one pay period, the following methods of computation shall apply:~~

- ~~a) An annual base salary shall be divided by the number of pay periods in one assigned year.~~
- ~~b) A monthly base salary shall be divided by two on a semi-monthly payment schedule, or shall be multiplied by twelve and the results divided by the number of pay periods in a work year on a payment schedule other than semi-monthly.~~
- ~~c) A weekly base salary shall be multiplied by 52 and the result divided by the number of pay periods in a work year.~~
- ~~d) A daily base salary shall be multiplied by the number of days actually worked in a pay period.~~
- ~~e) An hourly base salary shall be multiplied by the number of hours actually worked in a pay period.~~

(Source: Repealed at 26 Ill. Reg. 17374, effective November 25, 2002)

Section 310.530 Implementation

- a) The salary schedule for the Merit Compensation System for Fiscal Year 2003 ~~2002~~ will continue as set forth in Appendix D of the Pay Plan.
- b) The Merit Increase Guidechart for Fiscal Year 2003 ~~2002~~ as set forth in Section 310.540 of the Pay Plan.

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

Section 310.540 Annual Merit Increase Guidechart for Fiscal Year 2003 ~~2002~~

<u>Category</u>	<u>Definition</u>	<u>Increase</u>
Category 1	Exceptional	0% to 5%+\$125
Category 2	Accomplished	0% to 3%+\$125
Category 3	Acceptable	0% to 3%
Category 4	Unacceptable	\$0

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE AA NR-916 (Department of Natural Resources, Teamsters)**Effective: July 1, 2002~~Effective: January 16, 2001~~

	Minimum Salary	Maximum Salary
Cartographer III	<u>3035</u> 2860	<u>5420</u> 5210
Civil Engineer I	<u>2955</u> 2785	<u>4575</u> 4395
Civil Engineer II	<u>3155</u> 2970	<u>5250</u> 5045
Civil Engineer III	<u>3470</u> 3270	<u>5880</u> 5650
Civil Engineer Trainee	<u>2780</u> 2620	<u>3885</u> 3735
Engineering Technician I	<u>1715</u> 1570	<u>3090</u> 2970
Engineering Technician II	<u>2055</u> 1915	<u>3705</u> 3560
Engineering Technician III	<u>2495</u> 2350	<u>4415</u> 4245
Engineering Technician IV	<u>3055</u> 2880	<u>5735</u> 5510
Technical Manager I	<u>2340</u> 2205	<u>4170</u> 4005

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE AB VR-007 (Plant Maintenance Engineers, Operating Engineers)**Effective July 1, 2002~~Effective July 1, 2000~~

Title	Standard Rate
Plant Maintenance Engineer I	<u>5729.82</u>
	5260.02
Plant Maintenance Engineer II	<u>6003.00</u>
	5510.58

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

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Section 310.APPENDIX B Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year ~~2003~~ 2002

<u>Salary Grade</u>	<u>Step 1c</u>	<u>Step 1b</u>	<u>Step 1a</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>
<u>1</u>	<u>1663</u>	<u>1704</u>	<u>1746</u>	<u>1789</u>	<u>1835</u>	<u>1877</u>	<u>1922</u>	<u>1974</u>	<u>2018</u>	<u>2098</u>	<u>2119</u> 01/03: <u>2140</u>
<u>2</u>	<u>1705</u>	<u>1747</u>	<u>1790</u>	<u>1835</u>	<u>1877</u>	<u>1922</u>	<u>1976</u>	<u>2024</u>	<u>2072</u>	<u>2153</u>	<u>2175</u> 01/03: <u>2196</u>
<u>3</u>	<u>1743</u>	<u>1786</u>	<u>1831</u>	<u>1877</u>	<u>1922</u>	<u>1977</u>	<u>2027</u>	<u>2076</u>	<u>2127</u>	<u>2221</u>	<u>2243</u> 01/03: <u>2265</u>
<u>4</u>	<u>1784</u>	<u>1829</u>	<u>1875</u>	<u>1922</u>	<u>1977</u>	<u>2031</u>	<u>2080</u>	<u>2141</u>	<u>2190</u>	<u>2288</u>	<u>2311</u> 01/03: <u>2334</u>
<u>5</u>	<u>1835</u>	<u>1881</u>	<u>1928</u>	<u>1977</u>	<u>2033</u>	<u>2091</u>	<u>2148</u>	<u>2202</u>	<u>2258</u>	<u>2358</u>	<u>2379</u> 01/03: <u>2402</u>
<u>6</u>	<u>1886</u>	<u>1934</u>	<u>1983</u>	<u>2033</u>	<u>2092</u>	<u>2150</u>	<u>2214</u>	<u>2273</u>	<u>2337</u>	<u>2440</u>	<u>2464</u> 01/03: <u>2489</u>
<u>7</u>	<u>1940</u>	<u>1989</u>	<u>2040</u>	<u>2092</u>	<u>2153</u>	<u>2219</u>	<u>2284</u>	<u>2349</u>	<u>2417</u>	<u>2530</u>	<u>2555</u> 01/03: <u>2581</u>
<u>8</u>	<u>1996</u>	<u>2047</u>	<u>2099</u>	<u>2153</u>	<u>2224</u>	<u>2293</u>	<u>2369</u>	<u>2435</u>	<u>2508</u>	<u>2626</u>	<u>2652</u> 01/03: <u>2679</u>
<u>9</u>	<u>2061</u>	<u>2114</u>	<u>2168</u>	<u>2224</u>	<u>2296</u>	<u>2374</u>	<u>2449</u>	<u>2529</u>	<u>2605</u>	<u>2727</u>	<u>2754</u> 01/03: <u>2782</u>
<u>10</u>	<u>2129</u>	<u>2184</u>	<u>2241</u>	<u>2299</u>	<u>2386</u>	<u>2461</u>	<u>2543</u>	<u>2623</u>	<u>2706</u>	<u>2843</u>	<u>2871</u> 01/03: <u>2900</u>
<u>11</u>	<u>2210</u>	<u>2267</u>	<u>2326</u>	<u>2387</u>	<u>2473</u>	<u>2554</u>	<u>2645</u>	<u>2733</u>	<u>2817</u>	<u>2966</u>	<u>2996</u> 01/03: <u>3025</u>
<u>12</u>	<u>2300</u>	<u>2360</u>	<u>2422</u>	<u>2486</u>	<u>2578</u>	<u>2664</u>	<u>2763</u>	<u>2854</u>	<u>2959</u>	<u>3118</u>	<u>3149</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

6696

Schedule of Salary Grades (Alternative Retirement Formula only)
– Monthly Rates of Pay for Fiscal Year 2003

<u>Salary Grade</u>	<u>Step 1c</u>	<u>Step 1b</u>	<u>Step 1a</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>
<u>1a</u>	<u>1704</u>	<u>1746</u>	<u>1789</u>	<u>1834</u>	<u>1881</u>	<u>1924</u>	<u>1971</u>	<u>2024</u>	<u>2070</u>	<u>2152</u>	<u>2174</u> 01/03: <u>2195</u>
<u>2a</u>	<u>1747</u>	<u>1790</u>	<u>1835</u>	<u>1881</u>	<u>1924</u>	<u>1971</u>	<u>2026</u>	<u>2076</u>	<u>2125</u>	<u>2209</u>	<u>2231</u> 01/03: <u>2253</u>
<u>3a</u>	<u>1786</u>	<u>1831</u>	<u>1877</u>	<u>1924</u>	<u>1971</u>	<u>2027</u>	<u>2079</u>	<u>2129</u>	<u>2182</u>	<u>2279</u>	<u>2302</u> 01/03: <u>2325</u>
<u>4a</u>	<u>1829</u>	<u>1875</u>	<u>1922</u>	<u>1971</u>	<u>2027</u>	<u>2083</u>	<u>2133</u>	<u>2196</u>	<u>2247</u>	<u>2348</u>	<u>2371</u> 01/03: <u>2395</u>
<u>5a</u>	<u>1881</u>	<u>1928</u>	<u>1977</u>	<u>2027</u>	<u>2085</u>	<u>2145</u>	<u>2203</u>	<u>2259</u>	<u>2317</u>	<u>2417</u>	<u>2441</u> 01/03: <u>2465</u>
<u>6a</u>	<u>1934</u>	<u>1983</u>	<u>2033</u>	<u>2085</u>	<u>2146</u>	<u>2206</u>	<u>2271</u>	<u>2332</u>	<u>2398</u>	<u>2405</u>	<u>2529</u> 01/03: <u>2554</u>
<u>7a</u>	<u>1989</u>	<u>2040</u>	<u>2092</u>	<u>2146</u>	<u>2209</u>	<u>2277</u>	<u>2344</u>	<u>2410</u>	<u>2481</u>	<u>2597</u>	<u>2623</u> 01/03: <u>2649</u>
<u>8a</u>	<u>2047</u>	<u>2099</u>	<u>2153</u>	<u>2209</u>	<u>2282</u>	<u>2353</u>	<u>2431</u>	<u>2499</u>	<u>2574</u>	<u>2696</u>	<u>2723</u> 01/03: <u>2750</u>
<u>9a</u>	<u>2114</u>	<u>2168</u>	<u>2224</u>	<u>2282</u>	<u>2356</u>	<u>2436</u>	<u>2513</u>	<u>2596</u>	<u>2674</u>	<u>2801</u>	<u>2829</u> 01/03: <u>2857</u>
<u>10a</u>	<u>2184</u>	<u>2241</u>	<u>2299</u>	<u>2359</u>	<u>2449</u>	<u>2526</u>	<u>2610</u>	<u>2693</u>	<u>2778</u>	<u>2924</u>	<u>2953</u> 01/03: <u>2982</u>
<u>11a</u>	<u>2267</u>	<u>2326</u>	<u>2387</u>	<u>2450</u>	<u>2538</u>	<u>2622</u>	<u>2715</u>	<u>2807</u>	<u>2896</u>	<u>3052</u>	<u>3083</u> 01/03: <u>3113</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

<u>12a</u>	<u>2360</u>	<u>2422</u>	<u>2486</u>	<u>2552</u>	<u>2646</u>	<u>2735</u>	<u>2840</u>	<u>2936</u>	<u>3044</u>	<u>3209</u>	<u>3241</u> 01/03: 3273:
<u>13a</u>	<u>2450</u>	<u>2515</u>	<u>2581</u>	<u>2649</u>	<u>2747</u>	<u>2855</u>	<u>2966</u>	<u>3074</u>	<u>3188</u>	<u>3370</u>	<u>3404</u> 01/03: 3337
<u>14a</u>	<u>2554</u>	<u>2622</u>	<u>2692</u>	<u>2764</u>	<u>2873</u>	<u>2988</u>	<u>3118</u>	<u>3235</u>	<u>3359</u>	<u>3554</u>	<u>3590</u> 01/03: 3625
<u>15a</u>	<u>2654</u>	<u>2725</u>	<u>2799</u>	<u>2877</u>	<u>3005</u>	<u>3130</u>	<u>3256</u>	<u>3391</u>	<u>3515</u>	<u>3726</u>	<u>3763</u> 01/03: 3801
<u>16a</u>	<u>2772</u>	<u>2849</u>	<u>2930</u>	<u>3015</u>	<u>3150</u>	<u>3292</u>	<u>3431</u>	<u>3571</u>	<u>3715</u>	<u>3935</u>	<u>3974</u> 01/03: 4014
<u>17a</u>	<u>2899</u>	<u>2983</u>	<u>3069</u>	<u>3158</u>	<u>3308</u>	<u>3461</u>	<u>3606</u>	<u>3753</u>	<u>3905</u>	<u>4138</u>	<u>4179</u> 01/03: 4221
<u>18a</u>	<u>3049</u>	<u>3137</u>	<u>3230</u>	<u>3327</u>	<u>3490</u>	<u>3651</u>	<u>3817</u>	<u>3974</u>	<u>4132</u>	<u>4378</u>	<u>4422</u> 01/03: 4466
<u>19a</u>	<u>3210</u>	<u>3305</u>	<u>3405</u>	<u>3507</u>	<u>3686</u>	<u>3858</u>	<u>4040</u>	<u>4209</u>	<u>4386</u>	<u>4650</u>	<u>4697</u> 01/03: 4743
<u>20a</u>	<u>3393</u>	<u>3494</u>	<u>3598</u>	<u>3706</u>	<u>3893</u>	<u>4075</u>	<u>4268</u>	<u>4452</u>	<u>4637</u>	<u>4920</u>	<u>4969</u> 01/03: 5018
<u>21a</u>	<u>3582</u>	<u>3689</u>	<u>3798</u>	<u>3912</u>	<u>4114</u>	<u>4312</u>	<u>4514</u>	<u>4719</u>	<u>4916</u>	<u>5223</u>	<u>5275</u> 01/03: 5327
<u>22a</u>	<u>3786</u>	<u>3900</u>	<u>4016</u>	<u>4137</u>	<u>4352</u>	<u>4565</u>	<u>4780</u>	<u>5001</u>	<u>5211</u>	<u>5534</u>	<u>5589</u> 01/03: 5645
<u>23a</u>	<u>4016</u>	<u>4137</u>	<u>4260</u>	<u>4389</u>	<u>4621</u>	<u>4858</u>	<u>5087</u>	<u>5321</u>	<u>5553</u>	<u>5901</u>	<u>5960</u> 01/03: 6019
<u>24a</u>	<u>4273</u>	<u>4401</u>	<u>4534</u>	<u>4671</u>	<u>4919</u>	<u>5174</u>	<u>5424</u>	<u>5674</u>	<u>5930</u>	<u>6303</u>	<u>6366</u> 01/03: 6429
<u>25a</u>	<u>4555</u>	<u>4691</u>	<u>4832</u>	<u>4976</u>	<u>5250</u>	<u>5525</u>	<u>5802</u>	<u>6079</u>	<u>6354</u>	<u>6762</u>	<u>6830</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

01/03:
6897Schedule of Salary Grades (Maximum Security Institutions)
For Fiscal Year 2003

<u>Salary Grade</u>	<u>Step 1c</u>	<u>Step 1b</u>	<u>Step 1a</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>
<u>1m</u>	<u>1755</u>	<u>1798</u>	<u>1841</u>	<u>1885</u>	<u>1933</u>	<u>1976</u>	<u>2022</u>	<u>2076</u>	<u>2121</u>	<u>2203</u>	<u>2225</u> 01/03: <u>2247</u>
<u>2m</u>	<u>1799</u>	<u>1842</u>	<u>1886</u>	<u>1933</u>	<u>1976</u>	<u>2022</u>	<u>2078</u>	<u>2127</u>	<u>2177</u>	<u>2260</u>	<u>2283</u> 01/03: <u>2305</u>
<u>3m</u>	<u>1838</u>	<u>1882</u>	<u>1928</u>	<u>1976</u>	<u>2022</u>	<u>2079</u>	<u>2130</u>	<u>2181</u>	<u>2233</u>	<u>2330</u>	<u>2353</u> 01/03: <u>2377</u>
<u>4m</u>	<u>1880</u>	<u>1926</u>	<u>1974</u>	<u>2022</u>	<u>2079</u>	<u>2134</u>	<u>2185</u>	<u>2248</u>	<u>2298</u>	<u>2399</u>	<u>2423</u> 01/03: <u>2447</u>
<u>5m</u>	<u>1933</u>	<u>1980</u>	<u>2028</u>	<u>2079</u>	<u>2136</u>	<u>2196</u>	<u>2255</u>	<u>2311</u>	<u>2368</u>	<u>2468</u>	<u>2493</u> 01/03: <u>2517</u>
<u>6m</u>	<u>1985</u>	<u>2035</u>	<u>2085</u>	<u>2136</u>	<u>2197</u>	<u>2257</u>	<u>2323</u>	<u>2384</u>	<u>2450</u>	<u>2556</u>	<u>2582</u> 01/03: <u>2607</u>
<u>7m</u>	<u>2041</u>	<u>2091</u>	<u>2144</u>	<u>2197</u>	<u>2260</u>	<u>2328</u>	<u>2395</u>	<u>2462</u>	<u>2532</u>	<u>2648</u>	<u>2674</u> 01/03: <u>2701</u>
<u>8m</u>	<u>2098</u>	<u>2151</u>	<u>2204</u>	<u>2260</u>	<u>2333</u>	<u>2404</u>	<u>2483</u>	<u>2551</u>	<u>2626</u>	<u>2747</u>	<u>2774</u> 01/03: <u>2802</u>
<u>9m</u>	<u>2165</u>	<u>2220</u>	<u>2276</u>	<u>2333</u>	<u>2407</u>	<u>2488</u>	<u>2565</u>	<u>2647</u>	<u>2726</u>	<u>2854</u>	<u>2883</u> 01/03: <u>2911</u>
<u>10m</u>	<u>2235</u>	<u>2292</u>	<u>2351</u>	<u>2410</u>	<u>2500</u>	<u>2577</u>	<u>2662</u>	<u>2744</u>	<u>2832</u>	<u>2980</u>	<u>3010</u> 01/03: <u>3040</u>
<u>11m</u>	<u>2319</u>	<u>2378</u>	<u>2438</u>	<u>2501</u>	<u>2590</u>	<u>2673</u>	<u>2767</u>	<u>2860</u>	<u>2952</u>	<u>3107</u>	<u>3138</u> 01/03: <u>3169</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

<u>12m</u>	<u>2412</u>	<u>2473</u>	<u>2537</u>	<u>2603</u>	<u>2698</u>	<u>2787</u>	<u>2894</u>	<u>2991</u>	<u>3100</u>	<u>3266</u>	<u>3299</u> 01/03: 3331
<u>13m</u>	<u>2501</u>	<u>2566</u>	<u>2633</u>	<u>2701</u>	<u>2800</u>	<u>2910</u>	<u>3022</u>	<u>3130</u>	<u>3246</u>	<u>3428</u>	<u>3462</u> 01/03: 3497
<u>14m</u>	<u>2605</u>	<u>2673</u>	<u>2743</u>	<u>2817</u>	<u>2928</u>	<u>3043</u>	<u>3174</u>	<u>3291</u>	<u>3415</u>	<u>3611</u>	<u>3647</u> 01/03: 3683
<u>15m</u>	<u>2705</u>	<u>2776</u>	<u>2852</u>	<u>2932</u>	<u>3061</u>	<u>3185</u>	<u>3314</u>	<u>3447</u>	<u>3572</u>	<u>3784</u>	<u>3822</u> 01/03: 3860
<u>16m</u>	<u>2826</u>	<u>2904</u>	<u>2986</u>	<u>3070</u>	<u>3207</u>	<u>3350</u>	<u>3488</u>	<u>3629</u>	<u>3773</u>	<u>3991</u>	<u>4031</u> 01/03: 4071
<u>17m</u>	<u>2954</u>	<u>3038</u>	<u>3125</u>	<u>3214</u>	<u>3366</u>	<u>3519</u>	<u>3664</u>	<u>3811</u>	<u>3962</u>	<u>4196</u>	<u>4238</u> 01/03: 4280
<u>18m</u>	<u>3104</u>	<u>3192</u>	<u>3288</u>	<u>3383</u>	<u>3547</u>	<u>3709</u>	<u>3874</u>	<u>4031</u>	<u>4190</u>	<u>4435</u>	<u>4479</u> 01/03: 4524
<u>19m</u>	<u>3267</u>	<u>3364</u>	<u>3463</u>	<u>3564</u>	<u>3744</u>	<u>3916</u>	<u>4097</u>	<u>4267</u>	<u>4443</u>	<u>4707</u>	<u>4754</u> 01/03: 4801
<u>20m</u>	<u>3449</u>	<u>3552</u>	<u>3656</u>	<u>3763</u>	<u>3950</u>	<u>4132</u>	<u>4325</u>	<u>4510</u>	<u>4694</u>	<u>4976</u>	<u>5026</u> 01/03: 5076
<u>21m</u>	<u>3639</u>	<u>3747</u>	<u>3856</u>	<u>3971</u>	<u>4171</u>	<u>4369</u>	<u>4572</u>	<u>4777</u>	<u>4973</u>	<u>5280</u>	<u>5333</u> 01/03: 5386
<u>22m</u>	<u>3843</u>	<u>3956</u>	<u>4074</u>	<u>4195</u>	<u>4408</u>	<u>4623</u>	<u>4836</u>	<u>5058</u>	<u>5269</u>	<u>5591</u>	<u>5647</u> 01/03: 5703
<u>23m</u>	<u>4074</u>	<u>4195</u>	<u>4318</u>	<u>4446</u>	<u>4678</u>	<u>4914</u>	<u>5144</u>	<u>5379</u>	<u>5611</u>	<u>5959</u>	<u>6019</u> 01/03: 6078
<u>24m</u>	<u>4331</u>	<u>4459</u>	<u>4591</u>	<u>4729</u>	<u>4975</u>	<u>5231</u>	<u>5481</u>	<u>5732</u>	<u>5988</u>	<u>6360</u>	<u>6424</u> 01/03: 6487
<u>25m</u>	<u>4613</u>	<u>4748</u>	<u>4890</u>	<u>5034</u>	<u>5308</u>	<u>5582</u>	<u>5859</u>	<u>6136</u>	<u>6411</u>	<u>6819</u>	<u>6887</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

01/03:
6955

Eff.
1/1/02

Salary Grade	Step 1e	Step 1b	Step 1a	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
1	1563	1604	1646	1689	1735	1777	1822	1874	1918	1998	2018
2	1605	1647	1690	1735	1777	1822	1876	1924	1972	2053	2074
3	1643	1686	1731	1777	1822	1877	1927	1976	2027	2121	2142
4	1684	1729	1775	1822	1877	1931	1980	2041	2090	2188	2210
5	1735	1781	1828	1877	1933	1991	2048	2102	2158	2255	2278
6	1786	1834	1883	1933	1992	2050	2114	2173	2237	2340	2363
7	1840	1889	1940	1992	2053	2119	2184	2249	2317	2430	2454
8	1896	1947	1999	2053	2124	2193	2269	2335	2408	2526	2551
9	1961	2014	2068	2124	2196	2274	2349	2429	2505	2627	2653
10	2029	2084	2141	2199	2286	2361	2443	2523	2606	2740	2767
11	2110	2167	2226	2287	2373	2454	2545	2633	2715	2859	2888
12	2200	2260	2322	2386	2478	2564	2663	2751	2852	3005	3035
13	2287	2350	2415	2481	2576	2678	2779	2880	2987	3154	3186
14	2388	2454	2522	2592	2694	2799	2921	3027	3143	3325	3358
15	2485	2554	2625	2698	2815	2932	3048	3172	3290	3487	3522
16	2600	2672	2746	2824	2951	3080	3210	3343	3477	3682	3719
17	2717	2794	2875	2958	3096	3239	3375	3511	3654	3872	3911
18	2856	2939	3024	3113	3265	3416	3571	3718	3867	4097	4138
19	3006	3094	3186	3282	3450	3612	3780	3938	4103	4351	4395
20	3174	3270	3368	3468	3643	3813	3993	4167	4338	4603	4649
21	3351	3453	3556	3661	3849	4036	4225	4417	4600	4887	4936
22	3542	3649	3759	3871	4072	4272	4473	4680	4876	5178	5230
23	3759	3871	3987	4106	4324	4545	4760	4980	5197	5523	5578
24	3999	4119	4242	4370	4602	4842	5075	5310	5550	5897	5956
25	4262	4390	4521	4657	4913	5171	5429	5688	5946	6328	6391

Schedule of Salary Grades (Alternative Retirement Formula only)
-Monthly Rates of Pay for Fiscal Year 2002

Eff.
1/1/02

Salary Grade	Step 1e	Step 1b	Step 1a	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

1a	1604	1646	1689	1734	1781	1824	1871	1924	1970	2052	2073
2a	1647	1690	1735	1781	1824	1871	1926	1976	2025	2109	2130
3a	1686	1731	1777	1824	1871	1927	1979	2029	2082	2179	2201
4a	1729	1775	1822	1871	1927	1983	2033	2096	2147	2248	2270
5a	1781	1828	1877	1927	1985	2045	2103	2159	2217	2317	2340
6a	1834	1883	1933	1985	2046	2106	2171	2232	2298	2404	2428
7a	1889	1940	1992	2046	2109	2177	2244	2310	2381	2497	2522
8a	1947	1999	2053	2109	2182	2253	2331	2399	2474	2596	2622
9a	2014	2068	2124	2182	2256	2336	2413	2496	2574	2700	2727
10a	2084	2141	2199	2259	2349	2426	2510	2593	2678	2818	2846
11a	2167	2226	2287	2350	2438	2522	2615	2706	2791	2942	2971
12a	2260	2322	2386	2452	2546	2635	2737	2830	2934	3093	3124
13a	2350	2415	2481	2549	2647	2752	2859	2963	3073	3248	3280
14a	2454	2522	2592	2664	2769	2880	3005	3118	3238	3426	3460
15a	2554	2625	2698	2773	2896	3017	3138	3268	3388	3591	3627
16a	2672	2746	2824	2906	3036	3173	3307	3442	3581	3793	3831
17a	2794	2875	2958	3044	3188	3336	3476	3617	3764	3988	4028
18a	2934	3024	3113	3207	3364	3519	3679	3830	3983	4220	4262
19a	3094	3186	3282	3380	3553	3719	3894	4057	4227	4482	4527
20a	3270	3368	3468	3572	3752	3928	4114	4291	4470	4742	4789
21a	3453	3556	3661	3771	3965	4156	4351	4548	4738	5034	5084
22a	3649	3759	3871	3987	4195	4400	4607	4820	5023	5334	5387
23a	3871	3987	4106	4230	4454	4682	4903	5129	5352	5688	5745
24a	4119	4242	4370	4502	4741	4987	5228	5469	5716	6075	6136
25a	4390	4521	4657	4796	5060	5325	5592	5859	6124	6518	6583

Maximum Security Institutions Schedule
Effective July 1, 2002

Salary Grade	Step 1c	Step 1b	Step 1a	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Eff. 1/1/02
1m	1655	1698	1741	1785	1833	1876	1922	1976	2021	2103	2124	
2m	1699	1742	1786	1833	1876	1922	1978	2027	2077	2160	2182	
3m	1738	1782	1828	1876	1922	1979	2030	2081	2133	2230	2252	
4m	1780	1826	1874	1922	1979	2034	2085	2148	2198	2299	2322	
5m	1833	1880	1928	1979	2036	2096	2155	2211	2268	2368	2392	
6m	1885	1935	1985	2036	2097	2157	2223	2284	2350	2456	2481	
7m	1941	1991	2044	2097	2160	2228	2295	2362	2432	2548	2573	

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8m	1998	2051	2104	2160	2233	2304	2383	2451	2526	2647	2673
9m	2065	2120	2176	2233	2307	2388	2465	2547	2626	2751	2779
10m	2135	2192	2251	2310	2400	2477	2562	2644	2730	2872	2901
11m	2219	2278	2338	2401	2490	2573	2667	2757	2845	2995	3025
12m	2312	2373	2437	2503	2598	2686	2789	2883	2988	3148	3179
13m	2401	2466	2533	2601	2699	2805	2913	3017	3129	3304	3337
14m	2505	2573	2743	2715	2822	2933	3059	3172	3292	3480	3515
15m	2605	2676	2749	2826	2950	3070	3194	3322	3443	3647	3683
16m	2724	2799	2878	2959	3091	3229	3362	3498	3637	3847	3885
17m	2847	2928	3012	3098	3244	3392	3532	3673	3819	4044	4084
18m	2992	3077	3169	3261	3419	3575	3734	3885	4039	4275	4318
19m	3149	3242	3338	3435	3609	3774	3949	4113	4282	4537	4582
20m	3324	3424	3524	3627	3807	3983	4169	4347	4524	4796	4844
21m	3507	3612	3717	3827	4020	4211	4407	4604	4793	5089	5140
22m	3704	3813	3927	4043	4249	4456	4661	4875	5079	5389	5443
23m	3927	4043	4162	4285	4509	4736	4958	5185	5408	5744	5801
24m	4174	4298	4425	4558	4795	5042	5283	5525	5772	6130	6191
25m	4446	4576	4713	4852	5116	5380	5647	5914	6179	6573	6639

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

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Section 310.APPENDIX C Medical Administrator Rates for Fiscal Year ~~2003~~ 2002

<u>Title</u>	<u>Minimum Salary</u>	<u>Midpoint Salary</u>	<u>Maximum Salary</u>
Medical Administrator I, Option C	7798 <u>8090</u>	9487 <u>9843</u>	11176 <u>11596</u>
Medical Administrator I, Option D	8708 <u>9035</u>	10445 <u>10837</u>	12182 <u>12639</u>
Medical Administrator II, Option C	8427 <u>8743</u>	10147 <u>10528</u>	11867 <u>12313</u>
Medical Administrator II, Option D	9676 <u>10039</u>	11472 <u>11903</u>	13268 <u>13767</u>
Medical Administrator III	10020 <u>10396</u>	11988 <u>12438</u>	13956 <u>14480</u>
Medical Administrator IV	10182 <u>10564</u>	12150 <u>12606</u>	14118 <u>14648</u>
Medical Administrator V	10346 <u>10734</u>	12316 <u>12778</u>	14286 <u>14822</u>

The rates of pay for physicians occupying or appointed to a position in the Medical Administrator classes shall be as listed in the above schedule. All provisions of Subpart C of the Pay Plan, Merit Compensation System will apply to the Medical Administrator positions.

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

**Section 310.APPENDIX D Merit Compensation System Salary Schedule for Fiscal Year
2003 2002**

Salary Range	Minimum Salary	Midpoint Salary	Maximum Salary
MC 01	<u>2142 2065</u>	<u>2904 2799</u>	<u>3666 3533</u>
MC 02	<u>2235 2154</u>	<u>3053 2942</u>	<u>3871 3730</u>
MC 03	<u>2343 2258</u>	<u>3230 3113</u>	<u>4117 3968</u>
MC 04	<u>2449 2360</u>	<u>3381 3258</u>	<u>4313 4156</u>
MC 05	<u>2571 2478</u>	<u>3581 3451</u>	<u>4591 4424</u>
MC 06	<u>2702 2604</u>	<u>3759 3623</u>	<u>4816 4642</u>
MC 07	<u>2843 2740</u>	<u>3984 3840</u>	<u>5125 4940</u>
MC 08	<u>2996 2888</u>	<u>4227 4074</u>	<u>5458 5260</u>
MC 09	<u>3167 3053</u>	<u>4463 4302</u>	<u>5759 5551</u>
MC 10	<u>3346 3225</u>	<u>4752 4580</u>	<u>6158 5935</u>
MC 11	<u>3534 3406</u>	<u>5046 4863</u>	<u>6558 6320</u>
MC 12	<u>3753 3617</u>	<u>5384 5189</u>	<u>7015 6761</u>
MC 13	<u>4008 3863</u>	<u>5755 5547</u>	<u>7502 7231</u>
MC 14	<u>4286 4131</u>	<u>6179 5955</u>	<u>8072 7779</u>
MC 15	<u>4600 4434</u>	<u>6624 6384</u>	<u>8648 8334</u>
MC 16	<u>4925 4747</u>	<u>7116 6859</u>	<u>9307 8971</u>
MC 17	<u>5314 5122</u>	<u>7681 7403</u>	<u>10048 9684</u>
MC 18	<u>5728 5521</u>	<u>8015 7725</u>	<u>10302 9929</u>
MC 19	<u>6187 5963</u>	<u>8364 8061</u>	<u>10541 10159</u>

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

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Section 310.APPENDIX G Broad-Band Pay Range Classes Salary Schedule for Fiscal Year ~~2003~~ 2002

<u>Title</u>	<u>Minimum Salary</u>	<u>Maximum Salary</u>
Human Resources Representative	2235 2154	4313 4156
Human Resources Specialist	2571 2478	5125 4940
Public Service Administrator	2996 2888	6558 6320
Residential Services Supervisor	2235 2154	4313 4156
Senior Public Service Administrator	4130 3981	9705 9354
Site Superintendent	2571 2478	5125 4940

(Source: Amended at 26 Ill. Reg. 17374, effective November 25, 2002)

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- 1) Heading of the Part: Riverboat Gambling
- 2) Code Citation: 86 Ill. Adm. Code 3000
- 3) Section Number: 3000.1071 Adopted Action:
Adopted
- 4) Statutory Authority: Riverboat Gambling Act [230 ILCS 10]
- 5) Effective Date of Amendment: November 21, 2002
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this proposed amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in agency's principal office and is available for public inspection
- 9) Notice of Proposal Published in Illinois Register: July 12, 2002; 26 Ill. Reg. 10171
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None except for nonsubstantive technical changes.
- 12) Have all of the changed agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this adopted amendment replace any emergency amendments currently in effect?
Yes. Emergency amendments were adopted at 26 Ill. Reg. 10984, July 12, 2002, effective July 1, 2002 for no more than 150 days.
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: On June 2, 2002, the General Assembly passed House Bill 2381, which became Public Act 92-595 upon approval by the Governor on June 28, 2002. Among its numerous provisions, Section 13 of the Riverboat Gambling Act, 230 ILCS 10/13 amended the tax rate and admission tax paid by riverboat gaming

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operations to the State of Illinois. These amendments implement those changes, thereby allowing the collection of taxes at the correct rates.

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

Jeannette P. Tamayo
Deputy Chief Counsel
Illinois Gaming Board
160 N. LaSalle, Suite 300-S
Chicago, Illinois 60601
(312)814-4641
FAX (312)814-8798

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

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 86: REVENUE
CHAPTER IV: ILLINOIS GAMING BOARDPART 3000
RIVERBOAT GAMBLING

SUBPART A: GENERAL PROVISIONS

Section	
3000.100	Definitions
3000.101	Invalidity
3000.102	Public Inquiries
3000.103	Organization of the Illinois Gaming Board
3000.104	Rulemaking Procedures
3000.105	Board Meetings
3000.110	Disciplinary Actions
3000.115	Records Retention
3000.120	Place to Submit Materials
3000.130	No Opinion or Approval of the Board
3000.140	Duty to Disclose Changes in Information
3000.141	Applicant/Licensee Disclosure of Agents
3000.150	Owner's and Supplier's Duty to Investigate
3000.155	Investigatory Proceedings
3000.160	Duty to Report Misconduct
3000.161	Communication with Other Agencies
3000.165	Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees
3000.170	Fair Market Value of Contracts
3000.180	Weapons on Riverboat

SUBPART B: LICENSES

Section	
3000.200	Classification of Licenses
3000.210	Fees and Bonds
3000.220	Applications
3000.221	Other Required Forms
3000.222	Identification and Requirements of Key Persons
3000.223	Disclosure of Ownership and Control

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3000.224	Economic Disassociation
3000.225	Business Entity and Personal Disclosure Filings
3000.230	Owner's Licenses
3000.231	Distributions
3000.232	Undue Economic Concentration
3000.234	Acquisition of Ownership Interest By Institutional Investors
3000.235	Transferability of Ownership Interest
3000.236	Owner's License Renewal
3000. 237 ³²⁷	Renewed Owner's Licenses, Term and Restrictions
3000.238	Appointment of Receiver for an Owner's License
3000.240	Supplier's Licenses
3000.241	Renewal of Supplier's License
3000.242	Amendment to Supplier's Product List
3000.243	Bankruptcy or Change in Ownership of Supplier
3000.245	Occupational Licenses
3000.250	Transferability of Licenses
3000.260	Waiver of Requirements
3000.270	Certification and Registration of Electronic Gaming Devices
3000.271	Analysis of Questioned Electronic Gaming Devices
3000.280	Registration of All Gaming Devices
3000.281	Transfer of Registration (Repealed)
3000.282	Seizure of Gaming Devices (Repealed)
3000.283	Analysis of Questioned Electronic Gaming Devices (Repealed)
3000.284	Disposal of Gaming Devices

SUBPART C: OWNER'S INTERNAL CONTROL SYSTEM

Section	
3000.300	General Requirements – Internal Control System
3000.310	Approval of Internal Control System
3000.320	Minimum Standards for Internal Control Systems
3000.330	Review of Procedures (Repealed)
3000.340	Operating Procedures (Repealed)
3000.350	Modifications (Repealed)

SUBPART D: HEARINGS ON NOTICE OF DENIAL, RESTRICTION OF LICENSE OR
PLACEMENT ON EXCLUSION LIST

Section

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3000.400	Coverage of Subpart
3000.405	Requests for Hearings
3000.410	Appearances
3000.415	Discovery
3000.420	Motions for Summary Judgment
3000.424	Subpoena of Witnesses
3000.425	Proceedings
3000.430	Evidence
3000.431	Prohibition on Ex Parte Communication
3000.435	Sanctions and Penalties
3000.440	Transmittal of Record and Recommendation to the Board
3000.445	Status of Applicant for Licensure or Transfer Upon Filing Request for Hearing

SUBPART E: CRUISING

Section	
3000.500	Riverboat Cruises
3000.510	Cancelled or Disrupted Cruises

SUBPART F: CONDUCT OF GAMING

Section	
3000.600	Wagering Only with Approved Chips, Tokens and Electronic Cards
3000.602	Disposition of Unauthorized Winnings
3000.605	Authorized Games
3000.606	Gaming Positions
3000.610	Publication of Rules and Payout Ratio for Live Gaming Devices
3000.614	Tournaments, Enhanced Payouts and Give-aways
3000.615	Payout Percentage for Electronic Gaming Devices
3000.616	Cashing-In
3000.620	Submission of Chips for Review and Approval
3000.625	Chip Specifications
3000.630	Primary, Secondary and Reserve Sets of Gaming Chips
<u>3000.631</u>	<u>Tournament Chips</u>
3000.635	Issuance and Use of Tokens for Gaming
3000.636	Distribution of Coupons for Complimentary Chips, Tokens and Cash
3000.640	Exchange of Chips and Tokens
3000.645	Receipt of Gaming Chips or Tokens from Manufacturer or Distributor
3000.650	Inventory of Chips

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- 3000.655 Destruction of Chips and Tokens
- 3000.660 Minimum Standards for Electronic Gaming Devices
- 3000.665 Integrity of Electronic Gaming Devices
- 3000.666 Bill Validator Requirements
- 3000.670 Computer Monitoring Requirements of Electronic Gaming Devices

SUBPART G: EXCLUSION OF PERSONS

Section

- 3000.700 Duty to Exclude
- 3000.705 Voluntary Self-Exclusion Policy
- 3000.710 Distribution and Availability of Exclusion Lists
- 3000.720 Criteria for Exclusion or Ejection and Placement on an Exclusion List
- 3000.725 Duty of Licensees
- 3000.730 Procedure for Entry of Names
- 3000.740 Petition for Removal from Exclusion List
- 3000.750 Establishment of an IGB Self-Exclusion List
- 3000.751 Locations to Execute Self-Exclusion Forms
- 3000.755 Information Required for Placement on the IGB Self-Exclusion List
- 3000.756 Stipulated Sanctions for Failure to Adhere to Voluntary Self-Exclusion
- 3000.760 Distribution and Availability of Confidential IGB Self-Exclusion List
- 3000.770 Duties of Owner Licensees
- 3000.780 Request for Removal from the IGB Self-Exclusion List
- 3000.785 Appeal of a Notice of Denial of Removal
- 3000.790 Duties of the Board

SUBPART H: SURVEILLANCE AND SECURITY

Section

- 3000.800 Required Surveillance Equipment
- 3000.810 Riverboat and Board Surveillance Room Requirements
- 3000.820 Segregated Telephone Communication
- 3000.830 Surveillance Logs
- 3000.840 Storage and Retrieval
- 3000.850 Dock Site Board Facility
- 3000.860 Maintenance and Testing

SUBPART I: LIQUOR LICENSES

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Section

3000.900 Liquor Control Commission
3000.910 Liquor Licenses
3000.920 Disciplinary Action
3000.930 Hours of Sale

SUBPART J: OWNERSHIP AND ACCOUNTING RECORDS AND PROCEDURES

Section

3000.1000 Ownership Records
3000.1010 Accounting Records
3000.1020 Standard Financial and Statistical Records
3000.1030 Annual and Special Audits and Other Reporting Requirements
3000.1040 Accounting Controls Within the Cashier's Cage
3000.1050 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
3000.1060 Handling of Cash at Gaming Tables
3000.1070 Tips or Gratuities
3000.1071 Admission Tax and Wagering Tax
3000.1072 Cash Reserve Requirements

SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

Section

3000.1100 Coverage of Subpart
3000.1105 Duty to Maintain Suitability
3000.1110 Board Action Against License or Licensee
3000.1115 Complaint
3000.1120 Appearances
3000.1125 Answer
3000.1126 Appointment of Hearing Officer
3000.1130 Discovery
3000.1135 Motions for Summary Disposition
3000.1139 Subpoena of Witnesses
3000.1140 Proceedings
3000.1145 Evidence
3000.1146 Prohibition of Ex Parte Communication
3000.1150 Sanctions and Penalties
3000.1155 Transmittal of Record and Recommendation to the Board

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NOTICE OF ADOPTED AMENDMENT

AUTHORITY: Implementing and authorized by the Riverboat Gambling Act [230 ILCS 10]

SOURCE: Emergency rule adopted at 15 Ill. Reg. 11252, effective August 5, 1991, for a maximum of 150 days; adopted at 15 Ill. Reg. 18263, effective December 10, 1991; amended at 16 Ill. Reg. 13310, effective August 17, 1992; amended at 17 Ill. Reg. 11510, effective July 9, 1993; amended at 20 Ill. Reg. 5814, effective April 9, 1996; amended at 20 Ill. Reg. 6280, effective April 22, 1996; emergency amendment at 20 Ill. Reg. 8051, effective June 3, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14765, effective October 31, 1996; amended at 21 Ill. Reg. 4642, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 14566, effective October 22, 1997, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 978, effective December 29, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 4390, effective February 20, 1998; amended at 22 Ill. Reg. 10449, effective May 27, 1998; amended at 22 Ill. Reg. 17324, effective September 21, 1998; amended at 22 Ill. Reg. 19541, effective October 23, 1998; emergency amendment at 23 Ill. Reg. 8191, effective July 2, 1999, for a maximum of 150 days; emergency expired November 28, 1999; amended at 23 Ill. Reg. 8996, effective August 2, 1999; amended at 24 Ill. Reg. 1037, effective January 10, 2000; amended at 25 Ill. Reg. 94, effective January 8, 2001; amended at 25 Ill. Reg. 13292, effective October 5, 2001; amended at 26 Ill. Reg. 9307, effective June 14, 2002; emergency amendment at 26 Ill. Reg. 10984, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 15296, effective October 11, 2002; amended at 26 Ill. Reg. 17408, effective November 21, 2002.

SUBPART J: OWNERSHIP AND ACCOUNTING RECORDS AND PROCEDURES

Section 3000.1071 Admission Tax and Wagering Tax

- a) Each holder of an Owner's license ("licensee") is subject to tax liability assessment for each Gaming Day for the Admission Tax and the Wagering Tax imposed under the Act.
- b) Admission and Wagering Taxes shall be paid via an electronic funds transfer system employing an Automated Clearinghouse Debit method (ACH-Debit). Each licensee shall maintain an account with sufficient funds to pay, in a timely fashion, all tax liabilities due under the Act. The account shall be maintained at a financial institution capable of making payments to the State under the electronic funds transfer requirements imposed by the State.
- c) Admission and Wagering Tax liability shall be established on the basis of a Gaming Day. Each licensee shall select, with the approval of the Administrator, a 24 hour cycle to be defined as the uniform Gaming Day for that licensee. A Gaming Day may begin on one calendar day and end the next calendar day,

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provided that the Gaming Day does not extend beyond the uniform 24 hour period selected in advance by the licensee.

- d) The Administrator shall prescribe and make available to each licensee forms, instructions and reporting requirements for Admission and Wagering Taxes. The required forms include the Daily Tax Schedules. The Daily Tax Schedules may be provided by the Administrator to licensees in computer-based format and include a computer program that, upon input by the licensee of requisite data, provides for the calculation of tax reporting information and tax liability. Daily Tax Schedules shall be completed for each Gaming Day. The monthly float adjustment shall be completed on the Daily Tax Schedule for the final Gaming Day of each month.
- e) The Daily Tax Schedules must be filed with the Board no later than 12:00 noon on the Due Date. Admission and Wagering Tax payments shall be transferred electronically on the Due Date to the Board's designated financial institution by the end of that financial institution's business day. For purposes of tax schedules and tax payments, the Due Date shall be defined as one bank business day after the close of the Gaming Day for which the liability is established. For example, if the Gaming Day of a licensee ends at 2:00 a.m. on a Tuesday (i.e., the end of a Gaming Day that began on Monday), the Due Date is the Wednesday which follows, unless that Wednesday is not a bank business day, in which case the subsequent bank business day is the Due Date.
- f) The Admission Tax for a Gaming Day shall be calculated and imposed as provided in Section 12 of the Act. *The admission tax is imposed at a rate of \$2 per person admitted. Beginning July 1, 2002, the rate is \$3 per person admitted. This admission tax is imposed upon the licensed owner conducting gambling. The admission tax shall be paid for each admission.* [230 ILCS 10/12(a)]
- g) For any Gaming Day that commences after December 31, 1997 and ends on July 1, 2002, the Wagering Tax imposed on the licensee shall be based on each calendar year's accumulated Adjusted Gross Receipts and calculated at the following graduated rates:
- 1) 15% of the calendar year Adjusted Gross Receipts up to and including \$25,000,000;
 - 2) 20% of the calendar year Adjusted Gross Receipts in excess of \$25,000,000 but not exceeding \$50,000,000;
 - 3) 25% of the calendar year Adjusted Gross Receipts in excess of \$50,000,000 but not exceeding \$75,000,000;
 - 4) 30% of the calendar year Adjusted Gross Receipts in excess of \$75,000,000 but not exceeding \$100,000,000; and
 - 5) 35% of the calendar year Adjusted Gross Receipts in excess of

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\$100,000,000.

- h) For any Gaming Day that commences on or after July 1, 2002, the Wagering Tax imposed on the licensee shall be based on each calendar year's accumulated Adjusted Gross Receipts and calculated at the following graduated rates:
- 1) 15% of the calendar year Adjusted Gross Receipts up to and including \$25,000,000;
 - 2) 22.5% of the calendar year Adjusted Gross Receipts in excess of \$25,000,000 but not exceeding \$50,000,000;
 - 3) 27.5% of the calendar year Adjusted Gross Receipts in excess of \$50,000,000 but not exceeding \$75,000,000;
 - 4) 32.5% of the calendar year Adjusted Gross Receipts in excess of \$75,000,000 but not exceeding \$100,000,000;
 - 5) 37.5% of the calendar year Adjusted Gross Receipts in excess of \$100,000,000 but not exceeding \$150,000,000;
 - 6) 45% of the calendar year Adjusted Gross Receipts in excess of \$150,000,000 but not exceeding \$200,000,000; and
 - 7) 50% of the calendar year Adjusted Gross Receipts in excess of \$200,000,000.
- i)h) Daily Tax Schedules shall include all information necessary for adjustments and reconciliation of tax liability and shall be subject to audit by the Board and its audit agents. Adjustments to previously reported tax information shall be made by the licensee, except that no adjustment of \$25,000 or more shall be made to previously reported Adjusted Gross Receipts without the prior written approval of the Administrator or the Administrator's designee.
- j)h) Any adjustment for a Gaming Day which commenced on or before December 31, 1997, shall be authorized by the Administrator or the Administrator's designee, and shall be taxed at a rate of 20% of Adjusted Gross Receipts. Any adjustment for a Gaming Day that commences after December 31, 1997, shall be taxed at the graduated tax rate applicable to the Gaming Day upon which the adjustment is effected.
- k)h) In the event that a Daily Tax Schedule for a specific Gaming Day properly reflects a net wagering loss experienced by the licensee, an adjustment for the amount of any remaining net wagering loss (negative Adjusted Gross Receipts) shall be carried forward on the subsequent Daily Tax Schedules until such loss is offset by Gaming win (positive Adjusted Gross Receipts).
- l)k) All Admission Taxes and Wagering Taxes paid pursuant to the requirements of the Act shall be deposited by the Board into the State Gaming Fund. The Board shall from time to time transfer excess funds in the State Gaming Fund to the

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NOTICE OF ADOPTED AMENDMENT

Education Assistance Fund. The Board shall determine the amount of excess funds subject to transfer based upon the difference between the State Gaming Fund balance and the outstanding obligations, including any outstanding share of Admission and Wagering Taxes due to local governments, the Horse Racing Equity Fund, a home rule county with a population over 3,000,000, and the Universities Athletic Capital Improvement Fund. The Administrator will be responsible for calculating the allocation of the Admission and Wagering Taxes between the State and the unit of local government designated as the home dock of the Riverboat and other required allocations. Payments for Admission Taxes shall be made by the Board to units of local government quarterly, and payments for Wagering Taxes and all other payments shall be made monthly, by voucher/warrant, subject to appropriation.

~~m)~~ A licensee's failure to comply with the provisions of this Section may subject the licensee to penalty and interest amounts pursuant to the Uniform Penalty and Interest Act [35 ILCS 735]. The Administrator is authorized to waive any penalty and interest for the late filing of a tax schedule or late tax payment, if the licensee can show good cause. "Good cause" shall include, but not be limited to, detection and correction of a deficiency in filing or payment that resulted from a documented inadvertent or unintentional error that was corrected within one business day ~~after~~ ~~of~~ the applicable Due Date. The licensee shall be notified by the Administrator in writing of any penalty or interest payable because of a late tax schedule filing or late tax payment. The licensee may, within 10 business days after receiving the notice, file a written request for a waiver with the Administrator. The Administrator shall act on the request for waiver and notify the licensee in writing of the decision within 15 calendar days after receiving the request. If the Administrator fails to act within the 15 day period the waiver is deemed granted. If the Administrator denies the request for waiver the licensee may ask the Board for a hearing. The request for hearing must be in writing and filed not later than 15 calendar days after receipt of the notice of denial. Except as provided in this subsection (~~m)~~), the provisions for hearings under Subpart D shall apply to any hearing conducted under this Section. A hearing under this Section is not a disciplinary hearing under Subpart K of this Part.

(Source: Amended at 26 Ill. Reg. 17408, effective November 21, 2002)

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

- 1) Heading of the Part: Procedures for Intertrack License Hearings
- 2) Code Citation: 11 Ill. Adm. Code 207
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
207.10	Amend
207.20	Amend
207.30	Amend
207.40	Amend
207.50	Amend
207.60	Amend
207.70	Amend
207.80	Amend
207.90	Amend
207.100	Amend
207.110	Amend
207.120	Amend
207.130	Amend
207.140	Amend
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective date of rules: November 29, 2002
- 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. None
- 7) Date filed with the Index Department: November 19, 2002.
- 8) A copy of the emergency rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection: Yes
- 9) Reason for the emergency: Competing racetracks have submitted intertrack wagering location license applications (off-track wagering) for 2003 for identical existing facilities. The Board intends to conduct a hearing but the Board's rules do not provide procedures governing the conduct of a licensing hearing.
- 10) A complete description of the subjects and issues involved: National Jockey Club (NJC) has submitted applications for 2003 for their OTB facilities in Peru, Joliet, Crestwood and Mokena. Maywood Park has submitted an application to operate the OTB facilities in Crestwood, Mokena and Joliet. Balmoral Park has submitted an application to operate

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

the OTB facility in Peru. Maywood and Balmoral claim that NJC is ineligible to operate OTB facilities under the Illinois Horse Racing Act. The Board has prepared a hearing schedule, but the Board's administrative rules currently do not provide procedures governing the conduct of a licensing hearing for intertrack wagering and OTB licenses. Proposed rule 207 provides procedures to govern a licensing hearing with respect to intertrack wagering and intertrack wagering location facilities.

- 11) Are there any other proposed amendments pending in this Part? No.
- 12) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 13) Information and questions regarding this emergency rules shall be directed to:

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

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

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACINGCHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER a: GENERAL RULESPART 207
PROCEDURES FOR INTERTRACK LICENSE HEARINGS

Section	
207.10	Purpose
207.20	Notice
207.30	Filing of Applications
207.40	Use of Applications
207.50	Filing of Evidence Supporting Application
207.60	Parties
207.70	Service of Application and Evidence Supporting Application
207.80	Pre-Hearing Conference
207.90	Filing of Responsive Evidence and Motions
207.100	Licensing Hearing
207.110	Disqualification of Hearing Officer
207.120	Ex Parte Communications
207.130	Applicability of Part 204
207.140	Notice to and Acceptance by Applicants

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Added by emergency rulemaking at 26 Ill. Reg. 17419, effective November 19, 2002, for a maximum of 150 days.

Section 207.10 Purpose

The purpose of this Part is to provide procedures to govern the allocation and renewal of intertrack wagering licenses and intertrack wagering location licenses (the "Licensing Hearing") provided for in Section 26 of the Illinois Horse Racing Act (the "Act") [230 ILCS 5/26] supplemental to those provided for in 11 Ill. Adm. Code 204. This Part implements the provisions of the Act and the Illinois Administrative Procedure Act (the "IAPA") [5 ILCS 100] and should be construed to give effect to, and not to limit, the rights of the IAPA, including the IAPA's provisions applicable in contested cases such as the Licensing Hearing. (See IAPA, Section 10-65.)

ILLINOIS RACING BOARD

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Section 207.20 Notice

At least 21 days prior to the Licensing Hearing, the Board shall provide all current licensees and any other person who has requested an application for an intertrack or intertrack wagering location license with notice of the Licensing Hearing, including:

- a) a statement of the legal authority and jurisdiction under which the Licensing Hearing is to be held;
- b) a reference to the particular Sections of the substantive and procedural statutes involved;
- c) a short and plain statement of the matters at issue and the consequences of a failure to participate in the Licensing Hearing; and
- d) the name and address of any hearing officer the Board may appoint, or a statement that the members of the Board themselves intend to preside as Hearing Officers at the Licensing Hearing.

This notice shall be made public and shall also be posted in accordance with the rules governing the posting of agendas for Board meetings.

Section 207.30 Filing of Applications

Applications for an intertrack license or intertrack wagering location license in Illinois pursuant to the Act shall be filed at the office of the Board no later than 3:00 p.m. on October 31 (or if October 31 is not a business day, the next business day) of the year prior to the year in which the meet is sought. Each applicant shall file 15 copies of the application with the Board.

Section 207.40 Use of Applications

Applications shall state with particularity the type of license sought to be awarded or renewed. Requests for licenses may be made in the alternative. Applications are admissible into evidence as proof of what an applicant seeks or as admissions of parties, according to the rules of evidence.

Section 207.50 Filing of Evidence Supporting Application

Each applicant for an intertrack license or intertrack wagering location license shall file, by a date established by the Board, 15 copies of the following:

- a) pre-filed written testimony in the form of an affidavit or affidavits (or pursuant to certificate as provided in Section 1-109 of the Illinois Code of Civil Procedure), and in question and answer format, supporting its application. Except as stipulated by the parties, this written testimony, together with any exhibits referred to in the testimony, shall constitute the applicant's case-in-chief at the

ILLINOIS RACING BOARD

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- Licensing Hearing. The written testimony shall conform to the provisions of Illinois Supreme Court Rule 191(a) applicable to affidavits offered in support of, or in opposition to, motions for summary judgment; and
- b) all exhibits referred to in the application or pre-filed written testimony.

Section 207.60 Parties

Parties to the Licensing Hearing consist of persons who have filed an application for an intertrack license or intertrack wagering location license. In addition, pursuant to Section 16(e) of the Act, the Attorney General of the State of Illinois may participate as a party, at the request of the Board, in order to protect public rights and enforce public duties arising in the Licensing Hearing. No other person may intervene or participate in the Licensing Hearing before the Board or its duly appointed Hearing Officer, except that this provision shall not be construed to prohibit the Hearing Officer from taking official notice of staff data or memoranda pursuant to Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40]. This Section shall not prohibit representatives of any organization, including one representing horsemen, from providing evidence of its membership's position on any application through written testimony, sponsored by a party, as provided for in this Part. In the event an organization wishes to provide evidence of its membership's position on any application and can find no party to sponsor it as a witness, the organization may apply to the Hearing Officer for permission to provide written testimony subject to cross-examination as provided in this Part. The Hearing Officer shall allow such testimony, subject to the evidentiary rules set forth in this Part, upon a showing that, despite reasonable efforts by the organization, no party would sponsor the testimony of the organization. Permission to an organization to provide testimony under this Section shall not make that organization a party or confer any of the rights of a party on that organization.

Section 207.70 Service of Application and Evidence Supporting Application

By 3:00 p.m. on a date established by the Board, each applicant shall serve a complete copy of its application and all supporting written testimony and exhibits on all persons who had applied for an intertrack license or intertrack wagering location license the previous year, and on any other party who has filed an application in the current year. The Board shall notify all parties of the name and address of any other party filing an application for an intertrack license or intertrack wagering location license, and all applicants shall serve a copy of the application and all supporting written testimony and exhibits on all such additional parties by messenger or overnight delivery on this same day.

Section 207.80 Pre-Hearing Conference

At least 14 days prior to the Licensing Hearing, a pre-hearing conference shall be conducted by the Board. During this pre-hearing conference, the parties and the Hearing Officer shall address

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preliminary matters, including discussing stipulations required under 11 Ill. Adm. Code 204.100, the likely number of witnesses or exhibits preliminarily anticipated by any party, and any other matters designed to facilitate expeditious conduct of the Licensing Hearing. The pre-hearing conference may be adjourned and continued to a date selected by the Hearing Officer between the date applications must be filed and the date the Licensing Hearing shall commence. At the adjourned pre-hearing conference, the parties and the Hearing Officer may address further stipulations intended to simplify evidentiary matters. Pre-hearing conferences under this Section shall be open to the public, notice thereof shall be given in the same manner as notice is given of meetings of the Board, and a transcript shall be kept, which transcript shall become a part of the record in the proceeding.

Section 207.90 Filing of Responsive Evidence and Motions

By 3:00 p.m. on a date established by the Board, any party may file with the Board fifteen copies (15), and simultaneously serve on all other parties to the Licensing Hearing one copy of pre-filed written testimony and exhibits responding to the application, supporting evidence, or exhibits filed by any other party. The responsive testimony and exhibits shall be in the same form as required for evidentiary materials submitted in support of an application. Any motion to strike or limit any pre-filed supporting testimony or exhibits filed by another party, as well as any responsive testimony and exhibits, shall be filed with the Board and served by messenger or overnight delivery on all other parties on this same day.

Section 207.100 Licensing Hearing

- a) The Licensing Hearing shall commence on a date established by the Board.
- b) At the request of any party, the members of the Board or Hearing Officer presiding over the Licensing Hearing shall decide all evidentiary objections raised at the Licensing Hearing, subject to *de novo* review by the Board of the ruling of any Hearing Officer the Board may appoint. Any evidence ruled inadmissible may be submitted as an offer of proof.
- c) Each party shall, in alphabetical order, offer into evidence the pre-filed written testimony and exhibits of each witness whose testimony it has filed in support of its application. Each such witness will then be subject to oral, cross and redirect examination by all parties according to the rules of evidence applicable for cross and redirect examination in the Circuit Court of Cook County, Illinois for non-jury trials and as provided in Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 10/10-40]. Thereafter, each party shall, in the same order, offer into evidence the pre-filed written testimony and exhibits of each witness whose written testimony and exhibits it has filed in response to another party's application or supporting evidence. Each such witness will then be subject to oral, cross and redirect examination by all parties according to the rules of

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evidence applicable for cross and redirect examination in the Circuit Court of Cook County, Illinois for non-jury trials and as provided in Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40].

- d) The Board or Hearing Officer may place reasonable time limits on all cross examination at the Licensing Hearing.

Section 207.110 Disqualification of Hearing Officer

- a) Whenever any party believes a Hearing Officer or any Board Member should be disqualified for bias, prejudice, conflict of interest or any other reason, from conducting, or continuing to conduct, a Licensing Hearing, such party may file with the Board a motion to disqualify the Hearing Officer or Board Member, setting forth the alleged grounds for disqualification. A party filing such a motion shall also serve a copy of the motion on the Hearing Officer and the Board by messenger or overnight delivery. The Board shall enter a written ruling on the motion within 3 days after the date on which the motion is filed.
- b) A Hearing Officer may recuse himself or herself from presiding at a Licensing Hearing.

Section 207.120 Ex Parte Communications

This rule expressly adopts the applicable provisions of the IAPA, Section 10-60, regarding ex parte communications. Section 10-60 includes provisions that:

- a) After notice has been given of a hearing in a contested case such as the Licensing Hearing, agency heads, agency employees and Hearing Officers shall not communicate, directly or indirectly, in connection with any other issue with any party or the representative of any party, except upon notice and opportunity for all parties to participate.
- b) a Board Member may, however, communicate with other members of the Board, and a Board Member or Hearing Officer may have the advice of one or more "personal assistants". To avoid any appearance of impropriety, however, the Board or the Hearing Officer shall utilize personal assistants who have no other involvement or participation in the Licensing Hearing. For purposes of this Section, a personal assistant shall not be deemed to be subject to a disqualifying involvement or participation in the Licensing Hearing if the "personal assistant" has observed the proceedings, reviewed testimony or exhibits for the purpose of advising a Board Member or the Hearing Officer.

Section 207.130 Applicability of Part 204

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Except as stated herein, or as inconsistent with this Part, the provisions of 11 Ill. Adm. Code 204.40 through 204.110, 204.130, and 204.140 shall apply to Licensing Hearings.

Section 207.140 Notice to and Acceptance by Applicants

The Board shall, within 5 days after the date its formal order is executed:

- a) Send each applicant a copy of that executed order awarding intertrack licenses and intertrack wagering location licenses by certified mail, return receipt requested, addressed to the applicant at the address stated in its application;
- b) Issue letters of acceptance to successful applicants for intertrack licenses and intertrack wagering location licenses no later than five days after the date of execution of its formal order. Each applicant shall submit signed acceptance letters to the Board by certified mail, return receipt requested, or by personal delivery at the central office of the Board. Applicants shall furnish signed acceptance letters, together with required fees, to the Board no later than 10 days after receipt of the Board's executed dates order. Acceptance letters, mailed or delivered, shall be received at the central office of the Board on or before the expiration of the 10 day limit.

DEPARTMENT OF STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Firearm Transfer Inquiry Program
- 2) Code Citation: 20 Ill. Adm. Code 1235
- 3) Section Numbers: Emergency Action:
1235.80 Amendment
1235.120 Amendment
1235.130 Amendment
- 4) Statutory Authority: Implementing and authorized by Section 3 and Section 3.1 of the Firearm Owner's Identification Card Act [430 ILCS 65/3 and 65/3.1] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].
- 5) Effective Date of Amendments: December 1, 2002
- 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: These amendments will not expire before the end of the 150-day period.
- 7) Date Filed with the Index Department: November 22, 2002
- 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.
- 9) Reason for Emergency: A new billing procedure for the Firearm Transfer Inquiry Program (FTIP) is being implemented due to a change made by the telephone company that previously provided the service. The cost to the firearms dealer will remain the same. However, the billing process and telephone number which they use for future FTIP transactions will change.
- 10) A Complete Description of the Subjects and Issues Involved: These amendments will update the billing process and telephone number changes associated with the Firearm Transfer Inquiry Program.
- 11) Are there any proposed amendments to this Part pending? No
- 12) Statement of Statewide Policy Objective: These rules will not require a local government to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 13) Information and questions regarding these amendments shall be directed to:

DEPARTMENT OF STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

Mr. James W. Redlich
Chief Legal Counsel
Illinois State Police
124 East Adams Street, Room 102
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: (217) 782-7658

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

DEPARTMENT OF STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1235

FIREARM TRANSFER INQUIRY PROGRAM

Section

1235.10	Purpose
1235.20	Definitions
1235.30	Federal and State Laws and Local Ordinances
1235.40	Hours of Operation
1235.50	Holidays
1235.60	Enrollment
1235.70	Inquiry Requirement
1235.80	Inquiry Procedure

EMERGENCY

1235.90	Response Procedures
1235.100	Denial Notification
1235.110	Transfer of Firearms
1235.120	Fees

EMERGENCY

1235.130	Termination of Services
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EMERGENCY

AUTHORITY: Implementing and authorized by Section 3 and Section 3.1 of the Firearm Owner's Identification Card Act [430 ILCS 65/3 and 3.1] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

SOURCE: Emergency rule adopted at 15 Ill. Reg. 17785, effective December 1, 1991, for a maximum of 150 days; adopted at 16 Ill. Reg. 7041, effective April 21, 1992; amended at 22 Ill. Reg. 16635, effective September 8, 1998; emergency amendment at 26 Ill. Reg. 17427, effective December 1, 2002, for a maximum of 150 days.

Section 1235.80 Inquiry Procedure**EMERGENCY**

- a) The dealer will perform the inquiry by calling a toll-free 900 telephone number provided by the Department to the dealer. ~~The~~This number shall be kept confidential by the dealer and only used to perform inquiries required under Section 1235.70.
- b) The inquiry will consist of the permanent portion of the dealer's federal firearm

DEPARTMENT OF STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

license number (the first three digits and the last five digits), the dealer number issued by the Department, and the transferee's Firearm Owner's Identification Card number.

- c) In the event an inquiry results in a conditional denial, the dealer will provide additional information to facilitate a return call from the Department. The additional information shall include a description of the subject firearm(s) sufficient to determine which delivery waiting period applies and information concerning the dealer's business hours for inquiry response ~~call back~~ purposes.

(Source: Amended by emergency rulemaking at 26 Ill. Reg. 17427, effective December 1, 2002, for a maximum of 150 days)

Section 1235.120 Fees**EMERGENCY**

The fee for inquiries shall be set by the Director; however, the fee . ~~The fee shall be the cost to provide the service, but~~ shall not exceed \$2.00 per inquiry as defined by State statute. The fee shall be collected through a billing process implemented by the Department ~~use of the 900 inquiry number~~.

(Source: Amended by emergency rulemaking at 26 Ill. Reg. 17427, effective December 1, 2002, for a maximum of 150 days)

Section 1235.130 Termination of Services**EMERGENCY**

- a) If a dealer fails to pay the fees for the Firearm Transfer Inquiry Program transactions ~~900-number service, which will be included in the dealer's normal telephone bill~~, within 30 days after their ~~its~~ due date, the Department shall notify the dealer that failure to pay this bill will result in termination of services.
- b) If a dealer fails to pay the fees for the Firearm Transfer Inquiry Program transactions ~~900-number service~~ within 60 days after their ~~its~~ due date, the Department shall terminate Firearm Transfer Inquiry Program services to the dealer.
- c) If a dealer fails to comply with any of the requirements of this Part, the Department shall notify the dealer of the non-compliance. The dealer shall have 30 days from notification of non-compliance in which to respond to the Department.
- d) If a dealer fails to respond to a notice of non-compliance or if the response fails to resolve the non-compliance to the satisfaction of the Department, the Department shall terminate Firearm Transfer Inquiry services to the dealer.

DEPARTMENT OF STATE POLICE

NOTICE OF EMERGENCY AMENDMENTS

- e) If a dealer's continued access to Firearm Transfer Inquiry Program services would result in a violation of law or create a danger to the public, services may be suspended immediately.

(Source: Amended by emergency rulemaking at 26 Ill. Reg. 17427, effective December 1, 2002, for a maximum of 150 days)

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC HEARING ON PROPOSED RULES

- 1) Heading of the Part: Telecommunications Excise Tax
- 2) Code Citation: 86 Ill. Adm. Code 495
- 3) Register Citation to Notice of Proposed Rules: 26 Ill. Reg. 14757, October 11, 2002
- 4) Date, Time and Location of Public Hearing:

December 18, 2002
1:00 p.m. to 3:00 p.m.
State of Illinois Building
Room N-505
160 North LaSalle
Chicago, Illinois

- 5) Other Pertinent Information:

This public hearing is scheduled to invite public comment on the Department's proposed regulations governing the taxation of private lines. The provisions of Section 2 of the Telecommunications Excise Tax Act (35 ILCS 630/2) provide three distinct methods for use in calculating the amount of gross charges for private lines that are subject to tax. Section 2 states that gross charges for private line services shall include charges imposed at each channel point within Illinois, charges for the channel mileage between each channel point within Illinois, and charges for that portion of the interstate inter-office channel provided within Illinois. The proposed rules on which comment is solicited explain methods that can be used to calculate "that portion" of the interstate inter-office channel that is provided within Illinois.

The rules explain that the ideal method is to determine a fraction, the numerator of which is the actual measured Illinois miles of the channel and the denominator of which is the actual measured route miles of the entire channel. However, the regulation acknowledges that where it is impossible to measure actual route miles, approximations can be used, provided that the method of approximation does not distort the Illinois portion of the interstate inter-office channel by more than 10 percent. One method of approximation, the rule provides, is the use of straight-line air miles. The regulation also states that the use of a flat percentage is not appropriate if the percentage is not a reasonable approximation of the Illinois portion of the channel, but is appropriate when the telecommunications provider can demonstrate that the percentage used is a reasonable approximation of the interstate inter-office channel. Telecommunications retailers are required to maintain complete books and records and supply those records to the

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC HEARING ON PROPOSED RULES

Department for examination upon request. If the Department demonstrates that the telecommunication retailer's approximation distorts the Illinois portion of the interstate inter-office channel by more than 10 percent, it will not be accepted.

The public hearing will be held for the sole purpose of gathering public comment on these regulations. All comments and suggestions will be given due consideration by the Department prior to the Second Notice submission of the regulations.

Persons interested in presenting testimony are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
 2. Each person presenting oral testimony will be limited to 15 minutes for the presentation of such testimony.
 3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
 4. All testimony shall conclude at the specified time except that an individual presenting testimony at that time shall be allowed to complete his or her presentation.
- 6) Name and Address of Agency Contact Person: Questions regarding the public hearing on the proposed rulemaking may be directed to:

Jerilynn Troxell Gorden
Illinois Department of Revenue
Legal Services Division
101 West Jefferson, 5-500
Springfield, Illinois 62794
217.782.2844
jgorden@revenue.state.il.us

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 19, 2002 through November 25, 2002 and have been scheduled for review by the Committee at its December 17, 2002 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
1/2/03	<u>Secretary of State</u> , Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill. Adm. Code 1040)	9/27/02 26 Ill. Reg. 13928	12/17/02
1/2/03	<u>Secretary of State</u> , Issuance of Licenses (92 Ill. Adm. Code 1030)	9/27/02 26 Ill. Reg. 13919	12/17/02
1/2/03	<u>Secretary of State</u> , Illinois State Library, Acquisitions Division, Illinois Documents (23 Ill. Adm. Code 3020)	10/4/02 26 Ill. Reg. 14609	12/17/02
1/3/03	<u>Department of Public Aid</u> , Medical Payment (89 Ill. Adm. Code 140)	6/7/02 26 Ill. Reg. 8243	12/17/02
1/3/03	<u>Department of Public Aid</u> , Medical Payment (89 Ill. Adm. Code 140)	7/12/02 26 Ill. Reg. 10243	12/17/02
1/3/03	<u>Pollution Control Board</u> , Permits and General Provisions (35 Ill. Adm. Code 201)	8/16/02 26 Ill. Reg. 12537	12/17/02
1/3/03	<u>Department of Central Management Services</u> ,	9/27/02	12/17/02

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

	Pay Plan (80 Ill. Adm. Code 310)	26 Ill. Reg. 13901	
1/3/03	<u>Department of Children and Family Services,</u> Reports of Child Abuse and Neglect (89 Ill. Adm. Code 300)	3/29/02 26 Ill. Reg. 4516	12/17/02
1/3/03	<u>Department of Children and Family Services,</u> Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services (89 Ill. Adm. Code 431)	3/29/02 26 Ill. Reg. 4527	12/17/02
1/3/03	<u>Department of Children and Family Services,</u> Foster Parent Code (89 Ill. Adm. Code 340)	9/6/02 26 Ill. Reg 13140	12/17/02
1/4/03	<u>Department of Public Aid,</u> Medical Payment (89 Ill. Adm. Code 140)	8/16/02 26 Ill. Reg. 12545	12/17/02
1/4/03	<u>Office of Banks and Real Estate,</u> Calculation, Assessment and Collection of Periodic Fees (38 Ill. Adm. Code 375)	9/20/02 26 Ill. Reg. 13732	12/17/02

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

FILING PROHIBITION

DEPARTMENT OF PUBLIC AID

Heading of the Part: Medical Assistance Program

Code Citation: 89 Ill. Adm. Code 120

Section Numbers: 120.387

Date Originally Published in the Illinois Register: 4/5/02
26 Ill. Reg. 5047

At its meeting on November 19, 2002, the Joint Committee on Administrative Rules voted to object to the above proposed rulemaking and prohibit its filing with the Secretary of State. The Committee found that the adoption of these rules would constitute a serious threat to the public interest, safety or welfare. The reason for the prohibition is as follows:

DPA has exceeded its authority under federal law by adding restrictions for determining whether an annuity was transferred at fair market value. These additional restrictions constitute a threat to the interest and welfare of the elderly in Illinois who may be in need of medical assistance.

The proposed rule may not be filed with the Secretary of State or enforced by the Department of Public Aid for any reason for 180 days following receipt of this certification and statement by the Secretary of State.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

SECRETARY OF STATE

Heading of the Part: Uniform Partnership Act

Code Citation: 14 Ill. Adm. Code 165

Section Numbers: 165.50

Date Originally Published in the Illinois Register: 8/16/02
26 Ill. Reg. 12598

At its meeting on November 19, 2002, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that the Secretary of State withdraw its rulemaking titled Uniform Partnership Act (14 Ill. Adm. Code 165; 26 Ill. Reg. 12598) and initiate new rulemaking after it has obtained clear statutory authority to retain a portion of funds submitted to it that exceed the amount rightfully owed to the State. While the Committee agrees that the current rule's position that no overpayments of fees will be refunded is not statutorily authorized and should be revised, the current proposal to permit, but not require, the Department, in only those cases where an overpayment is more than \$50, to refund all but \$50 of the overpayment would also result in the Department keeping funds it lacks the statutory authority to retain. Additionally, while the current proposal gives the Department the discretion to determine when it will grant a refund, it fails to provide standards, as required by Section 5-20 of the IAPA, governing when refunds will or will not be made, which can result in a lack of equal treatment of all the business entities served by the Department. It would be best for the agency to withdraw this rulemaking, seek statutory authority to retain all or a specified portion of overpayments, and then devise a rule outlining how and in what circumstances it will issue refunds.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

SECRETARY OF STATE

Heading of the Part: Revised Uniform Limited Partnership Act

Code Citation: 14 Ill. Adm. Code 170

Section Numbers: 170.13
170.30

Date Originally Published in the Illinois Register: 8/16/02
26 Ill. Reg. 12601

At its meeting on November 19, 2002, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that the Secretary of State withdraw its rulemaking titled Revised Uniform Limited Partnership Act (14 Ill. Adm. Code 170; 26 Ill. Reg. 12601) and initiate new rulemaking after it has obtained clear statutory authority to retain a portion of funds submitted to it that exceed the amount rightfully owed to the State. While the Committee agrees that the current rule's position that no overpayments of fees will be refunded is not statutorily authorized and should be revised, the current proposal to permit, but not require, the Department, in only those cases where an overpayment is more than \$50, to refund all but \$50 of the overpayment would also result in the Department keeping funds it lacks the statutory authority to retain. Additionally, while the current proposal gives the Department the discretion to determine when it will grant a refund, it fails to provide standards, as required by Section 5-20 of the IAPA, governing when refunds will or will not be made, which can result in a lack of equal treatment of all the business entities served by the Department. It would be best for the agency to withdraw this rulemaking, seek statutory authority to retain all or a specified portion of overpayments, and then devise a rule outlining how and in what circumstances it will issue refunds.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

DEPARTMENT ON AGING

AGENCY RESPONSE TO JOINT COMMITTEE OBJECTION TO
PROPOSED RULEMAKING

Agency: Department on Aging

Heading of the Part: Community Care Program

Code Citation: 89 Ill. Adm. Code 240

Register Citation: 26 Ill. Reg. 10076

Agency Response to Specific Joint Committee Objections: In Response to the objection of the Joint Committee on Administrative Rules, the Department asserts the following. First, the Department's change to 89 Ill. Adm. Code 240.400(a) appeal rule was made in order to mirror identical previous changes to 89 Ill. Adm. Code 240.415 and to address the eligibility changes required by State statute and the emergency rules filed (26 Ill. Reg. 10829, July 12, 2002) in response to the FY 2003 Budget Implementation Act.

The Department is not denying Community Care Program clients the right to appeal. In fact, the Department believes that it is essential that clients maintain their right to appeal in order for the Department to have the opportunity to review the appeal and determine if the appeal is based solely on an automatic non-discretionary change or is an appeal based on a question of fact. However, when automatic, non-discretionary changes in eligibility, rates, or benefits required by Federal or State statute or regulation, arise, the Department needs the ability to implement such changes that affect some if not all clients program wide. When this happens, clients still have a right to appeal but their appeal will be automatically denied and they will not be afforded a hearing.

Further, the Department also recognizes that any changes it proposes to its administrative rules must go through the administrative rule process with the Joint Committee on Administrative Rules. The Illinois Department on Aging will adopt the amendments as submitted to JCAR at Second Notice.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE OF FAILURE TO REMEDY
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

- 1) Heading of Part: Merit and Fitness
- 2) Code Citation: 80 Ill Adm Code 302
- 3)

<u>Section Numbers:</u>	<u>Action:</u>
302.90	Objection
302.150	Objection
302.300	Objection
302.820	Objection
- 4) Notice of Proposal published in Illinois Register: 26 Ill. Reg. 10084 - 7/12/02
- 5) Date JCAR issued Statement of Objection: 9/10/02
- 6) Summary of Action taken by the Agency: Refusal
- 7) JCAR Action: At its 9/10/02 meeting, Committee members voted an Objection to elements of the above captioned rulemaking, particularly regarding the rulemaking's departure from longstanding State personnel policies. Comment from the members indicated that the Department could address concerns raised by the members in response to the Objection. The Department declined to do so. This falls short of an acceptable response and so the Committee has determined to publish a Notice of Failure to Remedy the Committee's Objection.

PROCLAMATIONS

2002-590**November 18-22, 2002 as International Education Week**

WHEREAS, in partnership with the U.S. Department of State and the U.S. Department of Education, the State of Illinois will celebrate International Education Week November 18-22, 2002. Let us recommit ourselves to promoting tolerance and building friendships between the United States and other nations; and

WHEREAS, international education and exchange include thousands of programs, public and private, campus-based and national, that promote the sharing of ideas and experiences across borders. These include study abroad programs, citizen and scholarly exchanges, foreign students on U.S. campuses, area and foreign language studies, and global approaches to U.S. education. Currently, over 25,400 foreign students are studying at Illinois colleges and universities; and

WHEREAS, in support of U.S. Secretary of State Colin L. Powell and U.S. Secretary of Education Roderick R. Paige, I call upon the citizens and institutions of Illinois to participate in celebrating this week and to recognize the importance of international education in our lives and communities and to promote international educational exchange as a way to enhance mutual understanding and acceptance;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 18-22, 2002, as INTERNATIONAL EDUCATION WEEK in Illinois and encourage all citizens of Illinois to join in this observance.

Issued by the Governor November 15, 2002

Filed by the Secretary of State November 22, 2002

2002-591**November 18, 2002 as Peter Johnson Day**

WHEREAS, Peter Johnson was born in Sycamore, Illinois, on November 18, 1922; and

WHEREAS, Mr. Johnson, a life-long resident of Sycamore who served in the U.S. Army during World War II, is one of the most beloved educators and coaches in Sycamore High School history; and

WHEREAS, Mr. Johnson began his employment with the Sycamore School District in 1946 as a middle school teacher, started the seventh-eighth grade football program in 1947, and continued to coach middle school sports for two years; and

WHEREAS, Mr. Johnson then made his way to the freshman-sophomore level, coaching football, basketball and track. He coached sophomore basketball through the 1958 season; and

WHEREAS, Mr. Johnson served as varsity football coach from 1951 through 1967, compiling a record of 115 wins, 22 losses and five ties. Included in that tenure were eight undefeated seasons and 10 conference championships; and

WHEREAS, Mr. Johnson was named Sycamore High School Assistant Principal in 1967 and Principal in 1969. He remained Principal until 1980, when Governor Jim Thompson's staff contracted with Sycamore Schools to have Mr. Johnson serve as Executive Director of the Governor's Council on Vocational Adult and Technical Education; and

PROCLAMATIONS

WHEREAS, Mr. Johnson served as Executive Director until his retirement in 1995. He has advised the Governor, Legislature, Congress, and U.S. Departments of Labor and Education on educational issues affecting our state and nation's workforce, testifying before the U.S. Senate at their request; and

WHEREAS, Mr. Johnson will celebrate his 80th birthday on November 18, 2002;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 18, 2002, as PETER JOHNSON DAY in Illinois, in honor of his distinguished career at the Sycamore School District and many years of dedicated service to the State of Illinois.

Issued by the Governor November 14, 2002

Filed by the Secretary of State November 22, 2002

2002-592**November 24-30, 2002 as Family Life Week**

WHEREAS, the Scottish Rite-Valley of Peoria will celebrate Family Life Week from November 24-30, 2002; and

WHEREAS, the Scottish Rite Masonic Family Life program is intended to strengthen all families within the Peoria community; and

WHEREAS, the program for this year is entitled "America's Greatest Treasure"; and

WHEREAS, Masonic and community families will be honored during this special event;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 24-30, 2002, as FAMILY LIFE WEEK in Illinois, on behalf of the members of the Scottish Rite-Valley of Peoria.

Issued by the Governor November 14, 2002

Filed by the Secretary of State November 22, 2002

2002-593**November 2002 as Alzheimer's Disease Awareness Month**

WHEREAS, Alzheimer's disease is a progressive, degenerative disease of the brain and the most common form of dementia. It results in impaired memory, thinking and behavior. Alzheimer's disease usually begins gradually, causing a person to forget recent events and to have difficulty performing familiar tasks; and

WHEREAS, how rapidly the disease advances varies from person to person, causing confusion, personality and behavior changes and impaired judgment. Communication becomes difficult as the person with Alzheimer's disease struggles to find words, finish thoughts or follow directions. Eventually, persons with Alzheimer's disease become totally unable to care for themselves; and

WHEREAS, one in 10 persons over 65 and nearly half of those over 85 have Alzheimer's, and a small percentage of people as young as their 30s and 40s get the disease. A person with Alzheimer's disease will live an average of eight years and as many as 20 years or more from the onset of symptoms; and

PROCLAMATIONS

WHEREAS, today there are more than 4 million Americans with Alzheimer's disease. Unless cure and prevention are found, that number will jump to 14 million by the year 2050. In the State of Illinois, there are more than 200,000 people with Alzheimer's disease;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 2002 as ALZHEIMER'S DISEASE AWARENESS MONTH in Illinois.

Issued by the Governor November 13, 2002

Filed by the Secretary of State November 22, 2002

2002-594**November 21, 2002 as Tree Trust Day**

WHEREAS, Illinois residents are pleased to congratulate the National Tree Trust on the auspicious milestone of its 10 millionth tree planting; and

WHEREAS, the National Tree Trust has celebrated this milestone by planting the State Tree in Illinois and in every other United States capital city on the 21st day of November, to commemorate the achievement; and

WHEREAS, the Illinois State Tree is a white oak; and

WHEREAS, a tree propagated by Guy and Edie Sternberg from an historically significant white oak tree located near the Lincoln Tomb in Springfield has been grown, nurtured and provided for this special event; and

WHEREAS, the National Tree Trust works hand in hand with national tree planting organizations to ensure broad participation in tree planting programs in Illinois and across the United States; and

WHEREAS, the time and energy of the National Tree Trust staff, in cooperation with the Illinois Department of Natural Resources Urban and Community Forestry program outreach and Southern Illinois University Urban Forestry Volunteer Coordination, has helped 149 groups by providing 211,427 seedlings toward local urban forest management; and

WHEREAS, the work of the National Tree Trust and its partners is beneficial to the overall well-being of citizens of Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 21, 2002, as TREE TRUST DAY in Illinois, in an effort to acknowledge, recognize and show appreciation of the past, present and future work of the National Tree Trust in Illinois.

Issued by the Governor November 14, 2002

Filed by the Secretary of State November 22, 2002

2002-595**Commendation to Timothy L. Byrnes**

WHEREAS, Timothy L. Byrnes served the Illinois Secretary of State's Office under four different secretaries – Michael Howlett, Alan Dixon, Jim Edgar and George H. Ryan – for more than 17 years, rising from a government intern in the Department of Vehicle Services to the position of Chief Deputy Director; and

PROCLAMATIONS

WHEREAS, Mr. Byrnes contributed to motor vehicle safety through his work on the titling and registration of Illinois vehicles and coordinated the replating of 6.5 million automobiles; and

WHEREAS, for another 11 years, Mr. Byrnes continued his state service through his work as Tax Processing Program Administrator at the Department of Revenue, Deputy Director of Operations for the Capital Development Board and Chief of Medicaid Integrity for the Department of Public Aid's Office of Inspector General; and

WHEREAS, Mr. Byrnes was recognized in 1986 in Outstanding Young Men of America and in 1990 in Who's Who in Government; and

WHEREAS, Mr. Byrnes performed yeoman's service to professional associations such as American Association of Motor Vehicle Administrators, the Federation of Tax Administrators, the National Governor's Association and the Employers' Association on Illinois; and

WHEREAS, Mr. Byrnes coordinated the implementation of electronic tax filing while at the Department of Revenue and increased Medicaid overpayment collections by 12 percent while at the Department of Public Aid; and

WHEREAS, Mr. Byrnes has been active in his community through service to the Big Brother/Big Sister Program of Sangamon County since 1982; and

WHEREAS, throughout his career, Mr. Byrnes has diligently served the citizens of Illinois every day and lent his considerable personal skills and experience to every task he has undertaken for 28 years;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, issue this certificate of commendation to TIMOTHY L. BYRNES, extending my thanks for his long and honorable service to the State of Illinois.

Issued by the Governor November 14, 2002

Filed by the Secretary of State November 22, 2002

2002-596**November 10-16, 2002 as Perioperative Nurses Week**

WHEREAS, surgery today is highly technical, sophisticated and exacting; and

WHEREAS, the operative registered nurse is highly skilled in providing nursing care and managing the perioperative environment in which the patient needs expert care for the mind, body and spirit; and

WHEREAS, the surgical patient and family are experiencing a major event in their lives and the perioperative registered nurse is an expert in allaying the patient's fears, preparing the patient for what will happen during surgery, providing family support, and discussing how the patient will feel during the entire surgical experience; and

WHEREAS, perioperative registered nurses have a long tradition of working toward patient safety and improving the quality of patient care, and surgical patients rely on the skills, knowledge and expertise of perioperative registered nurses;

PROCLAMATIONS

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 10-16, 2002, as PERIOPERATIVE NURSES WEEK in Illinois, recognizing the perioperative registered nurses who care for patients before, during and after surgery.

Issued by the Governor November 13, 2002

Filed by the Secretary of State November 22, 2002

2002-597**Commendation to Dan Williams**

WHEREAS, Dan Williams has accrued over 27 years of experience in the Executive and Legislative branches of government, including a nearly 15-year reign as Deputy Director of the Office of the State Fire Marshal, along with stints at the Department of Transportation, Department of Nuclear Safety, Commission on Atomic Energy, Emergency Management Agency and the FBI; and

WHEREAS, Dan Williams received training in Firefighting, Computer Aided Management of Emergency Operations, Radiological Monitoring Instruction and Aerial Radiological Monitoring, management, personnel, strategic planning, professional development and a host of Hazmat/Emergency courses; and

WHEREAS, Dan Williams has served on too many committees and task forces to list in a single proclamation; and

WHEREAS, Dan Williams nearly single-handedly developed the Office of the State Fire Marshal's state-of-the-art command center; and

WHEREAS, Dan Williams is the creator of the State Fire Marshal video conferencing network; and

WHEREAS, Dan Williams' expertise in the fire service and homeland security arenas have made him a highly sought after speaker for statewide, national, and even international conferences; and

WHEREAS, Dan Williams received his Bachelor's of Science Degree in Law Enforcement Administration from Western Illinois University in 1974; and

WHEREAS, the pressures of the Deputy Directorship at the Fire Marshal's Office and the tireless dedication exhibited by Mr. Williams in that position has aged him far beyond the tender age of 49 at which he elected to retire; and

WHEREAS, Dan Williams was an outstanding public servant and his efforts and work will be sorely missed by the State of Illinois and in particular by this administration; and

WHEREAS, his retirement will allow him the well-deserved time to spend with his wife, Judy, and his three children Erin, Janelle and Jarred; and

WHEREAS, Dan William's retirement means that his family will have greater access to him – at least in those rare moments not taken up by golfing, hunting and fishing; and

WHEREAS, Dan's numerous friends and loving family will be celebrating his invaluable years of service to the State of Illinois on Thursday, November 14, 2002, at a "Dan-O-Roast" retirement party in Springfield, Illinois;

PROCLAMATIONS

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, do hereby issue this certificate of commendation to DAN WILLIAMS for his many years of dedicated service to the State of Illinois and bestow best wishes for a wonderful life after retirement.

Issued by the Governor November 14, 2002

Filed by the Secretary of State November 22, 2002

2002-598**November 20, 2002 as Pam McDonough Day**

WHEREAS, in January 1999, Pam McDonough was appointed as the first woman Director of the Illinois Department of Commerce and Community Affairs (DCCA); and

WHEREAS, as DCCA Director, Ms. McDonough has presided over the State's premier economic development agency, ably administering more than \$2 billion annually in programs and services and directing a staff of more than 500 people; and

WHEREAS, she has implemented programs that successfully market Illinois as a business and tourist destination, retain and attract businesses, train workers, promote technology, assist communities, encourage wise use of our resources, and promote international trade and the Illinois coal and film industries; and

WHEREAS, her outstanding leadership helped Illinois achieve the nation's top ranking from Site Selection magazine as the best state for business development in 2001; and

WHEREAS, her successes have been impressive, leading efforts to bring the Boeing Company's world headquarters to Chicago, convincing Ford Motor Company to locate its Automotive Supplier Manufacturing Campus in Chicago, assisting Solo Cup to expand on a former "brownfield" site, helping ATA choose Midway Airport for its new training center, converting a portion of the Joliet Arsenal to North America's largest intermodal hub, attracting ABN AMRO to unify operations at a new office complex in Chicago's West Loop, convincing Unilever to locate a 1.3 million distribution/repackaging facility in Pontoon Beach, and helping ALCOA choose Illinois when consolidating headquarters facilities, among others; and

WHEREAS, because of her efforts, the Biotechnology Industry Association will hold its international conference in Chicago in 2006; and

WHEREAS, during her tenure at DCCA, businesses in Illinois have created or retained more than 110,000 jobs for Illinois workers; and

WHEREAS, Ms. McDonough's service as DCCA Director is just one chapter in a long career of dedicated service to the people of Illinois, including positions as deputy director of legislative affairs in the Thompson Administration, chief of staff for the Illinois House Minority Leader, and in senior legislative/policy positions for four Illinois State agencies; and

WHEREAS, she also has brought her considerable talents to a number of major task forces, among them serving as Chair of the Governor's Transition Team on Economic Development, as well as serving on several subcabinets and numerous State boards and commissions; and

PROCLAMATIONS

WHEREAS, in the midst of this busy schedule, she has continued to provide leadership to a number of professional and charitable organizations, earning recognition for her contributions; and

WHEREAS, Ms. McDonough now prepares to continue her State service as Chair of the Local Panel of the Illinois Labor Relations Board;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, do hereby proclaim November 20, 2002, as PAM MCDONOUGH DAY in Illinois, and urge citizens of our State to join with me in recognizing her outstanding leadership and dedication to the economic well-being of the people of Illinois.

Issued by the Governor November 19, 2002

Filed by the Secretary of State November 22, 2002

PROCLAMATIONS

2002-599**Proclamation to Declare the Election of Statewide Officers on the 5th Day of November, 2002**

WHEREAS, on the 5th day of November, 2002, an election was held in the State of Illinois for the election of the following officers, to-wit:

- One (1) United States Senator for the full term of six years.
- One (1) Governor for the full term of four years.
- One (1) Lieutenant Governor for the full term of four years.
- One (1) Attorney General for the full term of four years.
- One (1) Secretary of State for the full term of four years.
- One (1) Comptroller for the full term of four years.
- One (1) Treasurer for the full term of four years.

WHEREAS, in pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 25th day of November, 2002, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

UNITED STATES SENATOR

Richard J. Durbin

GOVERNOR

Rod R. Blagojevich

LIEUTENANT GOVERNOR

Pat Quinn

ATTORNEY GENERAL

Lisa Madigan

SECRETARY OF STATE

Jesse White

COMPTROLLER

Daniel W. Hynes

TREASURER

Judy Baar Topinka

NOW, THEREFORE, I, GEORGE H. RYAN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 25, 2002

Filed by the Secretary of State November 25, 2002

2002-600**Proclamation to Declare the Election of Congressional Representatives, Representatives to the General Assembly, and State Senators on the 5th Day of November,**

PROCLAMATIONS

2002

WHEREAS, On the 5th day of November, 2002, an election was held in the State of Illinois for the election of the following officers, to-wit:

Nineteen (19) Representatives in Congress, to-wit: One (1) Representative in Congress from each of the nineteen (19) Congressional Districts of the State for the full term of two years.

Twenty (20) State Senators, to wit: One (1) State Senator from the 2nd, 5th, 8th, 11th, 14th, 17th, 20th, 23rd, 26th, 29th, 32nd, 35th, 38th, 41st, 44th, 47th, 50th, 53rd, 56th and 59th Legislative District for the full term of two years; Thirty-nine (39) State Senator from the 1st, 3rd, 4th, 6th, 7th, 9th, 10th, 12th, 13th, 15th, 16th, 18th, 19th, 21st, 22nd, 24th, 25th, 27th, 28th, 30th, 31st, 33rd, 34th, 36th, 37th, 39th, 40th, 42nd, 43rd, 45th, 46th, 48th, 49th, 51st, 52nd, 54th, 55th, 57th and 58th Legislative District of the State for the full term of four years.

One Hundred Eighteen (118) Representatives in the General Assembly, to-wit: One (1) Representative from each of the one hundred eighteen (118) Representative Districts of the State for the full term of two years.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this 25th day of November, 2002, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS
IN THE 108th CONGRESS OF THE UNITED STATES

FIRST CONGRESSIONAL DISTRICT

Bobby L. Rush

SECOND CONGRESSIONAL DISTRICT

Jesse L. Jackson, Jr.

THIRD CONGRESSIONAL DISTRICT

William O. Lipinski

FOURTH CONGRESSIONAL DISTRICT

Luis V. Gutierrez

FIFTH CONGRESSIONAL DISTRICT

Rahm Emanuel

SIXTH CONGRESSIONAL DISTRICT

Henry J. Hyde

SEVENTH CONGRESSIONAL DISTRICT

Danny K. Davis

EIGHTH CONGRESSIONAL DISTRICT

Philip M. Crane

NINTH CONGRESSIONAL DISTRICT

Janice D Schakowsky

TENTH CONGRESSIONAL DISTRICT

Mark Steven Kirk

ELEVENTH CONGRESSIONAL DISTRICT

PROCLAMATIONS

Gerald C. "Jerry" Weller

TWELFTH CONGRESSIONAL DISTRICT

Jerry F. Costello

THIRTEENTH CONGRESSIONAL DISTRICT

Judy Biggert

FOURTEENTH CONGRESSIONAL DISTRICT

J. Dennis Hastert

FIFTEENTH CONGRESSIONAL DISTRICT

Timothy V. Johnson

SIXTEENTH CONGRESSIONAL DISTRICT

Donald A. Manzullo

SEVENTEENTH CONGRESSIONAL DISTRICT

Lane Evans

EIGHTEENTH CONGRESSIONAL DISTRICT

Ray LaHood

NINETEENTH CONGRESSIONAL DISTRICT

John M. Shimkus

STATE SENATORS TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS
IN THE 93rd GENERAL ASSEMBLY OF THE STATE

FIRST LEGISLATIVE DISTRICT

Antonio "Tony" Munoz

SECOND LEGISLATIVE DISTRICT

Miguel Del Valle

THIRD LEGISLATIVE DISTRICT

Margaret Smith

FOURTH LEGISLATIVE DISTRICT

Kimberly A. Lightford

FIFTH LEGISLATIVE DISTRICT

Rickey R. Hendon

SIXTH LEGISLATIVE DISTRICT

John J. Cullerton

SEVENTH LEGISLATIVE DISTRICT

Carol Ronen

EIGHTH LEGISLATIVE DISTRICT

Ira I. Silverstein

NINTH LEGISLATIVE DISTRICT

Jeffrey M. Schoenberg

TENTH LEGISLATIVE DISTRICT

James A. DeLeo

ELEVENTH LEGISLATIVE DISTRICT

Louis S. Viverito

TWELFTH LEGISLATIVE DISTRICT

PROCLAMATIONS

Martin A. Sandoval

THIRTEENTH LEGISLATIVE DISTRICT

Barack Obama

FOURTEENTH LEGISLATIVE DISTRICT

Emil Jones, Jr.

FIFTEENTH LEGISLATIVE DISTRICT

James T. Meeks

SIXTEENTH LEGISLATIVE DISTRICT

Jacqueline "Jacqui" Y. Collins

SEVENTEENTH LEGISLATIVE DISTRICT

Donne E. Trotter

EIGHTEENTH LEGISLATIVE DISTRICT

Edward D. Maloney

NINETEENTH LEGISLATIVE DISTRICT

M. Maggie Crotty

TWENTIETH LEGISLATIVE DISTRICT

Iris Y. Martinez

TWENTY-FIRST LEGISLATIVE DISTRICT

Dan Cronin

TWENTY-SECOND LEGISLATIVE DISTRICT

Steven J. Rauschenberger

TWENTY-THIRD LEGISLATIVE DISTRICT

James 'Pate' Philip

TWENTY-FOURTH LEGISLATIVE DISTRICT

Kirk W. Dillard

TWENTY-FIFTH LEGISLATIVE DISTRICT

Chris Lauzen

TWENTY-SIXTH LEGISLATIVE DISTRICT

William E. Peterson

TWENTY-SEVENTH LEGISLATIVE DISTRICT

Wendell E. Jones

TWENTY-EIGHTH LEGISLATIVE DISTRICT

Doris C. Karpel

TWENTY-NINTH LEGISLATIVE DISTRICT

Susan Garrett

THIRTIETH LEGISLATIVE DISTRICT

Terry Link

THIRTY-FIRST LEGISLATIVE DISTRICT

Adeline Jay Geo-Karis

THIRTY-SECOND LEGISLATIVE DISTRICT

Dick Klemm

THIRTY-THIRD LEGISLATIVE DISTRICT

Dave Sullivan

PROCLAMATIONS

THIRTY-FOURTH LEGISLATIVE DISTRICT

Dave Syverson

THIRTY-FIFTH LEGISLATIVE DISTRICT

J. Bradley Burzynski

THIRTY-SIXTH LEGISLATIVE DISTRICT

Denny Jacobs

THIRTY-SEVENTH LEGISLATIVE DISTRICT

Dale E. Risinger

THIRTY-EIGHTH LEGISLATIVE DISTRICT

Pat Welch

THIRTY-NINTH LEGISLATIVE DISTRICT

Don Harmon

FORTIETH LEGISLATIVE DISTRICT

Debbie DeFrancesco Halvorson

FORTY-FIRST LEGISLATIVE DISTRICT

Christine Radogno

FORTY-SECOND LEGISLATIVE DISTRICT

Edward Petka

FORTY-THIRD LEGISLATIVE DISTRICT

Lawrence M. "Larry" Walsh

FORTY-FOURTH LEGISLATIVE DISTRICT

Bill Brady

FORTY-FIFTH LEGISLATIVE DISTRICT

Todd Sieben

FORTY-SIXTH LEGISLATIVE DISTRICT

George P. Shadid

FORTY-SEVENTH LEGISLATIVE DISTRICT

John M. Sullivan

FORTY-EIGHTH LEGISLATIVE DISTRICT

Peter J. Roskam

FORTY-NINTH LEGISLATIVE DISTRICT

Vince Demuzio

FIFTIETH LEGISLATIVE DISTRICT

Larry K. Bomke

FIFTY-FIRST LEGISLATIVE DISTRICT

Frank Watson

FIFTY-SECOND LEGISLATIVE DISTRICT

Richard J. (Rick) Winkel, Jr.

FIFTY-THIRD LEGISLATIVE DISTRICT

Dan Rutherford

FIFTY-FOURTH LEGISLATIVE DISTRICT

John O. Jones

FIFTY-FIFTH LEGISLATIVE DISTRICT

PROCLAMATIONS

Dale A. Righter

FIFTY-SIXTH LEGISLATIVE DISTRICT

William R. "Bill" Haine

FIFTY-SEVENTH LEGISLATIVE DISTRICT

James F. Clayborne, Jr. II

FIFTY-EIGHTH LEGISLATIVE DISTRICT

David Luechtefeld

FIFTY-NINTH LEGISLATIVE DISTRICT

Larry D. Woolard

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS
IN THE 93rd GENERAL ASSEMBLY OF THE STATE

FIRST REPRESENTATIVE DISTRICT

Susana Mendoza

SECOND REPRESENTATIVE DISTRICT

Edward J. Acevedo

THIRD REPRESENTATIVE DISTRICT

William Delgado

FOURTH REPRESENTATIVE DISTRICT

Cynthia Soto

FIFTH REPRESENTATIVE DISTRICT

Kenneth "Ken" Dunkin

SIXTH REPRESENTATIVE DISTRICT

Patricia Bailey

SEVENTH REPRESENTATIVE DISTRICT

Karen A. Yarbrough

EIGHTH REPRESENTATIVE DISTRICT

Calvin L. Giles

NINTH REPRESENTATIVE DISTRICT

Arthur L. Turner

TENTH REPRESENTATIVE DISTRICT

Annazette Collins

ELEVENTH REPRESENTATIVE DISTRICT

John A. Fritchey

TWELFTH REPRESENTATIVE DISTRICT

Sara Feigenholtz

THIRTEENTH REPRESENTATIVE DISTRICT

Larry McKeon

FOURTEENTH REPRESENTATIVE DISTRICT

Harry Osterman

FIFTEENTH REPRESENTATIVE DISTRICT

Ralph C. Capparelli

SIXTEENTH REPRESENTATIVE DISTRICT

PROCLAMATIONS

Lou Lang

SEVENTEENTH REPRESENTATIVE DISTRICT

Elizabeth Coulson

EIGHTEENTH REPRESENTATIVE DISTRICT

Julie Hamos

NINETEENTH REPRESENTATIVE DISTRICT

Joseph M. Lyons

TWENTIETH REPRESENTATIVE DISTRICT

Michael P. McAuliffe

TWENTY-FIRST REPRESENTATIVE DISTRICT

Robert S. Molaro

TWENTY-SECOND REPRESENTATIVE DISTRICT

Michael J. Madigan

TWENTY-THIRD REPRESENTATIVE DISTRICT

Daniel J. Burke

TWENTY-FOURTH REPRESENTATIVE DISTRICT

Frank Aguilar

TWENTY-FIFTH REPRESENTATIVE DISTRICT

Barbara Flynn Currie

TWENTY-SIXTH REPRESENTATIVE DISTRICT

Lovana S. "Lou" Jones

TWENTY-SEVENTH REPRESENTATIVE DISTRICT

Monique D. Davis

TWENTY-EIGHTH REPRESENTATIVE DISTRICT

Robert "Bob" Rita

TWENTY-NINTH REPRESENTATIVE DISTRICT

David E. Miller

THIRTIETH REPRESENTATIVE DISTRICT

William "Will" Davis

THIRTY-FIRST REPRESENTATIVE DISTRICT

Mary E. Flowers

THIRTY-SECOND REPRESENTATIVE DISTRICT

Charles G. Morrow III

THIRTY-THIRD REPRESENTATIVE DISTRICT

Marlow H. Colvin

THIRTY-FOURTH REPRESENTATIVE DISTRICT

Constance A. "Connie" Howard

THIRTY-FIFTH REPRESENTATIVE DISTRICT

Kevin Carey Joyce

THIRTY-SIXTH REPRESENTATIVE DISTRICT

James D. Brosnahan

THIRTY-SEVENTH REPRESENTATIVE DISTRICT

Kevin A. McCarthy

PROCLAMATIONS

THIRTY-EIGHTH REPRESENTATIVE DISTRICT

Robin Kelly

THIRTY-NINTH REPRESENTATIVE DISTRICT

Maria Antonia (Toni) Berrios

FORTIETH REPRESENTATIVE DISTRICT

Richard T. Bradley

FORTY-FIRST REPRESENTATIVE DISTRICT

Robert A. "Bob" Biggins

FORTY-SECOND REPRESENTATIVE DISTRICT

Sandra M. Pihos

FORTY-THIRD REPRESENTATIVE DISTRICT

Douglas L. Hoeft

FORTY-FOURTH REPRESENTATIVE DISTRICT

Terry R. Parke

FORTY-FIFTH REPRESENTATIVE DISTRICT

Carole Pankau

FORTY-SIXTH REPRESENTATIVE DISTRICT

Lee A. Daniels

FORTY-SEVENTH REPRESENTATIVE DISTRICT

Patricia R. "Patti" Bellock

FORTY-EIGHTH REPRESENTATIVE DISTRICT

James H. "Jim" Meyer

FORTY-NINTH REPRESENTATIVE DISTRICT

Timothy L. Schmitz

FIFTIETH REPRESENTATIVE DISTRICT

Patricia Reid Lindner

FIFTY-FIRST REPRESENTATIVE DISTRICT

Ed Sullivan, Jr.

FIFTY-SECOND REPRESENTATIVE DISTRICT

Mark H. Beaubien, Jr.

FIFTY-THIRD REPRESENTATIVE DISTRICT

Sidney H. Mathias

FIFTY-FOURTH REPRESENTATIVE DISTRICT

Suzanne "Suzie" Bassi

FIFTY-FIFTH REPRESENTATIVE DISTRICT

John J. Millner

FIFTY-SIXTH REPRESENTATIVE DISTRICT

Kathleen L. "Kay" Wojcik

FIFTY-SEVENTH REPRESENTATIVE DISTRICT

Elaine Nekritz

FIFTY-EIGHTH REPRESENTATIVE DISTRICT

Karen May

FIFTY-NINTH REPRESENTATIVE DISTRICT

PROCLAMATIONS

Kathleen A. Ryg

SIXTIETH REPRESENTATIVE DISTRICT

Eddie Washington

SIXTY-FIRST REPRESENTATIVE DISTRICT

Timothy H. Osmond

SIXTY-SECOND REPRESENTATIVE DISTRICT

Robert W. Churchill

SIXTY-THIRD REPRESENTATIVE DISTRICT

Jack D. Franks

SIXTY-FOURTH REPRESENTATIVE DISTRICT

Rosemary Kurtz

SIXTY-FIFTH REPRESENTATIVE DISTRICT

Rosemary Mulligan

SIXTY-SIXTH REPRESENTATIVE DISTRICT

Carolyn H. Krause

SIXTY-SEVENTH REPRESENTATIVE DISTRICT

Charles E. "Chuck" Jefferson

SIXTY-EIGHTH REPRESENTATIVE DISTRICT

Dave Winters

SIXTY-NINTH REPRESENTATIVE DISTRICT

Ronald A. Wait

SEVENTIETH REPRESENTATIVE DISTRICT

David A. Wirsing

SEVENTY-FIRST REPRESENTATIVE DISTRICT

Mike Boland

SEVENTY-SECOND REPRESENTATIVE DISTRICT

Joel Brunsvold

SEVENTY-THIRD REPRESENTATIVE DISTRICT

David R. Leitch

SEVENTY-FOURTH REPRESENTATIVE DISTRICT

Donald L. Moffitt

SEVENTY-FIFTH REPRESENTATIVE DISTRICT

Mary K. O'Brien

SEVENTY-SIXTH REPRESENTATIVE DISTRICT

Frank J. Mautino

SEVENTY-SEVENTH REPRESENTATIVE DISTRICT

Angelo "Skip" Saviano

SEVENTY-EIGHTH REPRESENTATIVE DISTRICT

Deborah L. Graham

SEVENTY-NINTH REPRESENTATIVE DISTRICT

John "Phil" Novak

EIGHTIETH REPRESENTATIVE DISTRICT

George Scully

PROCLAMATIONS

- EIGHTY-FIRST REPRESENTATIVE DISTRICT
Renée Kosel
- EIGHTY-SECOND REPRESENTATIVE DISTRICT
Eileen Lyons
- EIGHTY-THIRD REPRESENTATIVE DISTRICT
Linda Chapa-LaVia
- EIGHTY-FOURTH REPRESENTATIVE DISTRICT
Tom Cross
- EIGHTY-FIFTH REPRESENTATIVE DISTRICT
Brent Hassert
- EIGHTY-SIXTH REPRESENTATIVE DISTRICT
Jack McGuire
- EIGHTY-SEVENTH REPRESENTATIVE DISTRICT
Bill Mitchell
- EIGHTY-EIGHTH REPRESENTATIVE DISTRICT
Dan Brady
- EIGHTY-NINTH REPRESENTATIVE DISTRICT
Jim Sacia
- NINETIETH REPRESENTATIVE DISTRICT
Jerry L. Mitchell
- NINETY-FIRST REPRESENTATIVE DISTRICT
Michael K. Smith
- NINETY-SECOND REPRESENTATIVE DISTRICT
Ricca Slone
- NINETY-THIRD REPRESENTATIVE DISTRICT
Art Tenhouse
- NINETY-FOURTH REPRESENTATIVE DISTRICT
Richard P. "Rich" Myers
- NINETY-FIFTH REPRESENTATIVE DISTRICT
Randall M. "Randy" Hultgren
- NINETY-SIXTH REPRESENTATIVE DISTRICT
Joe Dunn
- NINETY-SEVENTH REPRESENTATIVE DISTRICT
Jim Watson
- NINETY-EIGHTH REPRESENTATIVE DISTRICT
Gary Hannig
- NINETY-NINTH REPRESENTATIVE DISTRICT
Raymond Poe
- ONE HUNDREDTH REPRESENTATIVE DISTRICT
Rich Brauer
- ONE HUNDRED AND FIRST REPRESENTATIVE DISTRICT
Julie A. Curry
- ONE HUNDRED AND SECOND REPRESENTATIVE DISTRICT

PROCLAMATIONS

Ron Stephens

ONE HUNDRED AND THIRD REPRESENTATIVE DISTRICT

Naomi D. Jakobsson

ONE HUNDRED AND FOURTH REPRESENTATIVE DISTRICT

William B. "Bill" Black

ONE HUNDRED AND FIFTH REPRESENTATIVE DISTRICT

Shane Cultra

ONE HUNDRED AND SIXTH REPRESENTATIVE DISTRICT

Keith P. Sommer

ONE HUNDRED AND SEVENTH REPRESENTATIVE DISTRICT

Kurt M. Granberg

ONE HUNDRED AND EIGHTH REPRESENTATIVE DISTRICT

Charles A. "Chuck" Hartke

Issued by the Governor November 25, 2002

Filed by the Secretary of State November 25, 2002

2002-601**Proclamation to Declare the Election of Regional Superintendents of Schools on the 5th Day of November, 2002.**

WHEREAS, On the 5th day of November, 2002, an election was held in the State of Illinois for the election of the following officers, to-wit:

Twenty-eight (28) Regional Superintendents of Schools, to-wit: One (1) Regional Superintendent of Schools from the Adams and Pike Region; Alexander, Johnson, Massac, Pulaski and Union Region; Bond, Effingham and Fayette Region; Boone and Winnebago Region; Brown, Cass, Morgan and Scott Region; Bureau, Henry and Stark Region; Calhoun, Greene, Jersey and Macoupin Region; Carroll, JoDaviess and Stephenson Region; Champaign and Ford Region; Christian and Montgomery Region; Clark, Coles, Cumberland, Douglas, Edgar, Moultrie and Shelby Region; Clay, Crawford, Jasper, Lawrence and Richland Region; Clinton, Marion and Washington Region; DeWitt, Livingston and McLean Region; Edwards, Gallatin, Hardin, Pope, Saline, Wabash, Wayne and White Region; Franklin and Williamson Region; Fulton and Schuyler Region; Grundy and Kendall Region; Hamilton and Jefferson Region; Hancock and McDonough Region; Henderson, Mercer and Warren Region; Iroquois and Kankakee Region; Jackson and Perry Region; Lee and Ogle Region; Logan, Mason and Menard Region; Macon and Piatt Region; Marshall, Putnam and Woodford Region; Monroe and Randolph Region; for the full term of four years.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 25th day of November, 2002, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

REGIONAL SUPERINTENDENT OF SCHOOLS
ADAMS AND PIKE

PROCLAMATIONS

Raymond A. Scheiter

ALEXANDER, JOHNSON, MASSAC, PULASKI AND UNION

Dan Anderson

BOND, EFFINGHAM AND FAYETTE

Delbert L. Maroon

BOONE AND WINNEBAGO

Richard L. Fairgrievies

BROWN, CASS, MORGAN AND SCOTT

Don Kording

BUREAU, HENRY AND STARK

Bruce Dennison

CALHOUN, GREENE, JERSEY AND MACOUPIN

Larry Pfeiffer

CARROLL, JOHNSON AND STEPHENSON

John B. Lang

CHAMPAIGN AND FORD

Judy Pacey

CHRISTIAN AND MONTGOMERY

Greg Springer

CLARK, COLES, CUMBERLAND, DOUGLAS, EDGAR, MOULTRIE AND SHELBY

John McNary

CLAY, CRAWFORD, JASPER, LAWRENCE AND RICHLAND

Samuel T. White

CLINTON, MARION AND WASHINGTON

Danny L. Garrett

DeWITT, LIVINGSTON AND McLEAN

Larry Daghe

EDWARDS, GALLATIN, HARDIN, POPE, SALINE, WABASH, WAYNE AND WHITE

Linda L. Blackman

FRANKLIN AND WILLIAMSON

Barry Kohl

FULTON AND SCHUYLER

Alan L. Coleman

GRUNDY AND KENDALL

Thomas J. Centowski

HAMILTON AND JEFFERSON

P. E. Cross

HANCOCK AND McDONOUGH

Robert Baumann

HENDERSON, MERCER AND WARREN

R. Bruce Hall

IROQUOIS AND KANKAKEE

Kay M. Pangle

PROCLAMATIONS
JACKSON AND PERRY
Donald L. "Don" Brewer
LEE AND OGLE
Delight H. Pitman
LOGAN, MASON AND MENARD
Jean R. Anderson
MACON AND PIATT
Charles A. Shonkwiler
MARSHALL, PUTNAM AND WOODFORD
Rolland "Dave" Marshall
MONROE AND RANDOLPH
Marc L. Kiehna

NOW, THEREFORE, I, GEORGE H. RYAN, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 25, 2002
Filed by the Secretary of State November 25, 2002

2002-602

Proclamation to Declare the Election of Judicial Districts on the 5th Day of November, 2002.

WHEREAS, On the 5th day of November, 2002, an election was held in the State of Illinois for the election of the following judges, to-wit:

Supreme Court Judges to fill the vacancy of the Honorable Benjamin K. Miller, Fourth Judicial District.

Appellate Court Judges to fill the vacancy of the Honorable Robert Chapman Buckley, to fill the vacancy of the Honorable William Cousins, Jr., to fill the vacancy of the Honorable Thomas R. Rakowski, First Judicial District; to fill the vacancy of the Honorable Lawrence D. Inglis, to fill the vacancy of the Honorable Robert R. Thomas, Second Judicial District; to fill the vacancy of the Honorable Peg Breslin, Third Judicial District; to fill the vacancy of the Honorable Rita B. Garman, Fourth Judicial District; to fill the vacancy of the Honorable Charles W. Chapman, Fifth Judicial District.

Circuit Court Judges to fill the vacancy of the Honorable Michael B. Bolan, to fill the vacancy of the Honorable Thomas P. Durkin, to fill the vacancy of the Honorable Thomas R. Fitzgerald, to fill the vacancy of the Honorable Thomas A. Hett, to fill the vacancy of the Honorable Aubrey F. Kaplan, to fill the vacancy of the Honorable Leonard L. Levin, to fill the vacancy of the Honorable Donald P. O'Connell, to fill the vacancy of the Honorable Willie Whiting, Cook County Judicial Circuit.

Circuit Court Judges to fill additional judgeship A, Second Subcircuit; to fill additional judgeship A, Third Subcircuit; to fill additional judgeship A, Fourth Subcircuit; to fill additional judgeship A, Fifth Subcircuit; to fill additional judgeship A, Sixth Subcircuit; to fill additional

PROCLAMATIONS

judgeship A, Seventh Subcircuit; to fill the vacancy of the Honorable Morton Zwick, to fill additional judgeship A, Eighth Subcircuit; to fill the vacancy of the Honorable Judith Cohen, to fill additional judgeship A, Ninth Subcircuit; to fill additional judgeship A, Tenth Subcircuit; to fill additional judgeship A, Eleventh Subcircuit; to fill additional judgeship A, Twelfth Subcircuit, to fill the vacancy of the Honorable Adrienne M. Geary, to fill additional judgeship A, Fourteenth Subcircuit; to fill additional judgeship A, Fifteenth Subcircuit, Cook County Judicial Circuit.

Circuit Court Judges to fill the vacancy of the Honorable George Oros, Pulaski County, First Judicial Circuit; to fill the vacancy of the Honorable David L. Underwood, Hamilton County, to fill the vacancy of the Honorable Robert M. Keenan, Jr., Wabash County, Second Judicial Circuit; to fill the vacancy of the Honorable Paul C. Komada, Fifth Judicial Circuit; to fill the vacancy of the Honorable James A. Hendrian, to fill the vacancy of the Honorable Jerry L. Patton, Macon County, Sixth Judicial Circuit; to fill the vacancy of the Honorable Ronald F. Robinson, Scott County, Seventh Judicial Circuit; to fill the vacancy of the Honorable Fred W. Reither, Cass County, to fill the vacancy of the Honorable Stephen G. Evans, Henderson County, Ninth Judicial Circuit; to fill the vacancy of the Honorable Bruce W. Black, to fill the vacancy of the Honorable Donald C. Courson, to fill the vacancy of the Honorable Robert A. Barnes, Jr., Marshall County, Tenth Judicial Circuit; to fill additional judgeship A, to fill the vacancy of the Honorable W. Charles Witte, McLean County, Eleventh Judicial Circuit; to fill additional judgeship A, to fill additional judgeship B, to fill additional judgeship C, to fill additional judgeship D, Twelfth Judicial Circuit; to fill the vacancy of the Honorable Louis J. Perona, to fill the vacancy of the Honorable Robert H. Adcock, Grundy County, Thirteenth Judicial Circuit; to fill the vacancy of the Honorable Ronald C. Taber, to fill the vacancy of the Honorable Clarke C. Barnes, Henry County, Fourteenth Judicial Circuit; to fill the vacancy of the Honorable John W. Rapp, Jr., Carroll County, to fill the vacancy of the Honorable John B. Roe, Ogle County, Fifteenth Judicial Circuit; to fill the vacancy of the Honorable Thomas E. Hogan, to fill the vacancy of the Honorable John W. Countryman, DeKalb County, to fill the vacancy of the Honorable Patrick J. Dixon, Kane County, Sixteenth Judicial Circuit; to fill the vacancy of the Honorable Michael R. Morrison, to fill the vacancy of the Honorable K. Craig Peterson, Seventeenth Judicial Circuit; to fill the vacancy of the Honorable Thomas E. Callum, to fill the vacancy of the Honorable Michael R. Galasso, to fill the vacancy of the Honorable John W. Darrah, DuPage County, Eighteenth Judicial Circuit; to fill the vacancy of the Honorable Bernard E. Drew, Jr., to fill the vacancy of the Honorable Fred A. Geiger, to fill the vacancy of the Honorable Thomas A. Schermerhorn, to fill the vacancy of the Honorable Charles F. Scott, Lake County, Nineteenth Judicial Circuit; to fill the vacancy of the Honorable Roger M. Scrivner, to fill the vacancy of the Honorable Dennis J. Jacobsen, Monroe County, to fill the vacancy of the Honorable Stephen M. Kernan, St. Clair County, Twentieth Judicial Circuit; to fill the vacancy of the Honorable Fred S. Carr, Jr., to fill the vacancy of the Honorable Daniel W. Gould, Twenty-First Judicial Circuit.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 25th day of November, 2002, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

PROCLAMATIONS

SUPREME COURT JUDGES
FOURTH JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Benjamin K. Miller)
Rita B. Garman

APPELLATE COURT JUDGES
FIRST JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Robert Chapman Buckley)
Neil F. Hartigan

(To fill the vacancy of the Honorable William Cousin, Jr.)
Denise Margaret O'Malley

(To fill the vacancy of the Honorable Thomas R. Rakowski)
James Fitzgerald Smith

SECOND JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Lawrence D. Inglis)
Barbara Gilleran Johnson

(To fill the vacancy of the Honorable Robert R. Thomas)
Thomas E. Callum

THIRD JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Peg Breslin)
Dan Schmidt

FOURTH JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Rita B. Garman)
John Turner

FIFTH JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Charles W. Chapman)
Melissa Chapman

JUDGES OF THE CIRCUIT COURT
COOK COUNTY JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Michael B. Bolan)
Noreen Valeria Love

(To fill the vacancy of the Honorable Thomas P. Durkin)
Kerry M. Kennedy

(To fill the vacancy of the Honorable Thomas R. Fitzgerald)
Eileen Mary Brewer

(To fill the vacancy of the Honorable Thomas A. Hett)
Laura Marie Sullivan

(To fill the vacancy of the Honorable Aubrey F. Kaplan)
Sheila McGinnis

(To fill the vacancy of the Honorable Leonard L. Levin)
Margaret Ann Brennan

PROCLAMATIONS

(To fill the vacancy of the Honorable Donald P. O'Connell)

Mary Anne Mason

(To fill the vacancy of the Honorable Willie Whiting)

Lewis Nixon

SECOND SUBCIRCUIT

(To fill additional judgeship A)

Valarie E. Turner

THIRD SUBCIRCUIT

(To fill additional judgeship A)

Janet Adams Brosnahan

FOURTH SUBCIRCUIT

(To fill additional judgeship A)

Peter A. Felice

FIFTH SUBCIRCUIT

(To fill additional judgeship A)

Casandra Lewis

SIXTH SUBCIRCUIT

(To fill additional judgeship A)

Raul Vega

SEVENTH SUBCIRCUIT

(To fill additional judgeship A)

Anthony Lynn Burrell

EIGHTH SUBCIRCUIT

(To fill the vacancy of the Honorable Morton Zwick)

Thomas J. Lipscomb

(To fill additional judgeship A)

Robert E. Gordon

NINTH SUBCIRCUIT

(To fill the vacancy of the Honorable Judith Cohen)

Barbara M Meyer

(To fill additional judgeship A)

Sandra Otaka

TENTH SUBCIRCUIT

(To fill additional judgeship A)

William Timothy O'Brien

ELEVENTH SUBCIRCUIT

(To fill additional judgeship A)

Dennis Michael McGuire

TWELFTH SUBCIRCUIT

(To fill additional judgeship A)

Sandra Tristano

FOURTEENTH SUBCIRCUIT

(To fill the vacancy of the Honorable Adrienne M. Geary)

PROCLAMATIONS

Lawrence O'Gara

(To fill additional judgeship A)

James R. Brown

FIFTEENTH SUBCIRCUIT

(To fill additional judgeship A)

John Thomas Doody, Jr.

FIRST JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable George Oros)

PULASKI COUNTY

William J. "Bill" Thurston

SECOND JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable David L. Underwood)

Barry Leon Vaughan

(To fill the vacancy of the Honorable Robert M. Keenan, Jr.)

WABASH COUNTY

Stephen G. Sawyer

FIFTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Paul C. Komada)

Mitchell K. Shick

SIXTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable James A. Hendrian)

A. G. Webber

(To fill the vacancy of the Honorable Jerry L. Patton)

MACON COUNTY

Katherine (Kitty) McCarthy

SEVENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Ronald F. Robinson)

SCOTT COUNTY

Lois A. Bell

EIGHTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Fred W. Reither)

CASS COUNTY

Bob Hardwick Jr.

NINTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Stephen G. Evans)

HENDERSON COUNTY

David L. Vancil, Jr.

TENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Bruce W. Black)

Stephen A. Kouri

(To fill the vacancy of the Honorable Donald C. Courson)

James E. Shadid

(To fill the vacancy of the Honorable Robert A. Barnes, Jr.)

PROCLAMATIONS

MARSHALL COUNTY

Kevin R. Galley

ELEVENTH JUDICIAL CIRCUIT

(To fill additional judgeship A)

Charles G. Reynard

(To fill the vacancy of the Honorable W. Charles Witte)

McLEAN COUNTY

James E. Souk

TWELFTH JUDICIAL CIRCUIT

(To fill additional judgeship A)

Richard C. Schoenstedt

(To fill additional judgeship B)

Susan T. O'Leary

(To fill additional judgeship C)

Carla Alessio Goode

(To fill additional judgeship D)

Dick Siegel

THIRTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Louis J. Perona)

Eugene P. "Gene" Daughterity

(To fill the vacancy of the Honorable Robert H. Adcock)

GRUNDY COUNTY

Robert C. Marsaglia

FOURTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Ronald C. Taber)

Walter D. Braud

(To fill the vacancy of the Honorable Clarke C. Barnes)

HENRY COUNTY

Ted Hamer

FIFTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable John W. Rapp, Jr.)

CARROLL COUNTY

Val Gunnarsson

(To fill the vacancy of the Honorable John B. Roe)

OGLE COUNTY

Michael T. Mallon

SIXTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Thomas E. Hogan)

Joseph M. Grady

(To fill the vacancy of the Honorable John W. Countryman)

DeKALB COUNTY

Kurt P. Klein

(To fill the vacancy of the Honorable Patrick J. Dixon)

PROCLAMATIONS

KANE COUNTY

Judy Brawka

SEVENTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Michael R. Morrison)

Joseph G. McGraw

(To fill the vacancy of the Honorable K. Craig Peterson)

Rosemary Collins

EIGHTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Thomas E. Callum)

Kathryn Creswell

(To fill the vacancy of the Honorable Michael R. Galasso)

Michael J. Burke

(To fill the vacancy of the Honorable John W. Darrah)

DuPAGE COUNTY

John T. Elsner

NINETEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Bernard E. Drew, Jr.)

Christopher C. "Kip" Starck

(To fill the vacancy of the Honorable Fred A. Geiger)

Mary S. Schostok

(To fill the vacancy of the Honorable Thomas A. Schermerhorn)

Michael T. Caldwell

(To fill the vacancy of the Honorable Charles F. Scott)

LAKE COUNTY

James K. "Jimmy" Booras

TWENTIETH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Roger M. Scrivner)

James K. Donovan

Issued by the Governor November 25, 2002

Filed by the Secretary of State November 25, 2002

2002-603**Proclamation to Declare the Retention of Judicial Circuit and Court on the 5th Day of November, 2002.**

WHEREAS, On the 5th day of November, 2002, an election was held in the State of Illinois for the retention of the following judges, to-wit:

Supreme Court Judge from the First Judicial District;

Appellate Court Judges from the First and Third Judicial Districts;

Circuit Court Judges from the First, Second, Third, Fourth, Fifth, Sixth,

Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Fourteenth, Fifteenth, Sixteenth,

Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Cook County Judicial Circuits.

PROCLAMATIONS

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 25th day of November, 2002, canvass the same, and as a result of such canvass, did declare retained the following named persons to the following named offices:

RETENTION

JUDGE OF THE SUPREME COURT

FIRST JUDICIAL DISTRICT

Mary Ann G. McMorrow

JUDGE OF THE APPELLATE COURT

FIRST JUDICIAL DISTRICT

Robert Cahill

THIRD JUDICIAL DISTRICT

Tom Lytton

JUDGES OF THE CIRCUIT COURT

FIRST JUDICIAL CIRCUIT

Michael J. Henshaw

James R. "Jim" Williamson

Stephen L. Spomer

Paul S. Murphy

Bruce D. Stewart

Phillip G. Palmer

SECOND JUDICIAL CIRCUIT

Don A. Foster

Loren P. Lewis

E. Kyle Vantrease

Bennie Joe Harrison

THIRD JUDICIAL CIRCUIT

Nicholas G. Byron

Edward C. Ferguson

Phillip J. Kardis

FOURTH JUDICIAL CIRCUIT

Michael Ross Weber

Steven P. Seymour

S. Gene Schwarm

Patrick L. Duke

FIFTH JUDICIAL CIRCUIT

Ashton C. Waller

Tracy W. Resch

Dale A. Cini

SIXTH JUDICIAL CIRCUIT

PROCLAMATIONS

Frank W. Lincoln

John G. Townsend

Thomas J. Difanis

Harry E. Clem

Arnold F. Blockman

SEVENTH JUDICIAL CIRCUIT

Thomas P. Carmody

James W. Day

Thomas G. Russell

Robert J. Eggers

EIGHTH JUDICIAL CIRCUIT

Robert L. Welch

Dennis K. Cashman

Michael R. Roseberry

Mark A. Schuering

Scott H. Walden

Richard D. Greenlief

NINTH JUDICIAL CIRCUIT

James B. Stewart

Ronald C. Tenold

TENTH JUDICIAL CIRCUIT

Richard E. Grawey

Scott A. Shore

ELEVENTH JUDICIAL CIRCUIT

Don Bernardi

G. Michael Prall

TWELFTH JUDICIAL CIRCUIT

Herman S. Haase

Gerald R. Kinney

Amy M. Bertani-Tomczak

Stephen D. White

FOURTEENTH JUDICIAL CIRCUIT

Joseph F. Beatty

Danny A. Dunagan

Charles "Casey" Stengel

FIFTEENTH JUDICIAL CIRCUIT

William A. Kelly

David T. Fritts

SIXTEENTH JUDICIAL CIRCUIT

Michael J. Colwell

Gene Nottolini

Douglas R. Engel

Grant S. Wegner

PROCLAMATIONS

Timothy Q. Sheldon
F. Keith Brown

SEVENTEENTH JUDICIAL CIRCUIT

Ronald L. Pirrello
Gerald F. Grubb

EIGHTEENTH JUDICIAL CIRCUIT

Edward "Ted" R. Duncan, Jr.
Robert J. Anderson
Perry R. Thompson
Hollis L. Webster
George J. Bakalis
Kenneth Moy

NINETEENTH JUDICIAL CIRCUIT

Michael J. Sullivan
Stephen E. Walter
Ward S. Arnold
Jane D. Waller
Sharon Prather

TWENTIETH JUDICIAL CIRCUIT

Michael J. O'Malley
James W. Campanella

TWENTY-FIRST JUDICIAL CIRCUIT

Clark Erickson
Gordon L. Lustfeldt
J. Gregory Householter

COOK COUNTY JUDICIAL CIRCUIT

Anthony S. Montelione
Francis W. Glowacki
Thomas E. Flanagan
Daniel J. Kelley
Daniel J. Lynch
Michael P. Toomin
Richard J. Elrod
Themis N. Karnezis
Philip L. Bronstein
Loretta Carol Douglas
James Patrick Flannery
Judy I. Mitchell-Davis
Mary Ellen Coghlan
Sebastian Thomas Patti
Michele Francene Lowrance
Kathleen Marie McGury

PROCLAMATIONS

James P. O'Malley
Shelley Lynn Sutker-Dermer
Gay-Lloyd Lott
Lynn Marie Egan
Gerald C. Bender
Andrew Berman
Patricia Martin Bishop
Diane Gordon Cannon
Evelyn B. Clay
Sharon Johnson Coleman
Clayton J. Crane
Wilbur E. Crooks
Daniel P. Darcy
Donald M. Devlin
David Riley Donnersberger
Candace Jean Fabri
John J. Fleming
Rodolfo (Rudy) Garcia
James J. Gavin
Shelli Williams Hayes
Vanessa A. Hopkins
Rickey Jones
James J. Jorzak
Kathleen G. Kennedy
William G. Lacy
Marjorie C. Laws
Veronica B. Mathein
Carol Pearce McCarthy
Barbara A. McDonald
Mary A. Mulhern
Edward N. Pietrucha
Edmund Ponce de Leon
James L. Rhodes
Barbara Ann Riley
James G. Riley
James T. Ryan
Nancy Drew Sheehan
Cheryl A. Starks
David P. Sterba
Jane Louise Stuart

DEPARTMENT OF LABOR

NOTICE OF PUBLIC INFORMATION

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OF A CONTRACT OR SUBCONTRACT
FOR PUBLIC WORKS PROJECTS

Pursuant to the findings In re: Metal Fabricators & Supply, IDOL File No. 03-PW-AL07-0004, the Director of the Department of Labor gives notice that Mr. John Tylka, owner of Metal Fabricators & Supply, otherwise known as Windy City Metal Fabricators and Supply, Inc., and any other officer, partner, shareholder or title holder of Metal Fabricators & Supply, and/or Windy City Metal Fabricators and Supply, Inc., currently located at 3920 West Armitage Avenues, Chicago, Illinois 60647, are prohibited from bidding, accepting or working on any contract or subcontract for a public works project covered by the Prevailing Wage Act, 820 ILCS 130/0.01-12 (2000), commencing November 15, 2002 and continuing through November 15, 2003, with the exception of a current public works project for the City of Harvey in which the Petitioner has a bid.

Copies of the Prevailing Wage Act are available on the internet at <http://www.legis.state.il.us/ilcs/ch820/ch820act130.htm>, and at the:

Illinois Department of Labor
Conciliation and Mediation Division
One West Old State Capital Plaza, Room 300
Springfield, Illinois 62701-1217

ILLINOIS ADMINISTRATIVE CODE

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