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ISSUES INDEX I – 1

Editor’s Note 1: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are (End of March, June, Sept, Dec) as follows:

Issue 15 – April 9, 2004: Data through	March 29, 2004 (1 st Quarter)
Issue 28 - July 9, 2004: Data through	June 28, 2004 (2 nd Quarter)
Issue 41 – October 8, 2004: Data through	September 27, 2004 (3 rd Quarter)
Issue 1 – January 7, 2005: Data through	December 27, 2004 (Annual)

Editor's Note 2: Submit all rulemaking documentation to the following address:

Secretary of State
Department of Index
Administrative Code Division
111 East Monroe Street
Springfield, Illinois 62756

Editor's Note 3: It has become necessary to add file pages to the documents in the electronic copy that is being forwarded to the Code Division. This is effective immediately. This can also be found in the Style Manual.

http://www.sos.state.il.us/publications/pdf_publications/admin_code_style_manual.pdf

Section 4-5: FORMAT FOR FILING RULES (1 Ill. Adm. Code 100.500 and Appendix B, Illustration D)

All rules, amendments or repealers shall be submitted in 8 ½ x 11 inch, three-hole punched, suitable for being placed in a standard loose-leaf binder for paper that size. In accordance with 1 Ill. Adm. Code 100.Appendix B. Illustration D. (Also see the *Rulemaking Template 2003*)

- i. A complete table of Contents will be provided in accordance with 1 Ill. Adm. Code 100/310. One original and two copies. The page(s) for the Part's table of contents shall begin with the major divisions of the *Code* appropriate for the Part, Each of these shall have the appropriate division word and the heading for that division in all capital letters. Each line shall be centered on the page and these shall all be listed single-spaced. A colon shall follow each division label followed by two spaces and then the heading.
- ii. Also required are one original and two copies of agency certification. In accordance with 1 Ill. Adm. Code 100.Appendix B. Illustration C (Also see the *Rulemaking Template 2003*)
- iii. Also required are one original and two copies of code/file pages. In accordance with 1 Ill. Adm. Code 100.Appendix B. Illustration D (Also see the *Rulemaking Template 2003*)
- iv. Adopted rules filed with the Code Division (file pages) shall not contain either strike-outs or underscoring.

An electronic copy is also required of the Table of Contents, Authority Notes, and Main Source Notes, and the text of the adopted rules with all changes applied. Each section will begin on its own page in order to establish correct headers for each page. All electronic copy must be in a compatible format in order to avoid excessive manipulation and any possible errors associated with manipulating the agencies original document. Therefore all electronic copy must be

- i. In Microsoft Word format
- ii. With margins set at 1 inch on each side, top, bottom, headers, and footers.
- iii. Font must be in Times New Roman 12.
- iv. Section Breaks may be inserted into the document.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>
310.230	Amend
310.280	Amend
APPENDIX A, TABLE AB	Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 5) A Complete Description of the Subjects and Issues Involved: Within 310.230 Part-time Daily or Hourly Special Services Rate Section of the Pay Plan, the Department of Central Management Services requests changes to the pay rate minimums to comply with Public Act 93-058 amendments to the Minimum Wage Law. The hourly rate minimum is \$5.50 and the daily minimum is \$44.00.

Within Section 310.280 Designated Rate, the Department of Commerce and Economic Opportunity has requested the following positions be removed because they are vacant and has no plans in filling them.

Administrative Assistant II	(00502-42-00-040-11-01)
Public Information Officer IV	(37004-42-00-005-10-01)
Public Service Administrator	(37015-42-35-110-10-03)
Public Service Administrator	(37015-42-35-140-20-01)

The Department of Public Health has requested the addition of a Senior Public Service Administrator (40070-20-80-000-00-81) at a salary rate of \$134,000 annually.

Within Section 310.Appendix A: Negotiated Rates of Pay, Table AB VR-007 (Plant Maintenance Engineers, Operating Engineers), the Department of Central Management Services requests that the table be amended to reflect the State of Illinois and the International Union of Operating Engineers, Local 399, agreement to the following rates effective July 1, 2003 as certified by the Department of Labor:

<u>Title</u>	<u>Standard Rate</u>
Plant Maintenance Engineer I	\$5,959.50
Plant Maintenance Engineer II	\$6,243.12

All Plant Maintenance Engineers that are not on the standard rate will receive a 4% increase.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 6) Will these proposed amendments replace an emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.280	Amend	27 Ill. Reg. 8570, 05/03/2003
310. Appendix A, Table L	Amend	27 Ill. Reg. 8570, 05/03/2003
310. Appendix A, Table W	Amend	27 Ill. Reg. 8570, 05/03/2003
310.280	Amend	27 Ill. Reg. 9656, 07/07/2003
310. Appendix A Table W	Amend	27 Ill. Reg. 9656, 07/07/2003
310.80	Amend	27 Ill. Reg. 10442, 07/11/2003
310.100	Amend	27 Ill. Reg. 10442, 07/11/2003
310.110	Amend	27 Ill. Reg. 10442, 07/11/2003
310.130	Amend	27 Ill. Reg. 10442, 07/11/2003
310.220	Amend	27 Ill. Reg. 10442, 07/11/2003
310.230	Amend	27 Ill. Reg. 10442, 07/11/2003
310.290	Amend	27 Ill. Reg. 10442, 07/11/2003
310.450	Amend	27 Ill. Reg. 10442, 07/11/2003
310.530	Amend	27 Ill. Reg. 10442, 07/11/2003
310.540	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix B	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix C	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix D	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix G	Amend	27 Ill. Reg. 10442, 07/11/2003

- 10) Statement of Statewide Policy Objectives: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Ms. Marianne Armento
 Department of Central Management Services
 Division of Technical Services

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

504 William G. Stratton Building
Springfield IL 62706
Telephone: (217) 782-5601
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- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of Professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: July 2003
- 14) Does this amendment require the review of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code? [30 ILCS 500/5-25] No

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND

POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310

PAY PLAN

SUBPART A: NARRATIVE

Section

310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2003
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section

310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 310.310 Physician Specialist Rate
 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
 310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section

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

310.APPENDIX A Negotiated Rates of Pay

- 310.TABLE A HR-190 (Department of Central Management Services – State of Illinois Building – SEIU)
 310.TABLE AA NR-916 (Department of Natural Resources, Teamsters)
 310.TABLE AB VR-007 (Plant Maintenance Engineers, Operating Engineers)
 310.TABLE B HR-200 (Department of Labor – Chicago, Illinois – SEIU) (Repealed)
 310.TABLE C RC-069 (Firefighters, AFSCME) (Repealed)
 310.TABLE D HR-001 (Teamsters Local #726)
 310.TABLE E RC-020 (Teamsters Local #330)
 310.TABLE F RC-019 (Teamsters Local #25)
 310.TABLE G RC-045 (Automotive Mechanics, IFPE)
 310.TABLE H RC-006 (Corrections Employees, AFSCME)

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NOTICE OF PROPOSED AMENDMENTS

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

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

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 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.

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NOTICE OF PROPOSED AMENDMENTS

10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, 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

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NOTICE OF PROPOSED AMENDMENTS

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 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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at

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26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; preemptory amendment at 27 Ill. Reg. _____, effective November 7, 2003; amended at 28 Ill. Reg. _____, effective _____.

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, 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)
Apiary Inspector	8.28 to 10.15 (hourly)
Building/Grounds Laborer	5.505-15 to 6.00 (hourly)
Building/Grounds Lead I	5.505-15 to 7.00 (hourly)
Building/Grounds Lead II	5.505-25 to 8.00 (hourly)
Building/Grounds Maintenance Worker	5.505-15 to 6.00 (hourly)
Chaplain I	4439 to 70 (daily)
Chemist I	4439 to 45 (daily)
Conservation/Historic Preservation Worker	5.505-15 to 9.00 (hourly)
Conservation/Historic Preservation Worker (2nd season – site interpretation)	5.505-15 to 9.00 (hourly)
Conservation/Historic Preservation Worker (3rd season – site interpretation)	5.505-15 to 9.00 (hourly)
Dentist I	70 to 150 (daily)
Dentist II	100 to 185 (daily)
Educator	4439 to 85 (daily)

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Educator Aide	4439 (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	5.505-15 to 5.30 (hourly)
Labor Maintenance Lead Worker	5.505-15 to 6.00 (hourly)
Labor Relations Investigator	4439 to 70 (daily)
Laborer (Maintenance)	7.05 to 8.00 (hourly)
Maintenance Worker	5.505-15 (hourly)
Occupational Therapist Program Coordinator	4440 to 160 (daily)
Office Aide	10.45 to 13.46 (hourly)
	78 to 101 (daily)
Office Assistant	11.56 to 15.26 (hourly)
	87 to 114 (daily)
Office Associate	12.24 to 16.42 (hourly)
	92 to 123 (daily)
Office Clerk	10.94 to 14.31 (hourly)
	82 to 107 (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	4439 to 80 (daily)
Psychologist II	4440 to 125 (daily)
Psychologist III	4440 to 150 (daily)
Recreation Worker I	5.505-33 (hourly)
	4440 to 45 (daily)
Registered Nurse I	4439 to 54 (daily)
Registered Nurse I (2nd or 3rd shift)	4441 to 56 (daily)
Registered Nurse I (Cook County)	4443 to 58 (daily)
Registered Nurse I (Cook County – 2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II	4443 to 58 (daily)

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Registered Nurse II (2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II (Cook County)	45 to 60 (daily)
Registered Nurse II (Cook County – 2nd or 3rd shift)	47 to 62 (daily)
Revenue Tax Specialist I	14.10 to 19.49 (hourly)
	106 to 146 (daily)
Social Worker II	4439 to 75 (daily)
Social Worker III	4439 to 80 (daily)
Student Worker	5.505-15 to 8.00 (hourly)
Technical Advisor II	4432 to 35 (hourly)
Technical Advisor III	4432 to 60 (hourly)
Veterinarian II	95 to 130 (daily)

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

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Central Management Services

Senior Public Service Administrator (Pos. No. 40070-37-00-000-05-01)	<u>Annual Salary</u> 120,900
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Department of Children & Family Services

Public Service Administrator (Pos. No. 37015-16-23-120-00-01)	<u>Annual Salary</u> 85,104
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~~Department of Commerce & Community Affairs~~

Administrative Assistant II (Pos. No. 00502-42-00-040-11-01)	<u>Annual Salary</u> 59,376
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Public Information Officer IV (Pos. No. 37004-42-00-005-10-01)	<u>Annual Salary</u> 69,792
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Public Service Administrator (Pos. No. 37015-42-35-110-10-03)	<u>Annual Salary</u> 78,612
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~~Public Service Administrator~~ Annual Salary
~~(Pos. No. 37015-42-35-140-20-01)~~ 96,360

Department of Human Services

Administrative Assistant I Annual Salary
(Pos. No. 00501-10-68-010-80-21) 55,200

Medical Administrator I, Option D Annual Salary
(Pos. No. 26401-10-79-006-00-21) 142,368

Public Service Administrator Annual Salary
(Pos. No. 37015-10-23-100-30-01) 76,572

Senior Public Service Administrator Annual Salary
(Pos. No. 40070-10-65-000-00-01) 105,475

Senior Public Service Administrator Annual Salary
(Pos. No. 40070-10-81-920-00-21) 105,480

Illinois Labor Relations Board

Private Secretary II Annual Salary
(Pos. No. 34202-50-19-000-00-01) 51,900

Department of Natural Resources

Administrative Assistant II Annual Salary
(Pos. No. 00502-12-30-000-20-01) 50,520

Department of Public Aid

Senior Public Service Administrator Annual Salary
(Pos. No. 40070-33-20-000-00-61) 123,060

Department of Public Health

Senior Public Service Administrator Annual Salary
(Pos. No. 40070-20-80-000-00-81) 134,000

Department of Revenue

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Public Service Administrator (Pos. No. 37015-25-61-140-80-01)	<u>Annual Salary</u> 76,668
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Public Service Administrator (Pos. No. 37015-25-61-140-90-01)	<u>Annual Salary</u> 74,904
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Department of State Police

Senior Public Service Administrator (Pos. No. 40070-21-10-000-00-01)	<u>Annual Salary</u> 113,580
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Senior Public Service Administrator (Pos. No. 40070-21-40-000-00-01)	<u>Annual Salary</u> 113,580
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(Source: Amended at 28 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay

Section 310.TABLE AB VR-007 (Plant Maintenance Engineers, Operating Engineers)

Effective July 1, ~~2003~~2002

Title	Standard Rate
Plant Maintenance Engineer I	5959.50 5729.82
Plant Maintenance Engineer II	6243.12 6003.00

NOTE: All Plant Maintenance Engineers that are not on the standard rate will receive a 4% increase.

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Determination of Need (DON) and Resulting Service Cost Maximums (SCMs)
- 2) Code Citation: 89 ILAC 679
- 3) Section Number: 679.50 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- 5) A Complete Description of the Subjects and Issues involved: This rulemaking is being promulgated in order to bring the Personal Care Attendants wages in compliance with the new contract recently completed by the State and Local 880.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may review these proposed amendments in the *Illinois Register* or on the Internet at www.cyberdrive.com. Access to the Internet is available at DHS-ORS' local offices. Comments concerning these rules must be submitted within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

- 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: No
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: This proposed amendment was not included on either of the 2 most recent regulatory agendas because: The need for this rulemaking was not anticipated when the 7/03 regulatory agenda was published.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment on page 17428 of this issue of the *Illinois Register*.

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NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Alternative Dispute Resolution Procedure
- 2) Code Citation: 2 Ill. Adm. Code 3203
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
3203.101	New Section
3203.102	New Section
3203.105	New Section
3203.110	New Section
3203.115	New Section
3203.120	New Section
3203.125	New Section
3203.130	New Section
3203.135	New Section
3203.140	New Section
3203.145	New Section
3203.150	New Section
3203.155	New Section
3203.160	New Section
3203.165	New Section
3203.170	New Section
3202.175	New Section
3203.180	New Section
3203.APPENDIX A	New Section
3203.APPENDIX B	New Section
- 4) Statutory Authority: Implementing and authorized by the Illinois Building Commission Act 20 ILCS 3918
- 5) A Complete Description of the Subjects and Issues Involved: Implements the Alternative Dispute Resolution (ADR) process established by Section 25 of the Illinois Building Commission Act [20 ILCS 3918/25] to be administered by the Illinois Building Commission (Commission). The Commission is authorized by statute to administer an ADR process between two consenting private entities, two State agencies or a private entity and a State agency when there is a question pertaining to the enforcement or interpretation of a building code. Specifically for dispute resolution arising from an identified objection to Section 8 or 8.5 of the Hospital Licensing Act, building requirements are defined in statute to include.... *the application of rules and standards under the Hospital Licensing Act, including without limitation rules and standards for (i) design and construction, (ii) engineering and maintenance of the physical plant, site,*

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equipment, and systems (heating, cooling, electrical, ventilation, plumbing, water, sewer, and solid waste disposal), and (iii) fire and safety.... Additionally, the Commission is authorized to take reasonable measures to facilitate a suggested resolution involving a conflict between the Department of Public Health and a health care provider to ... (i) *accept an equivalency determined by the Fire Safety Evaluation System, (ii) waive State rules or standards, or (iii) seek a waiver of federal rules or standards....* The ADR program includes administration of the preparation of a waiver request directing the Department of Public Health to forward the request to the appropriate federal agency [20 ILCS 3918/25].

- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: To implement an Alternative Dispute Resolution Process (ADR) between two consenting private entities, two State agencies or a private entity and a State agency when there is a question pertaining to the enforcement or interpretation of a building code.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Jerry B. Crabtree
Office Administrator
Illinois Building Commission
401 South Spring Street, Room 420
William G. Stratton Building
Springfield, Illinois 62706
Phone: (217)557-7500
Fax: (217)557-7913
TDD: (217)524-4449
E-Mail: Jcrabtre@ibc.state.il.us
- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit

ILLINOIS BUILDING COMMISSION

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corporations affected: Anyone seeking Alternative Dispute Resolution services relating to identification or compliance with building codes referenced in Illinois.

- B) Reporting, bookkeeping or other procedures required for compliance: Completion of forms provided by the Commission
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: This rulemaking was not included in the Commission's June, 2003 Regulatory Agenda.

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

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NOTICE OF PROPOSED RULES

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER LXII: ILLINOIS BUILDING COMMISSION

PART 3203

ALTERNATIVE DISPUTE RESOLUTION PROCEDURE

Section

3203.101	Purpose
3203.102	Definitions
3203.105	Request for Mediation
3203.110	Appointment of the Mediator
3203.115	Mediation Roster and Qualification of Mediators
3203.120	Conduct and Withdrawal of a Mediator
3203.125	Confidentiality
3203.130	Pre-mediation Caucus
3203.135	Mediation Conference
3203.140	Termination of the ADR Process
3203.145	Fees and Expenses
3203.150	Reporting and Closure
3203.APPENDIX A	Alternative Dispute Resolution Request Form
3203.APPENDIX B	Alternative Dispute Resolution Concurrence Form
3203.APPENDIX C	Mediator Selection Agreement
3203.APPENDIX D	Mediator Nomination Form
3203.APPENDIX E	Mediator's Conflict of Interest Declaration

AUTHORITY: Implementing and authorized by the Illinois Building Commission Act [20 ILCS 3918], the Illinois Administrative Procedure Act [5 ILCS 100], and the Illinois Uniform Mediation Act [710 ILCS 35].

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

Section 3203.101 Purpose

- a) This Part establishes an Alternative Dispute Resolution (ADR) process administered by the Illinois Building Commission (Commission) to resolve disputes between entities agreeing to utilize the process to mediate a dispute concerning the application of local building codes or Illinois State building regulations for new and existing construction and related administrative rules.
- b) ADR is a process in which an impartial third party with no decisionmaking

ILLINOIS BUILDING COMMISSION

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authority or power to impose a resolution works with the disputing parties to reach a mutual understanding of opposing positions, interests, and perspectives.

Section 3203.102 Definitions

"Alternative Dispute Resolution" or "ADR" means an established dispute resolution process administered by the Illinois Building Commission that serves as an alternative to having a State or federal judge or jury decide the dispute in a trial setting.

"Authorized Representative" means the individual named by the party and recognized by the mediator to act on behalf of a participant in an ADR process.

"Building Code" means any ordinance, resolution, law, or other duly enacted document that establishes authorities and restrictions applicable to structures located in a municipality or county.

"Caucus" means private meetings conducted individually between the mediator in an ADR process and one of the parties involved in the process.

"Commission" means the Illinois Building Commission.

"Conference" means a meeting conducted by a mediator that involves all of the parties to an ADR process.

"Confidentiality" means that no member or employee of the Illinois Building Commission, nor any mediator or employee designated to perform ADR duties, nor any party to an ADR process shall disclose to any person the facts and circumstances involved in any dispute resolution procedure, unless waived by all parties involved in the process. The confidentiality provisions used by the Commission are governed by all applicable State and federal laws.

"Impartiality" means the absence of favoritism or bias, including a commitment to aid all parties, as opposed to a single party, in exploring alternatives for resolution of a dispute.

"Initiating Party" means the party or parties that submit the request for the mediation services provided by the Illinois Building Commission.

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"Mediation" means a non-binding process in which an impartial third party assists the parties to a dispute to find their own acceptable settlement.

"Mediation Agreement" means the final report, agreed to by the parties and drafted by the mediator, resulting from an ADR process. The Mediation Agreement is a public record kept on file by the Illinois Building Commission.

"Mediaton Experience" means proven, documented experience in a mediator's identified area of expertise.

"Mediation Roster" means the listing of individuals the Commission, under Section 3203.115, has pre-qualified to provide services as a mediator in an ADR process, including the potential mediator's area of expertise.

"Mediator" means the individual appointed by the Commission pursuant to Section 3203.110 to conduct an ADR administered by the Commission. The mediator's role is to encourage and assist the parties in deciding whether and/or how to resolve the dispute and to promote the parties' understanding of each other's positions, interests, and perspectives.

"Parties" means the initiating parties and any responding parties named in the ADR Request Form and/or the ADR Concurrence Form.

"Permanent Record" means the final documented file reflecting an ADR process that the Commission will maintain for at least 5 years after the date of the last transaction and in accordance with the State Records Act [5 ILCS 160].

"Pre-mediation Caucus" means an initial meeting of the mediator, independently with each party to an ADR process, conducted under Section 3203.130 for the general purpose of introducing the ADR process.

"Responding Party" means any party that is named as a responding party in an ADR Request Form and who files an ADR Concurrence Form in an ADR process administered by the Commission.

"Successful Mediation", for purposes of determining an individual's qualifications for inclusion on the Mediation Roster or for Commission appointment, means documented information outlining satisfactory completion of a mediation process reviewed and approved by the Commission. The Commission's acceptance of documentation may be limited to a specified area of expertise.

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Section 3203.105 Request for Mediation

- a) A single party or a group of parties may request ADR administered by the Commission. If the initial request is not submitted by all parties who would reasonably be expected to participate in the ADR process, the other parties will be asked to document their concurrence to the process. No entity will become a party to an ADR process unless it affirmatively signifies assent to that inclusion.
- b) The ADR request shall be submitted on the form prescribed by the Commission for this purpose and included as Appendix A of this Part.
- c) Three copies of the ADR request shall be filed, by certified mail, with the Commission at the following address:

Illinois Building Commission
ADR Coordinator
401 South Spring Street, Room 420
William G. Stratton Building
Springfield, Illinois 62706

Phone: (217)557-7500
Fax: (217)557-7913
TDD: (217)524-4449
E-Mail: Jcrabtre@ibc.state.il.us

- d) The ADR request shall include, at a minimum, the following:
 - 1) A copy of any written agreement under which multiple parties are submitting the request.
 - 2) Name, address and phone and fax numbers of all initiating parties and their authorized representatives and of all identified responding parties.
 - 3) Brief statements describing the nature of the dispute and the relief sought, if any.
 - 4) A dollar estimate of any amount claimed or the value of the issue in dispute.

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- 5) The fee required by Section 3203.145.
- e) When all parties fail to file a request jointly, the initiating party shall forward a copy of the request to any party the initiating party identifies in its ADR request as an appropriate responding party.
- f) Within 10 working days after receipt of its copy of the ADR request, a responding party shall indicate to the Commission, on the form provided in Appendix B of this Part, whether it is concurring in the ADR request.
- g) Within 10 working days after receipt of an ADR request submitted jointly by all involved parties, or 10 days after receipt the concurrence document from all known responding parties that did not jointly file an initial request, the Commission will determine whether it agrees to administer the ADR process and will notify all parties of its decision.
- h) If the Commission cannot complete its consideration of an ADR request within the 10 working days prescribed in subsection (g), the Commission will notify all parties of the status of the request, including an estimated time when it will issue its decision.
- i) By initiating or concurring in an ADR request, a party acknowledges that timely resolution of the dispute is one of the goals of the procedure. It is the responsibility of each party to define the issues so they are identifiable by everyone involved in the ADR process. The parties are required to produce all information reasonably required for the mediator to understand the issues presented.

Section 3203.110 Appointment of the Mediator

- a) **Function of the Mediator**
The function of the mediator in an ADR process is to facilitate communication among the parties, enabling them to reach an voluntary settlement. The mediator shall attempt to promote mutual understanding of the positions, interests and perspectives of all parties in the ADR process.
- b) **Impartiality of the Mediator**
Any mediator appointed by the Commission to conduct an ADR process shall maintain impartiality toward the parties and the issues in the dispute. To ensure impartiality, a mediator is obligated to disclose to the parties, in the format

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prescribed in Appendix E, all identified conflicts of interest and present or prior relationships, personal or professional, between the mediator and any party or party representative.

- c) Appointment by the Commission
 - 1) The Commission will formally appoint the mediator for any ADR process it administers. The mediator may be:
 - A) mutually selected by all the parties and appointed in accordance with subsection (c)(2);
 - B) appointed by the Commission in accordance with subsection (c)(3) from a list of persons nominated by the parties; or
 - C) appointed by the Commission from the Mediation Roster.
 - 2) Selection by the Parties
 - A) If all the parties have joined in the ADR request and have agreed on a specific mediator, all parties shall sign the Mediator Selection Agreement prescribed in Appendix C of this Part and include that form with the ADR request.
 - B) If all parties did not join in the initial ADR request, but the responding parties do concur in the request, the parties may file the form prescribed in Appendix C during the 10 day period allowed for the submission of concurrence documents (see Section 3203.105(g)).
 - C) If the parties agree on the selection of a mediator under either subsection (c)(2)(A) or (B), the Commission will appoint the selected individual to mediate the ADR process if it determines that the individual meets all the requirements of this Part and has agreed to conduct the ADR process in accordance with this Part.
 - 3) Nomination by the Parties

If the parties have not selected a mediator pursuant to subsection (c)(2), any of the parties may choose to submit the names and qualification of 3 individuals for selection by the Commission. A party shall submit its

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nominees to the Commission and to all other parties within 5 business days after being notified by the Commission that it has agreed to administer the ADR process (see Section 3203.105(h)). If each of the parties submitted nominees, the Commission will select a mediator from the lists submitted by the parties and will appoint the selected individual to mediate the ADR process if it determines that the individual meets all the requirements of this Part and has agreed to conduct the ADR process in accordance with this Part.

- 4) Selection by the Commission
If, within the allotted time periods, the parties did not mutually agree on a mediator, and if any party did not respond to the opportunity to nominate potential mediators, the Commission will select a mediator from the Mediation Roster.

d) Appointment Criteria

The Commission shall consider the following when appointing a mediator:

- 1) Whether the individual:
 - A) Is included on the Mediation Roster; or
 - B) Submits a current resume and proves that:
 - i) he or she meets the qualifications outlined in Section 3203.115; and
 - ii) verifies mediation experience by providing documentation of 3 prior successful mediations.
- 2) Whether any reason to withdraw from the ADR process has been identified pursuant to Section 3203.120.

e) Rejection of a Mediator by the Parties

Within 5 business days after receipt of the Commission's announcement of the appointment of a mediator, any party can object to the mediator appointed. The Commission shall appoint a second mediator.

Section 3203.115 Mediation Roster and Qualification of Mediators

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- a) The Mediation Roster is the Commission's list of individuals who have been pre-qualified to act as ADR mediators for the Commission. The qualifications of persons on the Roster have been reviewed by the Commission and do not have to be re-evaluated each time the individual is appointed as a mediator by the Commission. The names of persons the Commission has determined meet the requirements of this Section will be placed on the Roster. At any time the Commission determines that an individual no longer meets the requirements, that individual's name will be removed from the Roster, following notification and the opportunity to offer additional information.
- b) Individuals applying for inclusion on the Roster, or who are not on the Roster but have been selected or nominated by the parties for appointment as a mediator, shall meet the following qualifications, at a minimum:
 - 1) The applicant must submit his or her name and relevant contact information, a current resume and supporting documentation of successful mediations in his or her identified area of expertise.
 - 2) The individual must have no identified conflicts of interest and must disclose, in the format established in Appendix E, any circumstances that may give rise to the perception that the individual may not be impartial.
 - 3) The individual must document mediation experience in the area of the specific dispute.
 - 4) The individual shall indicate the willingness to limit his or her role to that of mediator and shall agree not to advocate for either party's interest or provide counseling to any party during the mediation process.
 - 5) The individual must verify completion of a 40 hour mediation training program offered by the American Arbitration Association, 335 Madison Avenue, Floor 10, New York NY 10017-4605, phone 212/716-5800.

Section 3203.120 Conduct and Withdrawal of a Mediator

- a) Conduct
 - 1) A mediator appointed by the Commission to an ADR process shall make every effort not to show partiality or prejudice based on a party's behavior, appearance, or conduct during the mediation. A mediator shall

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exercise discretion and due regard for the appearance of impartiality in establishing new relationships with parties to past mediations.

- 2) The mediator shall avoid exerting pressure on any party to participate in mediation or to accept a settlement agreement.
 - 3) If the mediator determines that a party appears to be acting under coercion or without the capacity to comprehend the process, issues or options for settlement, the mediator shall explore the circumstances with the party and, unless the party objects, discontinue the mediation.
- b) **Withdrawal**
When a mediator's impartiality is questioned by one of the parties, the mediator shall decline to serve or shall withdraw as mediator. A mediator shall withdraw from serving as a mediator if:
- 1) As a result of the disclosure of a relationship, any party objects to the individual serving as mediator.
 - 2) In the mediator's own judgment, a relationship with a party will compromise impartiality, or appear to do so, even after full disclosure to the parties.
 - 3) The mediator or any party believes that, apart from relationships, the fact or appearance of impartiality is compromised, either by the mediator's personal reaction to any party or by the mediator's background and experience.

Section 3203.125 Confidentiality

- a) Information disclosed by a party to the mediator in the ADR process shall not be disclosed to any other person, voluntarily or by compulsion, without the expressed consent of the disclosing party. This consent shall be indicated on a form provided by the Commission. All files, records, reports, documents, and other materials prepared by a mediator shall be held confidential.
- b) A mediator shall not disclose to a non-party, directly or indirectly, any information communicated to the mediator by a party to the ADR process.
- c) When parties are referred to the Commission's ADR process by a State agency,

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the mediator shall provide to that referring agency only the ADR request, any concurrence documents, the Mediation Agreement, and a statement by the mediator explaining the reasoning behind the Agreement, if necessary.

- d) No electronic or stenographic recording of individual caucuses or joint conferences shall be allowed.
- e) In accordance with 710 ILCS 35/4, the ADR process shall not be introduced as evidence in subsequent legal actions. Additionally, the parties shall not subpoena the mediator to testify in subsequent legal actions.

Section 3203.130 Pre-mediation Caucus

- a) Within 15 working days after the Commission has appointed an ADR mediator, or within 15 working days after the Commission receives the deposit of administrative fees required by Section 3203.145(a)(2), whichever is later, the mediator shall convene a caucus individually with each of the parties and/or their designated representatives. Prior to the pre-mediation caucus, any party who desires to do so can provide to the mediator and to all the other parties additional descriptions of the issues in dispute and the position of the party.
- b) At the pre-mediation caucus with each party, the mediator will explain how the ADR process will be conducted and will inform the parties of their right to refuse any offer of settlement and to withdraw from mediation at any time and for any reason. Additionally, the mediator shall seek to determine:
 - 1) Who will represent the party during the ADR process, what is that individual's relationship to the party, and what has been that individual's involvement in the issue being disputed. A party is not limited to a single representative.
 - 2) Who has the authority to negotiate and make determinations on behalf of each party and whether that representative will have the authority to sign the Mediation Agreement.
 - 3) The party's preferences for dates and locations of further ADR proceedings.
 - 4) The fees that will be assessed pursuant to Section 3203.145.

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- 5) The method through which information will be exchanged by the parties and the mediator.
- 6) The time frame for resolution of the dispute.
- c) After the individual caucuses have been completed, the mediator will draft and submit to the parties the procedures for the conduct of the mediation conferences, considering the information provided under subsection (b) and preferences expressed by all of the parties.

Section 3203.135 Mediation Conference

Mediation conferences will be conducted as determined by the mediator in accordance with the Construction Industry Arbitration Rules and Mediation Procedures, effective July 1, 2003, published by the American Arbitration Association, 335 Madison Avenue, Floor 10, New York NY 10017-4605. In any instance in which those rules are inconsistent with the provisions of this Part, this Part will apply.

Section 3203.140 Termination of the ADR Process

- a) An ADR process that results in the parties entering a Mediation Agreement shall be determined concluded when the mediator reviews the permanent file, determines it to be a complete and accurate reflection of the ADR process, and declares the file closed.
- b) The ADR process may be terminated without entering a Mediation Agreement upon the determination of all parties and the mediator that further efforts at ADR will not be fruitful. A termination agreement must be signed by all parties and the mediator and shall be retained as part of the permanent record.
- c) A party to an ADR process can withdraw at any time, for any reason. Unless multiple parties make continuation of the process feasible, the mediator of an ADR process from which an essential participant has withdrawn shall unilaterally declare the ADR process terminated. The mediator's termination order shall be entered in the permanent record of the ADR process.

Section 3202.145 Fees and Expenses

- a) Fees and Expenses
The following fee structure shall apply to all ADR processes administered by the

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Commission.

- 1) ADR Request Fee
The party or parties filing an ADR request shall submit with the request a non-refundable fee of \$2,000. No ADR request will be processed by the Commission without the required filing fee.
 - 2) Administrative Fees
 - A) An administrative fee of up to \$1,000 per day of caucus or conference, as determined by the Commission based upon costs incurred by the Commission, but not to exceed \$10,000 over the course of the entire ADR process, shall be paid to the Commission.
 - B) Administrative fees will be estimated following Commission approval of a request for ADR. The Commission will request that the parties submit an initial deposit in an amount estimated to cover the administrative expenses of the Commission. ADR proceedings shall not commence until the deposit has been received.
 - C) If at any time the Commission determines that the deposit is not likely to cover the total costs of the proceedings, the amount of the administrative fees will be readjusted. The Commission may stay any ADR proceedings until the parties submit any additionally required fees.
 - D) Upon termination of the ADR proceeding under Section 3203.140, the Commission will determine the actual costs of the proceedings and will reimburse the parties for any excess payment or bill the parties for any balance due.
 - 3) Witness Expenses
Compensation of witnesses is the responsibility of the party who produces the witness.
- b) Distribution of Costs
Responsibility for payment of the fees established by subsection (a)(2) and the costs of procuring the services of the mediator will be borne equally by the

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participating parties, unless the parties agree in writing, with a copy submitted to the Commission, to a different allocation of responsibility. However, any party may choose to pay the unpaid balance of a fee if another party fails to pay its share.

Section 3203.150 Reporting and Closure

- a) **Compiling of the Record**

Upon completion of the ADR process, the mediator shall determine what items are needed for the permanent record of the ADR and shall provide those materials or direct the parties to do so. These materials shall include, but are not limited to:

 - 1) The ADR request and any concurrence agreements filed.
 - 2) The written parameters the mediator devised for the ADR process.
 - 3) Any additional information the parties submitted prior to the pre-mediation caucus.
 - 4) Any relevant written materials submitted during the ADR conferences, including, but not limited to, additional information provided by the parties, recommendations, records, summaries or other documents produced by the parties and/or mediator.
 - 5) The mediator's record of the conduct of the ADR conferences.
 - 6) Any forms the parties submitted pursuant to Section 3203.125(a) agreeing to the disclosure of otherwise confidential information.
 - 7) The mediator's summary of the ADR process, including, at a minimum:
 - A) Identification of the issues in dispute.
 - B) Information provided by parties, offered by witnesses, or specifically requested by the mediator during ADR conferences.
 - C) The reasoning that resulted in the Mediation Agreement.
 - D) Citation of all codes and administrative rules that impacted on the Mediation Agreement.

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- E) Mediator's recommendations with respect to this ADR or the Commission's ADR procedures in general.
- 8) The signed Mediation Agreement, termination agreement or termination order.
- 9) An evaluation of the ADR process, by each participating party, that measures such issues as:
 - A) fairness of the process;
 - B) individual participants' assessment of their control over the process;
 - C) mediator's handling of the ADR;
 - D) mediator's qualifications;
 - E) suggestions for improvement of the process in general and the mediator's effectiveness;
 - F) identification of unanticipated elements or overlooked issues;
 - G) overall satisfaction of the participant.
- b) **Closure of the ADR Process**
The mediator shall transmit the materials collected under subsection (a) to the Commission, along with his or her recommendation that the ADR process be deemed closed.
- c) **Commission Review**
The Commission shall review the ADR file and, after determining its completeness, shall declare the process closed. The Commission may make official recommendations to any State or local governmental entity for changes in that entity's laws, rules, regulations, ordinances, resolutions, building codes or procedures.

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Section 3203.APPENDIX A Alternative Dispute Resolution Request Form

ILLINOIS BUILDING COMMISSION

REQUEST FOR ALTERNATIVE DISPUTE RESOLUTION

Initiating Party: _____

Authorized Representative: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

For a joint request being submitting by more than one party:

Initiating Party: _____

Authorized Representative: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Nature of Dispute: (Attach additional sheets if necessary)

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The Claim or Relief Sought: (List dollar amount, if any)

List any responding parties that are not jointly submitting this request.

Responding Party: _____

Representative: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Responding Party: _____

Representative: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

(If there are more than 2 responding parties, list on a separate sheet.)

Signatures of the authorized representatives of the initiating parties

Date

Date

To request an ADR administered by the Commission, please send 3 copies of this request, by certified mail, with the request fee of \$2,000 required by 2 Ill. Adm. Code 3203.175(a)(1), to:

ILLINOIS BUILDING COMMISSION

NOTICE OF PROPOSED RULES

Illinois Building Commission
ADR Coordinator
401 South Spring Street
Room 420 William G. Stratton Building
Springfield, Illinois 62706.

A copy of this request must also be sent to any responding party who is not a joint requestor.

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Section 3203.APPENDIX B Alternative Dispute Resolution Concurrence Form

ILLINOIS BUILDING COMMISSION

CONCURRENCE IN ALTERNATIVE DISPUTE RESOLUTION REQUEST

Responding Party: _____

Authorized Representative: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

This concurrence is being filed with respect to an ADR request filed by:

Initiating Party: _____

Concurring Parties Description of the Nature of the Dispute, if Different from the Description Submitted by the Initiating Party: (Attach additional sheets if necessary)

The Claim or Relief Sought, if Different from that Submitted by the Initiating Party: (List dollar amount, if any)

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Certification of the Authorized Representatives of the Responding Party:

On behalf of the responding party named on this form, I certify that the responding party has received a copy of the request for ADR referenced on this form, concurs in that request, and will become an equal participant with the initiating party in the ADR process.

Date

To concur in the above cited request for an ADR administered by the Commission, please send 3 copies of this concurrence to:

Illinois Building Commission
ADR Coordinator
401 South Spring Street
Room 420 William G. Stratton Building
Springfield, Illinois 62706.

ILLINOIS BUILDING COMMISSION

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Section 3203.APPENDIX C Mediator Selection Agreement

ILLINOIS BUILDING COMMISSION

CERTIFICATION OF AGREEMENT – MEDIATOR SELECTION

The undersigned parties agree to the selection of the following named individual to act as mediator in the ADR process that they have requested or in which they have concurred, but acknowledge that the Commission will be reviewing this individual's qualifications to act as a mediator and will make the final determination with respect to the appointment of a mediator for any ADR process it administers.

Selected Mediator: _____

To the best of your knowledge, is this individual listed on the Illinois Building Commission's Mediation Roster? Yes No If no, attach to this form all materials required for the Commission's consideration of this individual. (See 2 Ill. Adm. Code 3203.110 and 115.)

Party Representative

Date

Party Representative

Date

Party Representative

Date

ILLINOIS BUILDING COMMISSION

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Section 3203.APPENDIX D Mediator Nomination Form

ILLINOIS BUILDING COMMISSION

MEDIATOR NOMINATION FORM

Parties to the ADR Process:

Date Process Approved by the Commission: _____

The undersigned party, having failed to agree with each of the other parties to the ADR process cited above on the selection of a mediator for the process, nominates the 3 individuals for selection by the Commission as the mediator for this ADR.

Is this individual on the Commission's Mediation Roster?

_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If the individual being nominated is not on the Commission's Mediation Roster, the nominating party must submit the documentation required under 2 Ill. Adm. Code 3203.110 and 115.

Failure of any party to nominate its 3 candidates will result in the Commission appointing a mediator from its Mediation Roster.

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Party Representative

Date

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Section 3203.APPENDIX E Mediator's Conflict of Interest Declaration

ILLINOIS BUILDING COMMISSION

DECLARATION OF CONFLICT OF INTEREST

The rules of the Commission at 2 Ill. Adm. Code 3203.110(b) and 115(b)(2) require mediators appointed by the Commission to have no identified conflicts of interest in the parties to the ADR process or their representatives or in the issue being disputed and no prior relationship, personal or professional, with any party or a representative of a party.

Name of the Monitor: _____

Parties to the ADR process: _____

Date of Commission Approval of Process: _____

DECLARATION:

I hereby declare that:

- I have no known conflict of interest that would preclude me from serving as an impartial mediator in the above named ADR process.
- While I believe that I have no conflict of interest that would preclude me from serving as an impartial mediator in the above named ADR process, I do have a current or prior relationship with one or more of the parties or their representatives that I hereby declare:

Party or Representative: _____

Relationship: Professional Personal

Description of the Relationship: _____

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Reason Why the Relationship Poses No Conflict: _____

Party or Representative: _____

Relationship: Professional Personal

Description of the Relationship: _____

Reason Why the Relationship Poses No Conflict: _____

Signature of Mediator

Date

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Sound Emission Standards And Limitations For Property Line-Noise-Sources
- 2) Code Citation: 35 Ill. Adm. Code 901
- 3) Section Number: 901.122 Proposed Action: Add
- 4) Statutory Authority: 415 ILCS 5/17 and 27
- 5) A Complete Description of the Subjects and Issues Involved: This site-specific rulemaking was filed with the Board by the Ameren Energy Generating Company (Ameren) to amend the Board's noise regulations with respect to the operation of Ameren's electric generating facility in Elgin, Cook County.

In its petition for this rulemaking, Ameren asserts that the Board's noise regulations are not currently applicable because the land uses in the immediate area are primarily Class C – industrial, agricultural, mining and excavation. Additionally, Ameren asserts that the facility is in compliance with the current applicable noise regulations at 35 Ill. Adm. Code Part 901.

The land immediately to the west of the facility is vacant, and until very recently was located within unincorporated Cook County and zoned Industrial. On June 3, 2003, the Village of Bartlett annexed and rezoned this land for residential use at the request of Realen Homes, a residential development corporation. Ameren has concluded that the facility will not be able to meet the Class A noise limitation at 35 Ill. Adm. Code 901.102, that heretofore were not applicable. Accordingly, Ameren is seeking a site-specific rule that establishes noise emission limitations for the facility that are applicable to Class A and B receiving lands.

- 6) Will this amendment replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section</u>	<u>Proposed Action</u>	<u>Illinois Register citation</u>
901.101	Amend	27 Ill. Reg 11908

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

901.102	Amend	27 Ill. Reg 11908
901.103	Amend	27 Ill. Reg 11908
901.104	Amend	27 Ill. Reg 11908
901.105	Amend	27 Ill. Reg 11908
901.106	Amend	27 Ill. Reg 11908
901.107	Amend	27 Ill. Reg 11908
901.108	Amend	27 Ill. Reg 11908
901.109	Amend	27 Ill. Reg 11908
901.110	Amend	27 Ill. Reg 11908
901.111	Amend	27 Ill. Reg 11908
901.113	Amend	27 Ill. Reg 11908
901.APPENDIX B	Amend	27 Ill. Reg 11908

- 10) Statement of Statewide Policy Objective: These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3 (1992)].
- 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 for a period of at least 45 days after the date of this publication. Comments should reference Docket R04-11 and be addressed to:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St.
Suite 11-500
Chicago, IL 60601

Address all questions to John Knittle at 217/278-3111 or knittlej@ipcb.state.il.us.

Request copies of the Board's opinion and order in Docket R04-11 from Dorothy M. Gunn, at 312-814-3620, or download copies from the Board's Web site at www.ipcb.state.il.us.

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses affected: None

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- B) Reporting, bookkeeping or other procedures required for compliance: No changes in the reporting, bookkeeping or other procedures will be required for compliance with this proposal.
 - C) Types of professional skills necessary for compliance: No professional skills beyond those currently required by the rules will be required.
- 13) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: the Board could not foresee the need for this site-specific rulemaking.

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE H: NOISE
CHAPTER I: POLLUTION CONTROL BOARDPART 901
SOUND EMISSION STANDARDS AND LIMITATIONS
FOR PROPERTY LINE-NOISE-SOURCES

Section

901.101	Classification of Land According to Use
901.102	Sound Emitted to Class A Land
901.103	Sound Emitted to Class B Land
901.104	Impulsive Sound
901.105	Impact Forging Operations
901.106	Prominent Discrete Tones
901.107	Exceptions
901.108	Compliance Dates for Part 901
901.109	Impulsive Sound from Explosive Blasting
901.110	Amforge Operational Level
901.111	Modern Drop Forge Operational Level
901.112	Wyman Wyan -Gordon Operational Level
901.113	Wagner Casting Site-Specific Operational Level
901.114	Moline Forge Operational Level
901.115	Cornell Forge Hampshire Division Site-Specific Operational Level
901.116	Forgings and Stampings, Inc. Operational Level
901.117	Rockford Drop Forge Company Operational Level
901.118	Atlas Forgings Division of Scot Forge Operational Level
901.119	Clifford-Jacobs Operational Level
901.120	C.S. Norcross Operational Level
901.121	Vaughan & Bushnell Operational Level
<u>901.122</u>	<u>Ameren Elgin Facility Site-Specific Noise Emission Limitations</u>
901.APPENDIX A	Old Rule Numbers Referenced
901.APPENDIX B	Standard Land Use Coding System

AUTHORITY: Implementing Section 25 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27].

SOURCE: Originally filed as Part 2 of Chapter 8: Noise Pollution, effective August 10, 1973; amended at 2 Ill. Reg. 27, p. 223, effective June 26, 1978; amended at 5 Ill. Reg. 6371, effective June 1, 1981; amended at 5 Ill. Reg. 8533, effective August 10, 1981; amended at 6 Ill. Reg.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

10960, effective September 1, 1982; codified at 7 Ill. Reg. 13646; amended at 7 Ill. Reg. 14519, effective October 17, 1983; amended in R83-35 at 8 Ill. Reg. 18893, effective September 25, 1984; amended in R83-33, 26, 29, 30 and R83-34 at 9 Ill. Reg. 1405, effective January 17, 1985; Section 901.105(f)(1), (2) and (3) recodified to Sections 901.110, 901.111 and 901.112 at 9 Ill. Reg. 7147; amended in R83-25, 31 and 32 at 9 Ill. Reg. 7149, effective May 7, 1985; amended in R83-7 at 11 Ill. Reg. 3136, effective January 28, 1987; amended in R04-11 at 28 Ill. Reg. _____, effective _____.

Section 901.122 Ameren Elgin Facility Site-Specific Noise Emission Limitations

The Combustion Turbine Power Generation Facility located at 1559 Gifford Road in Elgin, Illinois shall not cause or allow the emission of sound from any property-line-noise source located on that property which exceeds any allowable octave band sound pressure level specified in the following table, when measured at any point within the receiving Class A or Class B land.

<u>Octave Band Center Frequency (Hertz)</u>	<u>Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving Class A or Class B Land from Ameren Elgin Facility</u>	
	<u>Class A Land</u>	<u>Class B Land</u>
<u>31.5</u>	<u>80</u>	<u>80</u>
<u>63</u>	<u>74</u>	<u>79</u>
<u>125</u>	<u>69</u>	<u>74</u>
<u>250</u>	<u>64</u>	<u>69</u>
<u>500</u>	<u>58</u>	<u>63</u>
<u>1000</u>	<u>58</u>	<u>58</u>
<u>2000</u>	<u>58</u>	<u>58</u>
<u>4000</u>	<u>50</u>	<u>50</u>
<u>8000</u>	<u>40</u>	<u>45</u>

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

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Marriage and Family Therapy Licensing Act
- 2) Code Citation: 68 Ill. Adm. Code 1283
- 3) Section Number: 1283.30 Proposed Action: Amendment
- 4) Statutory Authority: Marriage and Family Therapy Licensing Act [225 ILCS 55].
- 5) A Complete Description of the Subjects and Issues Involved: Educational requirements are being revised to reflect changes nationally by the Commission on Accreditation for Marriage and Family Therapy. Obsolete language is also being removed and other technical changes are being made.
- 6) Will this amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective (if applicable): This rulemaking has no impact on local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after this issue of the *Illinois Register* to:

Barb Smith
Department of Professional Regulation
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax #: 217/782-7645
- 12) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: Those employing licensed marriage and family therapists.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

- B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: Skills as a marriage and family therapist are necessary for licensure.
- 13) Regulatory Agenda on which this rulemaking was summarized: July 2003

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

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1283
MARRIAGE AND FAMILY THERAPY LICENSING ACT

Section

1283.10	Application for a Temporary License Under Section 50 of the Act (Repealed)
1283.15	Professional Work Experience
1283.20	Clinical Experience
1283.25	Clinical Supervision
1283.30	Education
1283.40	Examination
1283.45	Application for a License as an Associate Marriage and Family Therapist
1283.46	Application for Examination/Licensure for an Individual Licensed as an Associate Marriage and Family Therapist
1283.50	Application for Examination/Licensure
1283.60	Endorsement
1283.70	Renewal
1283.80	Inactive Status
1283.90	Restoration
1283.95	Fees
1283.100	Professional Conduct
1283.110	Continuing Education
1283.120	Granting Variances

AUTHORITY: Implementing the Marriage and Family Therapy Licensing Act [225 ILCS 55] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 18 Ill. Reg. 10752, effective June 28, 1994; amended at 20 Ill. Reg. 12006, effective August 27, 1996; amended at 22 Ill. Reg. 3883, effective February 5, 1998; amended at 22 Ill. Reg. 16482, effective September 3, 1998; amended at 24 Ill. Reg. 7309, effective May 1, 2000; amended at 28 Ill. Reg. _____, effective _____.

Section 1283.30 Education

- a) An applicant for a license as a marriage and family therapist shall hold one of the following:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT

- 1) A master's or doctoral degree in marriage and family therapy from a regionally accredited educational institution;
 - 2) A master's or doctoral degree from a regionally accredited educational institution (by the U.S. Office of Education) in a related field (i.e., behavioral science or mental health) with an equivalent course of study in marriage and family therapy as set forth in subsection (b); or
 - 3) A master's or doctoral degree from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education~~commission on accreditations for marriage and family therapy education~~ of the American Association for Marriage and Family Therapy.
- b) ~~An~~ Prior to or on December 31, 1999, an applicant must have completed a minimum of 36 semester hours or 48 quarter hours of graduate coursework. Beginning January 1, 2000, an applicant must have completed a minimum of 48 semester hours or equivalent hours of graduate coursework. The applicant's graduate coursework, at a minimum, shall be substantially equivalent to the curriculum listed below. Courses are evaluated according to course content rather than course title. Course descriptions and syllabi are required for courses whose titles do not reflect the content described below:
- 1) Individual Development and Family Relations. Marital and Family Studies. Topics in marriage and family studies must be addressed in a minimum of 1-3 courses (3-9 semester or 4-12 quarter hours or equivalent). ~~3 courses (9 semester or 12 quarter hours or equivalent).~~ Topics that may be counted toward this area of study include family development and family interactional patterns across the life cycle of the individual as well as the family. Courses may include the study of: family life cycle; theories of family development; marriage and/or family dynamics; sociology of the family; families under stress; the contemporary family; social, cultural, and spiritual foundations of family life; the cross-cultural family; gender studies; youth/adult/aging and the family; family subsystems; interpersonal relationships (marriage, parenting, sibling); human development; lifestyle and career development; personality theory; and human sexuality.
 - 2) Theoretical Foundations and Clinical Practice. Marital and Family Therapy. Topics in marriage and family therapy must be addressed in a

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minimum of ~~6-8 courses (18-24 semester or 24-32 quarter hours or equivalent).~~ 3 courses (9 semester hours or 12 quarter hours or equivalent). The following topics must be covered:

- A) the historical development, theoretical and empirical foundations, and contemporary conceptual directions of the field of marriage and family therapy;
- B) overview of major clinical theories of marital and family therapy that offer conceptualizations and methods for working conjointly with two or more clients present in therapy sessions who are in significant relationships with each other outside the therapy context. These clinical theories shall include those in major textbooks in marriage and family therapy, such as: communications, contextual, experiential, object relations, strategic, behavioral, structural, systemic, transgenerational;
- ~~C)B)~~ assessment and evaluation of individuals (children, adolescents, and adults), couples and families;
- ~~D)C)~~ treatment and intervention methods for working with individuals (children, adolescents and adults), couples, families and groups in therapy;
- ~~E)D)~~ assessment and treatment of mental, emotional, behavioral and interpersonal disorders and psychopathology, including making clinical assessments, certifying diagnoses, prescribing treatment and signing off on treatment plans for persons with mental illnesses or other clinical disorders;
- ~~F)E)~~ contemporary issues, which include but are not limited to gender, violence, addictions, abuse, psychopharmacology, physical health and illness in the treatment of individuals, couples, and families from a relational/systemic perspective; sexual functioning, sexual orientation, and sex therapy as they relate to couple, marriage and family therapy theory and practice; significant material on diversity and discrimination as it relates to couple and family therapy theory and practice; assessment and treatment of substance abuse, domestic violence and sexual disorders;

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~~G)F)~~ crisis intervention.

The coursework in this subsection (b)(2) must balance methods for working individually (one client in a therapy session), and for working conjointly with at least two clients present in therapy sessions who are in significant relationships with each other outside the therapy context, and must include methods for working with groups. ~~3)Human Development. Topics in human development must be addressed in a minimum of 3 courses (9 semester hours or 12 quarter hours or equivalent). Topics that may be counted toward this area of study include: Human development; lifestyle and career development; personality theory; testing and evaluation; and human sexuality. Coursework must cover the topics of psychopathology and behavior disorders.~~

~~3)4)~~ Professional Studies and Ethics. Topics in professional studies and ethics must be addressed in a minimum of 1 course (3 semester hours or 4 quarter hours or equivalent). Topics that may be counted toward this area of study include: ~~professional~~Professional socialization and the role of the professional organization; legal responsibilities and liabilities; independent practice and interprofessional cooperation; ethics; family law; unique professional and ethical situations involved with conjoint therapies.

~~4)5)~~ Research. Topics in research must be addressed in a minimum of 1 course (3 semester hours or 4 quarter hours or equivalent). Topics that may be counted toward this area of study include: ~~research~~Research design and methods; statistics; research in a mental health field.

~~5)6)~~ Clinical Practicum/Internship. (300 hours) – 15 hours per week, approximately 8-10 hours in face-to-face contact with individuals, couples, ~~and~~ families and groups for the purpose of assessment, diagnosis and treatment. ~~e)While the required number of courses in marriage and family studies, marriage and family therapy, and human development can be met in a variety of ways, it is mandatory that the following topics be covered: 1)overview of major clinical theories of marital and family therapy that offer conceptualizations and methods for working conjointly with two or more clients present in therapy sessions who are in significant relationships with each other outside the therapy context. These clinical theories shall include those in major textbooks in marriage and family therapy, such as: communications, contextual, behavioral, experiential, object relations, strategic, structural, systemic, and transgenerational;~~

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~~2)assessment and evaluation of individuals (children, adolescents and adults), couples and families; 3)treatment and intervention methods for working with individuals (children, adolescents, and adults), couples, families and groups in therapy; 4)assessment and treatment of mental, emotional, behavioral and interpersonal disorders and psychopathology, including making clinical assessments, certifying diagnoses, prescribing treatment and signing off on treatment plans for persons with mental illnesses or other clinical disorders; 5)assessment and treatment of substance abuse, domestic violence and sexual disorders; 6)crisis intervention; and 7)psychopathology and behavior disorders.~~

- ~~c)d~~ In evaluating coursework from another jurisdiction, the Board may require documentation such as, but not limited to, an evaluation by a foreign equivalency documentation service indicating that the applicant's graduate program is equivalent to a graduate program in this country.
- ~~d)e~~ An individual who has taught a graduate level course in a regionally accredited educational institution in any of the areas listed in subsection ~~(b)(e) above~~ shall receive credit for the course. One course taught is equivalent to one course taken. Repetitive teaching of the same course may only be counted as one course. Syllabi and reading lists shall be submitted in order to obtain credit.
- ~~e)f~~ Courses taken at a post-degree institution may count as equivalent for an education requirement of subsection ~~(b)(e)~~ if the institution's training program is accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) or meets the following requirements:
- 1) The institution's program is established to achieve coherent mission and training objectives and the program has as its primary objective the training of marriage and family therapists.
 - 2) The specific course submitted as equivalent to those defined in subsection (b) is taught by faculty who hold graduate degrees and are trained and credentialed in the field in which they teach.
 - 3) Courses must be offered by an established, identifiable facility or agency.
 - 4) Courses must be ongoing and additive (offered at the same place over a specific period of time and available on an ongoing basis) or offered off site by an acceptable post degree institution with an established,

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identifiable home-base facility or agency.

- 5) Courses must include outlines, clear description of content, appropriate bibliography, and other indications or meet generally acceptable criteria for academic offerings.
- 6) Correspondence courses are not acceptable.

~~f)g)~~ Credit for courses taken pursuant to subsection ~~(e)(f) above~~ will be given on a semester-hour equivalency basis which is 15 classroom hours per semester credit. Evaluation of course work is on a case-by-case basis for each applicant. To receive credit, an applicant must submit a syllabus for each course, proof of acceptable completion of the course, and all documentation necessary to demonstrate that the post-degree institution and the specific course meet all the requirements of subsection ~~(e)(f)~~.

~~g)h)~~ A thesis or dissertation completed as a requirement of the first qualifying degree will not be counted as equivalent for an education requirement of subsection (b).

~~h)i)~~ Applicants who hold non-clinical qualifying degrees, or whose practicum/internship was in areas other than marriage and family therapy, may document the practicum requirement with their first 300 post-graduate client contact hours supervised by an American Association for Marriage and Family Therapy Approved Supervisor, supervisor-in-training or a supervisor who meets the requirements set forth in Section 1283.21 of this Part.

~~i)j)~~ Approved Comprehensive Programs of Study in Marriage and Family Therapy. The Department, upon recommendation of the Board, shall approve Comprehensive Programs of Study in Marriage and Family Therapy that meet the following requirements:

- 1) The program is offered by an educational department or unit that grants master's or doctoral degrees in marriage and family therapy or in a related field (i.e., behavioral science or mental health) and the educational institution is regionally accredited.
- 2) The program has a faculty responsible for the program and has a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have degrees in their ~~areas area(s)~~ of teaching from professional colleges and institutions.

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- 3) The education unit or department has an identifiable body of students who are matriculated in that program for a degree.
 - 4) A marriage and family therapist is responsible for the program.
 - 5) The program shall be at least 2 academic years in length at a minimum, and require a minimum of 48 semester hours or equivalent hours of graduate coursework.
 - 6) The program shall contain the curriculum listed in subsections ~~subsections~~ (b) ~~and (e)~~ of this Section.
- ~~j)k)~~ **Reevaluation of an Approved Comprehensive Program of Study in Marriage and Family Therapy.**
- 1) The Department may reevaluate any program at any time if it has reason to believe that the Program has failed to continue to satisfy the minimum requirements of this Section or that its decision was based upon false, deceptive or incomplete information.
 - 2) The program whose approval is being reevaluated by the Board shall be given at least 15 days written notice prior to any recommendation by the Board and may either submit written comments or request a hearing before the Board.
 - 3) Every year the faculty person responsible for the program will send the Department an annual report specifying the faculty persons responsible for monitoring student compliance with the program requirements and any changes from the original application in how the program is accomplishing the requirements in subsection ~~(i)~~ ~~(j)~~ including changes in curriculum and/or faculty.
- ~~k)h)~~ **The Department, upon the recommendation of the Board, has determined that marriage and family therapy programs accredited by the Commission on Accreditation for Marriage and Family Therapy Education of the American Association for Marriage and Family Therapy as of July 1, 1998, meet the minimum criteria set forth in this Section and are, therefore, approved.**

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

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Nursing and Advanced Practice Nursing Act - Advanced Practice Nurse
- 2) Code Citation: 68 Ill. Adm. Code 1305
- 3) Section Numbers: Proposed Action:
1305.15 Repealed
1305.20 Amendment
- 4) Statutory Authority: Nursing and Advanced Practice Nursing Act [225 ILCS 65]
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking implements PA 93-296, which effectively reopens the grandfather licensure provisions for certified registered nurse anesthetists (CRNAs) by allowing CRNA applicants without a graduate degree, but who completed a formal education program in nurse anesthesia prior to January 1, 1999, to obtain a license in Illinois if they apply prior to December 31, 2006. It also repeals the previous grandfather language for APNs contained in Section 1305.15.
- 6) Does this rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
1305.25	Amend	27 Ill. Reg. 9903
1305.60	Amend	27 Ill. Reg. 9903
1305.100	Add	27 Ill. Reg. 9903

- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no effect on local governments.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Barb Smith
320 West Washington, 3rd Floor
Springfield, IL 62786

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217/785-0813 Fax #: 217/782-7645

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

12) Initial Regulatory Flexibility Analysis:

- 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: Nurse anesthetist skills are necessary for licensure.

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

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

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1305
NURSING AND ADVANCED PRACTICE NURSING ACT –
ADVANCED PRACTICE NURSE

Section

1305.10	Definitions
1305.15	Application for Licensure Prior to July 1, 2001 (Repealed)
1305.20	Application for Licensure Beginning July 1, 2001
1305.25	Fees
1305.30	Written Collaborative Agreements
1305.35	Medical Direction
1305.40	Prescriptive Authority
1305.45	Delivery of Anesthesia Services by a Certified Registered Nurse Anesthetist
1305.50	Practice Agreement for Certified Registered Nurse Anesthetist
1305.60	Renewals
1305.70	Advertising
1305.75	Mandatory Reporting of Impaired Advanced Practice Nurses by Health Care Institutions
1305.80	Fines
1305.85	Public Access to Records and Meetings
1305.90	Refusal to Issue a Nurse License based on Criminal History Record
1305.95	Granting Variances
1305.APPENDIX A	Additional Certifications Accepted for Licensure as an Advanced Practice Nurse
1305.EXHIBIT A	Sample Written Collaborative Agreement
1305.EXHIBIT B	Sample Practice Agreement for Office Based Anesthesia Services

AUTHORITY: Implementing the Nursing and Advanced Practice Nursing Act [225 ILCS 65] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 25 Ill. Reg. 4609, effective March 15, 2001; amended at 26 Ill. Reg. 7279, effective April 26, 2002; amended at 26 Ill. Reg. 11944, effective July 18, 2002; emergency amendment at 26 Ill. Reg. 16845, effective November 4, 2002, for a maximum of 150 days; amended at 27 Ill. Reg. 5829, effective March 24, 2003; amended at 28 Ill. Reg. _____, effective _____.

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Section 1305.15 Application for Licensure Prior to July 1, 2001 (Repealed)

- a) ~~An applicant for licensure as an advanced practice nurse shall file an application, prior to July 1, 2001, on forms provided by the Department. The application shall include:~~
- ~~1) Current Illinois registered nurse license number.~~
 - ~~2) Proof of current national certification, which includes completion of an examination, from one of the following:~~
 - ~~A) Nurse Midwife certification from:
 - ~~i) the American College of Nurse Midwives (ACNM); or~~
 - ~~ii) American College of Nurse Midwives Certification Council (ACC);~~~~
 - ~~B) Nurse Practitioner certification from:
 - ~~i) American Academy of Nurse Practitioners Certification Program as a Nurse Practitioner;~~
 - ~~ii) American Nurses Credentialing Center as a Nurse Practitioner;~~
 - ~~iii) The National Certification Board of Pediatric Nurse Practitioners & Nurses as a Nurse Practitioner;~~
 - ~~iv) The National Certification Corporation for the Obstetric, Gynecologic and Neonatal Nursing Specialties as a Nurse Practitioner; or~~
 - ~~v) The Certification Board for Urologic Nurses and Associates as a Urologic Nurse Practitioner;~~~~
 - ~~C) Registered Nurse Anesthetist certification from:
 - ~~i) Council on Certification of the American Association of Nurse Anesthetists; or~~
 - ~~ii) Council on Recertification of the American Association of Nurse Anesthetists;~~~~
 - ~~D) Clinical Nurse Specialist certification from:
 - ~~i) American Nurses Credentialing Center (ANCC) as a Clinical Nurse Specialist;~~
 - ~~ii) American Association of Critical Care Nurses as a Clinical Nurse Specialist;~~
 - ~~iii) Rehabilitation Nursing Certification Board as a Certified Rehabilitation Registered Nurse Advanced;~~
 - ~~iv) Oncology Nursing Certification Corporation as an Advanced Oncology Certified Nurse (AOCN); or~~
 - ~~v) Certification Board for Urologic Nurses and Associates as a Urologic Clinical Nurse Specialist.~~~~
 - ~~3) The Board, in addition to the certifications listed in subsection (a)(2)(D),~~

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~~may review and make a recommendation to the Department to accept a certification for a clinical nurse specialist if the certifying body meets the following requirements:~~

- ~~A) is national in the scope of credentialing;~~
- ~~B) has no requirement for an applicant to be a member of any organization;~~
- ~~C) has an examination that represents a specialty practice category;~~
- ~~D) has an examination that evaluates knowledge, skills and abilities essential for the delivery of safe and effective specialty nursing care;~~
- ~~E) has an examination whose content and distribution are specified in a test plan;~~
- ~~F) has examination items reviewed for content validity, cultural sensitivity and correct scoring, using an established mechanism, both before use and periodically;~~
- ~~G) has an examination evaluated for psychometric performance;~~
- ~~H) has a passing standard established using acceptable psychometric methods and is reevaluated periodically;~~
- ~~I) has examination security maintained through established procedures;~~
- ~~J) issues a certification based upon passing the examination;~~
- ~~K) has mechanisms in place for communication to boards of nursing for timely verification of an individual's certification status, changes in certification status and changes in the certification program, including qualifications, test plan and scope of practice; and~~
- ~~L) has an evaluation process to provide quality assurance in its certification program.~~

4) Education

- ~~A) Proof of successful completion of a post-basic advanced practice formal education program in the area of his or her nursing specialty; or~~
- ~~B) Proof of successful completion of a master's program appropriate for certification as a Nurse Midwife, Nurse Practitioner, Clinical Nurse Specialist or Nurse Anesthetist.~~

5) ~~A complete work history since completion of an advanced practice nursing program.~~6) ~~Proof on forms provided by the Department, from all states in which an applicant was licensed and is currently licensed as an advanced practice nurse, if applicable, stating:~~

- ~~A) The time during which the applicant was licensed in that state,~~

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- ~~including the date of the original issuance of the license; and~~
- ~~B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.~~
- ~~7) The fee required in Section 1305.25 of this Part.~~
- b) ~~A nurse practitioner applying for licensure as an advanced practice nurse pursuant to Section 15-10(c) of the Act shall file an application, before July 1, 2001, on forms provided by the Department. The application shall include:~~
- ~~1) Current Illinois registered nurse license number;~~
- ~~2) Education~~
- ~~A) Proof of successful completion of a post-basic advanced practice formal education program in the area of his or her nursing specialty; or~~
- ~~B) Proof of successful completion of a master's or higher program appropriate for certification as a nurse practitioner;~~
- ~~3) Proof of practice for at least 10 years as a nurse practitioner;~~
- ~~4) A complete work history since completion of an advanced practice nursing education program;~~
- ~~5) Proof on forms provided by the Department, from all states in which an applicant was licensed and is currently licensed as an advanced practice nurse, if applicable, stating:~~
- ~~A) The time during which the applicant was licensed in that state, including the date of the original issuance of the license; and~~
- ~~B) Whether the file on the applicant contains any record of disciplinary actions taken or pending;~~
- ~~6) The fee required in Section 1305.25 of this Part.~~
- e) ~~When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure shall be requested to:~~
- ~~1) Provide information as may be necessary; and/or~~
- ~~2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.~~
- d) ~~An advanced practice nurse license will be issued when the applicant meets the requirements set forth in this Section and the Act or the applicant will be notified for the reasons for denial.~~
- e) ~~"Post-basic advanced practice formal education program" means an integrated course of study that includes concurrent advanced clinical nursing practice and theory.~~

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

Section 1305.20 Application for Licensure Beginning July 1, 2001

- a) An applicant for licensure as an advanced practice nurse shall file an application on forms provided by the Department. The application shall include:
- 1) Current Illinois registered nurse license number.
 - 2) Proof of current national certification, which includes completion of an examination, from one of the following:
 - A) Nurse Midwife certification from:
 - i) the American College of Nurse Midwives (ACNM); or
 - ii) the American College of Nurse Midwives Certification Council.
 - B) Nurse Practitioner certification from:
 - i) American Academy of Nurse Practitioners Certification Program as a Nurse Practitioner;
 - ii) American Nurses Credentialing Center as a Nurse Practitioner;
 - iii) The National Certification Board of Pediatric Nurse Practitioners & Nurses as a Nurse Practitioner;
 - iv) The National Certification Corporation for the Obstetric, Gynecologic and Neonatal Nursing Specialties as a Nurse Practitioner; or
 - v) The Certification Board for Urologic Nurses and Associates as a Urologic Nurse Practitioner.
 - C) Registered Nurse Anesthetist certification from:
 - i) Council on Certification of the American Association of Nurse Anesthetists; or

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- ii) Council on Recertification of the American Association of Nurse Anesthetists.
- D) Clinical Nurse Specialist certification from:
- i) American Nurses Credentialing Center (ANCC) as a Clinical Nurse Specialist (acceptable certifications are listed in Appendix A);
 - ii) American Association of Critical Care Nurses as a Clinical Nurse Specialist;
 - iii) Rehabilitation Nursing Certification Board as a Certified Rehabilitation Registered Nurse-Advanced;
 - iv) Oncology Nursing Certification Corporation as an Advanced Oncology Nurse (AOCN);
 - v) Certification Board for Urologic Nurses and Associates as Urologic Clinical Nurse Specialist; or
 - vi) Other certifications listed in Appendix A.
- 3) The Board, in addition to the certification listed in subsection (a)(2), may review and make a recommendation to the Department to accept a certification if the certifying body meets the following requirements (certifications are listed in Appendix A):
- A) is national in the scope of credentialing;
 - B) has no requirement for an applicant to be a member of any organization;
 - C) has an examination that represents a specialty practice category;
 - D) has an examination that evaluates knowledge, skills and abilities essential for the delivery of safe and effective specialty nursing care;
 - E) has an examination whose content and distribution are specified in

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- a test plan;
- F) has examination items reviewed for content validity, cultural sensitivity and correct scoring, using an established mechanism, both before use and periodically;
 - G) has an examination evaluated for psychometric performance;
 - H) has a passing standard established using acceptable psychometric methods and is reevaluated periodically;
 - I) has examination security maintained through established procedures;
 - J) issues a certification based upon passing the examination;
 - K) has mechanisms in place for communication to boards of nursing for timely verification of an individual's certification status, changes in certification status and changes in the certification program, including qualifications, test plan and scope of practice; and
 - L) has an evaluation process to provide quality assurance in its certification program.
- 4) Proof of successful completion of a master's program or higher appropriate for certification as a Nurse Midwife, Nurse Practitioner, Clinical Nurse Specialist or Nurse Anesthetist.
 - 5) A complete work history for the last 5 years.
 - 6) Verification of licensure as an advanced practice nurse from the state in which an applicant was originally licensed, current state of licensure and any other state in which the applicant has been actively practicing as an advanced practice nurse within the last 5 years, if applicable, stating:
 - A) The time during which the applicant was licensed in that state, including the date of the original issuance of the license; and
 - B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

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- 7) The fee required in Section 1305.25 of this Part.
- b) An applicant for licensure as an advanced practice nurse may apply to the Department, on forms provided by the Department, to practice as an advanced practice nurse pending the issuance of the license.
 - 1) The application shall include:
 - A) A completed, signed application for licensure, as set forth in subsection (a);
 - B) Documentation from an approved certifying body set forth in subsection (a)(2) and Appendix A indicating the date the applicant is scheduled to sit for the examination. Upon successful completion of the examination, proof of certification shall be submitted to the Department from the certifying body;
 - C) A certifying statement from a collaborating physician indicating that the individual has completed a proposed collaborative agreement as required by Section 15-15 of the Act or a certifying statement from a physician, dentist or podiatrist indicating that a CRNA has a practice agreement as required by 15-25 of the Act. A CRNA who will be practicing in a hospital setting or ambulatory surgical treatment center is not required to have a collaborative or practice agreement pursuant to Section 15-25 of the Act;
 - D) The processing fee set forth in Section 1305.20.
 - 2) The Department will provide a letter to each applicant indicating the ability to practice license pending.
 - 3) Practice pending licensure shall be terminated upon:
 - A) the issuance of a permanent license;
 - B) failure to complete the application process within 6 months from the date of application;

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- C) a finding by the Department that the applicant has violated one or more of the grounds for discipline set forth in Section 10-45 or 15-50 of the Act;
- D) a finding by the Department that the applicant has had a license or permit related to the practice of advanced practice nursing revoked, suspended or placed on probation by another jurisdiction, if at least one of the grounds is substantially equivalent to grounds in Illinois, within the last 5 years; or
- E) a finding by the Department that the applicant does not meet the licensure requirements as set forth in this Section.

The Department shall notify the applicant in writing of such termination and shall notify the applicant by certified or registered mail of the intent to deny licensure.

- c) Notwithstanding any other provisions of this Section, an applicant for licensure as a CRNA who does not have a graduate degree may, prior to December 31, 2006, file an application as provided in Section 15-10(b-5) of the Act, on forms provided by the Department, to include:
 - 1) Current Illinois registered nurse license number.
 - 2) Proof of current national certification, which includes completion of an examination, from the following:
 - A) Council on Certification of the American Association of Nurse Anesthetists; and
 - B) Council on Recertification of the American Association of Nurse Anesthetists.
 - 3) Proof of successful completion of a post-basic advanced practice formal education program in the area of nurse anesthesia prior to January 1, 1999.
 - 4) A complete work history since completion of an advanced practice nursing program.

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- 5) Proof on forms provided by the Department, from all states in which an applicant was licensed and is currently licensed as an advanced practice nurse, if applicable, stating:
- A) The time during which the applicant was licensed in that state, including the date of the original issuance of the license; and
- B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- 6) The fee required in Section 1305.25 of this Part.
- d)e) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
- e)d) An advanced practice nurse license may be issued when the applicant meets the requirements set forth in this Section.

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Public Use of DHS-ORS Facilities
- 2) Code Citation: 89 Ill. Adm. Code 546
- 3) Section Number: 546.10 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625]
- 5) Effective Date of Amendment: November 4, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: July 7, 2003; 27 Ill. Reg. 9773
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: In Section 546.10 (a), added a hyphen between "Services" and "Office". In (a)(1), changed "her/his" to "his/her" and "date(s)" to "dates". In (a)(4), (5), (7), & (b) and (c) changed "requestor(s)" to "requestors".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This rulemaking was proposed to clarify language regarding use of DHS-ORS facilities. The use of any facility should now be approved by the Secretary or his/her designee.
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

Tracie Drew, Bureau Chief of Administrative Rules
Department of Human Services
100 South Grand Ave. East
Springfield IL 62702
(217) 785-9772

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

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
SUBTITLE A: GENERAL PROGRAM PROVISIONS
CHAPTER IV: DEPARTMENT OF HUMAN SERVICESPART 546
PUBLIC USE OF DHS-ORS FACILITIESSection
546.10 Public Use of DHS-ORS Facilities

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625].

SOURCE: Adopted at 18 Ill. Reg. 10241, effective June 17, 1994; amended at 20 Ill. Reg. 14899, effective November 1, 1996; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 27 Ill. Reg. 17375, effective November 4, 2003.

Section 546.10 Public Use of DHS-ORS Facilities

- a) Facilities operated by Department of Human Services-Office of Rehabilitation Services (DHS-ORS)~~DHS-operated facilities~~ may be used by persons, groups or organizations at the discretion of DHS and under the following conditions:
- 1) a request to use a facility should be submitted in writing to the Secretary of DHS or his/her designee~~Superintendent/Office Manager of that facility~~ at least two weeks in advance of the requested dates~~date(s)~~; the request must detail the intended use and specify the part or parts of the facility needed;
 - 2) the activity and reservation time must be approved, in writing, by the school-Secretary~~Superintendent/Office Manager~~ or his/her designee;
 - 3) groups and organizations must designate an adult who is responsible for the group or organization;
 - 4) the requestors~~requestor(s)~~ shall adhere to guidelines and regulations of this Section established by DHS concerning conduct and activities while on the premises and agree that its activities will not interfere with normal

DEPARTMENT OF HUMAN SERVICES

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- operations of the DHS-~~ORS~~ facility;
- 5) the ~~requestors~~requestor(s) must sign an agreement prior to utilizing the facility that indicates:
- A) compliance with applicable Departmental regulations prohibiting the use of alcoholic beverages, tobacco products, illegal drugs, fireworks, explosives, guns, weapons and gambling on State property;
 - B) agreement to return the facility to the condition it was in prior to the group's use. If any cleanup expense is incurred by DHS, fees will be charged to the group or responsible person. The ~~school~~Secretary~~Superintendent/Office Manager~~ or his/her designee will determine if this requirement has been met by the person, group or organization; and
 - C) understanding that DHS will not provide security;
- 6) proposed use of the facility shall not conflict with the provision of any lease held by DHS; and
- 7) any ~~requestors~~requestor(s) using the facility must pay all activity expenses incurred directly and not through DHS.
- b) The ~~requestors~~requestor(s) shall indemnify and hold harmless DHS and the State of Illinois for any loss DHS or the State may sustain related to the use of the facility by the person, group or organization. The person, group or organization will be asked to demonstrate it has liability insurance that is adequate for the type of event it is conducting and be asked to name DHS as an additional insured on its insurance policy. The ~~Secretary or his/her designee~~Superintendent/Office Manager shall determine the amount and type of insurance required based on the type of activity and number of people to be involved. Any questions regarding type and amount of coverage shall be referred to DHS Legal Division for final determination.
- c) Requestors~~Requestor(s)~~ using a DHS-~~ORS~~ facility shall not damage, deface, destroy, remove or injure in any way the State property being used. All persons, organizations, and groups will be responsible for all costs, expenses, damages and liability resulting from such damage, defacement, destruction, removal or other

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injury to State property.

- d) DHS may contract with local election boards to allow use of its facilities as accessible polling places during local, State, and national elections. These agreements will be entered into at the discretion of the Department if such use does not violate any local agreements and/or leases DHS may have for that property. The Secretary of DHS or his/her designee shall approve the contract. |

(Source: Amended at 27 Ill. Reg. 17375, effective November 4, 2003)

ILLINOIS LIQUOR CONTROL COMMISSION

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- 1) Heading of the Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 2075
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2075.10	Amend
2075.200	Amend
- 4) Statutory Authority: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/15-16] and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)].
- 5) Effective Date of Rulemaking: November 10, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: Under Section 5-15 of the Illinois Administrative Procedure Act, required rules are adopted when filed and are not subject to 1st or 2nd Notice requirements.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? JCAR review is not required.
- 11) Differences between proposal and final version: Under Section 5-15 of the Illinois Administrative Procedure Act, required rules are adopted when filed and are not subject to 1st or 2nd Notice requirements.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? None
- 13) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Rulemaking: The rulemaking reflects the Commission's most recent address; increases Commission membership from 5 to 7, pursuant to PA 91-798; and specifies that the Executive Director and Secretary are appointed by the Governor, pursuant to Executive Order #12.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Anne Treonis
Illinois Liquor Control Commission
James R. Thompson Center
100 W. Randolph, Suite 5-300
Chicago, Illinois 60601

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

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER XXIV: ILLINOIS LIQUOR CONTROL COMMISSIONPART 2075
PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section	
2075.10	Submissions and Requests
2075.20	Materials Which can be Inspected

SUBPART B: RULEMAKING

Section	
2075.100	Current Rulemaking Procedures

SUBPART C: ORGANIZATION

Section	
2075.200	Current Description of Agency's Organization

2075.APPENDIX A RuleMaking Chart

2075.APPENDIX B Organization Chart

AUTHORITY: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/15-16] and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)].

SOURCE: Public Information Rules adopted at 3 Ill. Reg. 1, p. 177, effective December 26, 1978; Rulemaking Rules adopted at 3 Ill. Reg. 1, p. 173, effective December 26, 1978; amended at 7 Ill. Reg. 7946; effective June 17, 1983; Organization Rules adopted at 3 Ill. Reg. 1, p. 170, effective December 26, 1978; codified at 8 Ill. Reg. 15929; amended at 20 Ill. Reg. 7511, effective June 1, 1996; amended at 23 Ill. Reg. 12677, effective October 4, 1999; amended at 27 Ill. Reg. 17380, effective November 10, 2003.

SUBPART A: PUBLIC INFORMATION

Section 2075.10 Submissions and Requests

ILLINOIS LIQUOR CONTROL COMMISSION

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The public can obtain information or make submissions or requests on subjects, programs, and activities of the Commission by writing or by phoning or visiting the Commission offices located at 100 West Randolph Street, Chicago, Illinois 60601, or 101 W. Jefferson St., 222 S. College St., 1st FL., Springfield, Illinois 62702~~62704~~.

(Source: Amended at 27 Ill. Reg. 17380, effective November 10, 2003)

SUBPART C: ORGANIZATION

Section 2075.200 Current Description of Agency's Organization

- a) The Illinois Liquor Control Commission consists of 7-five (5) members, the Chairman and 6-four (4) Commissioners, who are appointed by the Governor with the advice and consent of the Senate.
- b) The Secretary of the Commission, who is appointed by the Governor, keeps a record of all proceedings, transactions, communications and official acts of the Commission and is the custodian of all records and performs such other duties as the Commission may prescribe.
- c) The Administrative head of the Commission is the Executive Director, appointed by the Governor, who reports directly to the 7-five (5) members.
- d) The Chief of Investigations oversees the activities of the Liquor Control Special Agents and reports directly to the Executive Director.
- e) The Chief Technical Advisor is the legal consultant for the Commission and reports directly to the Executive Director.
- f) Support staff consists of such Attorneys, inspectors, clerks and other employees as may be necessary to carry out the provisions of the Illinois Liquor Control Act or to perform the duties and exercise the powers conferred by law upon the Commissioners, and are also directly accountable to the Executive Director.
- g) The Liquor Control Special Agents investigate complaints made against licensees and conduct routine inspections of licensees and are accountable to the Chief of Investigations.

AGENCY NOTE: For organization chart, see Appendix B.

ILLINOIS LIQUOR CONTROL COMMISSION

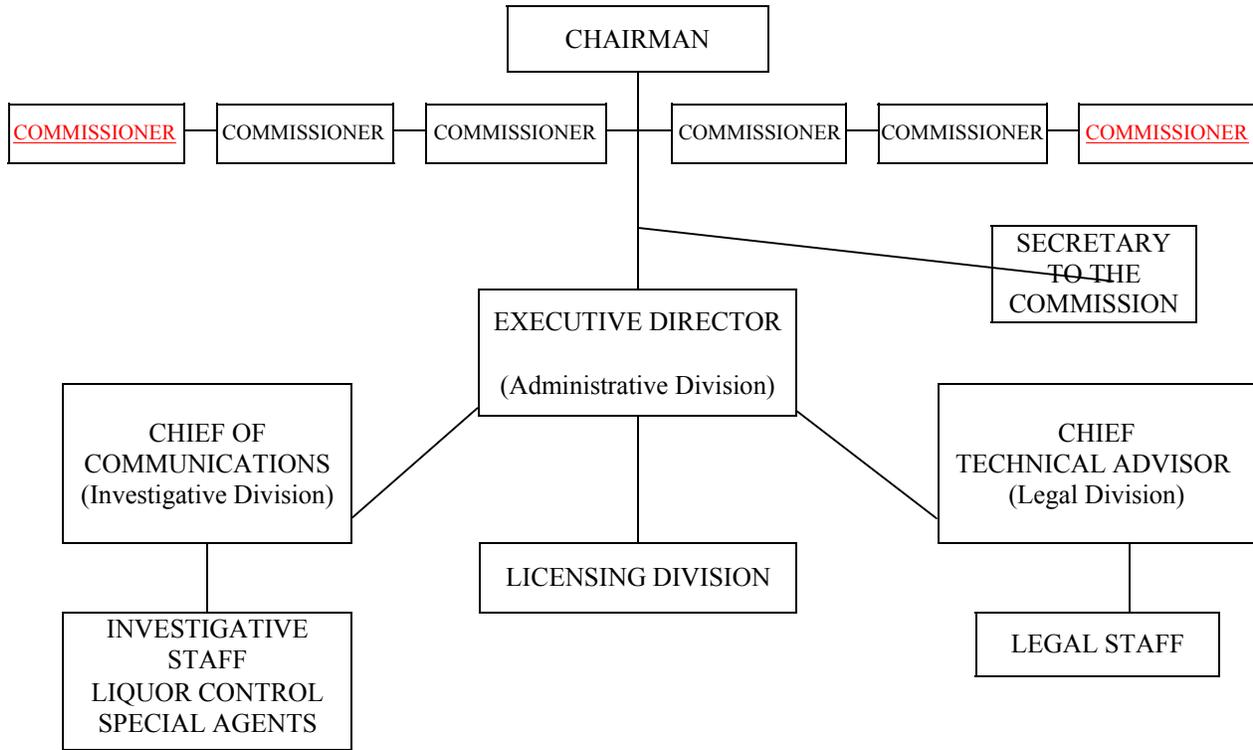
NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 27 Ill. Reg. 17380, effective November 10, 2003)

ILLINOIS LIQUOR CONTROL COMMISSION

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Section 2075.APPENDIX B Organization Chart



(Source: Amended at 27 Ill. Reg. 17380, effective November 10, 2003)

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Illinois Liquor Control Commission
- 2) Code Citation: 11 Ill. Adm. Code 100
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
100.10	Amend
100.340	Amend
100.350	Amend
100.380	Amend
- 4) Statutory Authority: Implementing and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)].
- 5) Effective Date of Rulemaking: November 10, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: Under Section 5-15 of the Illinois Administrative Procedure Act, required rules are adopted when filed and are not subject to 1st or 2nd Notice requirements.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? JCAR review is not required.
- 11) Differences between proposal and final version: Under Section 5-15 of the Illinois Administrative Procedure Act, required rules are adopted when filed and are not subject to 1st or 2nd Notice requirements.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? None
- 13) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Rulemaking: The Commission is updating its required rules to reflect an address change; increasing the number of copies required to be filed in appeals from an order of the local liquor control commissioner; and reflecting provisions of Executive Order #12 transferring specified staff to the Department of Revenue.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Anne Treonis
Illinois Liquor Control Commission
James R. Thompson Center
100 W. Randolph, Suite 5-300
Chicago, Illinois 60601

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

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE A: ALCOHOL
CHAPTER I: ILLINOIS LIQUOR CONTROL COMMISSIONPART 100
THE ILLINOIS LIQUOR CONTROL COMMISSION

Section	
100.5	Penalties
100.10	Definitions
100.20	Employment of Minors
100.30	Violation of Federal Law, State Statute or City, Village or County Ordinance or Regulation
100.40	Registration of Tasting Representatives
100.50	Advertising
100.60	Geographical Territories
100.70	Labels
100.80	Bonds (Repealed)
100.90	Credit to Retail Licensees
100.100	Internal Changes Within Corporations
100.110	Application Forms
100.120	Railroad Licenses
100.130	Books and Records
100.140	Miniatures (Repealed)
100.150	Salvaged Alcoholic Liquors
100.160	Sanitation
100.170	Taps
100.180	Procedure Before Commission on Citations
100.190	Procedure Before Commission on Request for Continuance of Any Hearing
100.200	Wagering Stamps (Repealed)
100.210	Inducements
100.220	Retail Licensee Clubs (Repealed)
100.230	Resumption of Business on Appeal
100.240	Transactions Involving Use of Checks and Their Equivalent (Repealed)
100.250	Transfer of Alcohol
100.260	Uniform Systems of Accounts
100.270	Multi-Use Facilities
100.280	Giving Away of Alcoholic Liquors
100.290	Refilling
100.300	Authorization to Remove Bottles

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100.310	Food Service at Park Districts
100.320	Airplanes
100.330	Advertising
100.340	Petitions for the Adoption, Amendment or Repeal of a Rule
100.350	Procedures For Filing Appeals From an Order of the Local Liquor Control Commissioner
100.360	Review on Record – Certification of Ordinance
100.370	Procedures Before the Commission
100.380	Ex Parte Consultations
100.390	Transcripts – Administrative Review
100.400	Procedures Before the Commission on Disputes under Section 35 of the Illinois Wine and Spirits Industry Fair Dealing Act (Repealed)
100.410	Representation of Licensees Before the Commission (Repealed)

AUTHORITY: Implementing and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)].

SOURCE: Rules and Regulations of the Illinois Liquor Commission, amended March 31, 1977; amended July 7, 1977; amended at 3 Ill. Reg. 12, p. 65, effective March 22, 1979; codified at 5 Ill. Reg. 10706; amended at 8 Ill. Reg. 6041, effective April 19, 1984; amended at 12 Ill. Reg. 19387, effective November 7, 1988; amended at 18 Ill. Reg. 4811, effective March 9, 1994; amended at 20 Ill. Reg. 834, effective January 2, 1996; expedited correction at 20 Ill. Reg. 4469, effective January 2, 1996; amended at 21 Ill. Reg. 5542, effective May 1, 1997; amended at 23 Ill. Reg. 3787, effective March 15, 1999; emergency amendment at 23 Ill. Reg. 8687, effective July 13, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13609, effective October 28, 1999; amended at 25 Ill. Reg. 13596, effective October 15, 2001; amended at 26 Ill. Reg. 17966, effective December 9, 2002; amended at 27 Ill. Reg. 17386, effective November 10, 2003.

Section 100.10 Definitions

The following words or phrases are defined as follows:

"Act" means the Illinois Liquor Control Act [235 ILCS 5].

"Airplane" shall be deemed to include railroads and airplanes.

"Alcoholic Liquor" includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and, in the judgment of the Commission, capable of being consumed as a beverage by a human being. The word "solid" means any substance which, by dilution or

ILLINOIS LIQUOR CONTROL COMMISSION

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processing, becomes an alcoholic beverage.

"Commission" means Illinois Liquor Control Commission.

"Co-partnership" means an association of two or more persons to carry on as co-owners of a business for profit.

"Corporation" means any corporation, domestic or foreign, qualified to do business in the State of Illinois under the Business Corporation Act of 1983 [805 ILCS 5], including a limited liability company as defined in this Section.

"Department" means the Illinois Department of Revenue.

"Event" means a single theme.

"IAPA" means the Illinois Administrative Procedure Act [5 ILCS 100].

"Limited Liability Company" means a legal business entity created and recognized under the Illinois Limited Liability Company Act [805 ILCS 180].

"Manager" or "Agent" means any individual employed by any licensed place of business, provided the individual possesses the same qualifications required of the licensee. Satisfactory evidence of such employment will be furnished the Commission in the form and manner as the Commission shall from time to time prescribe.

"Manufacturer" shall include every person who, in the process of filling or refilling an original package with alcoholic liquors purchased by such person, changes the degree or quality of such alcoholic liquors by any manner or means whatsoever.

"Meal" means food that is prepared and served on the licensed premises and excludes the serving of snacks.

"Minor" means a person under 18 years of age. (See A.G. opinion No. S-672 12/27/73.)

"Partner" is any individual who is a member of a co-partnership.

"Person" includes corporations, co-partnerships, associations, clubs, individuals,

ILLINOIS LIQUOR CONTROL COMMISSION

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trustees, receivers, assignees, and executors, administrators or other personal representatives of decedents.

"Premises" or "Place of Business" means the place or location where alcoholic beverages are manufactured, stored, displayed, or offered for sale or where drinks containing alcoholic beverages are mixed, concocted and served for consumption. Not included are sidewalks, streets, parking areas and grounds adjacent to any such place or location.

"Resident" means any person (other than a corporation) who has resided, and maintained a bona fide residence, in the State of Illinois for at least one year and in the city, village or county in which the premises covered by the license are located for at least 90 days prior to making application for such license.

"Service Bar" means a place or location not within view of the general public where beer and wine may be poured and served through a draught system. A service bar may only be located in a kitchen, food preparation area, or wait or server station area of a retail licensee who primarily serves meals, as described in this Section.

"Tasting" means a supervised presentation of alcoholic products to the public at an off-premise licensed retailer for the purpose of disseminating product information and education, with consumption of alcoholic products being an incidental part of the presentation. Only products registered with the Commission may be tasted in the following amounts: Distilled Spirits $\frac{1}{4}$ oz., Wine 1 oz., and Beer 2 oz.; notice of the tasting may be given. Tasting must be done by a licensee and/or a registered tasting representative in accordance with Section 100.40.

"Test Marketing" means to test new products or products unfamiliar to the sampler through a marketing firm or the like.

"Wine" means any alcoholic beverage obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, provided that the alcoholic content does not exceed 24 per cent of alcohol by volume.

(Source: Amended at 28 Ill. Reg. 17386, effective November 10, 2003)

Section 100.340 Petitions for the Adoption, Amendment or Repeal of a Rule

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Pursuant to Sections 3-12 and 3-13 of the Act [235 ILCS 5/3-12 and 3-13] and Article 5 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 5]:

- a) Any interested person may petition this Commission requesting the adoption, amendment or repeal of a rule. Such petition shall be submitted in writing to the Illinois Liquor Control Commission, James R. Thompson Center, 100 W. Randolph St., Suite 5-300, Chicago, Illinois 60601, or ~~101 W. Jefferson St. 222 S. College Street, 1st Floor~~, Springfield, Illinois ~~62702~~⁶²⁷⁰⁴. Six copies of each petition along with any supporting documents shall be submitted in the following form:
 - 1) Petition for (Adoption, Amendment, Repeal) of (a) Rule (Rule No. if Applicable) of the Illinois Liquor Control Commission.
 - 2) I, (Name of Interested Party), do hereby petition the Illinois Liquor Control Commission to (Adopt, Amend, Repeal) (a) Rule (Rule No. if Applicable) for the following reasons:
 - 3) (State reasons as fully as possible. Attach or include any documentation for your reasons.)
- b) If the petition is for the Adoption or Amendment of a Rule, attach a draft of the proposed adopted or amended Rule which you feel will adequately deal with the reasons you outlined for adoption or amendment.
- c) All such petitions shall be signed by the petitioner and shall state his or her address and phone number. A petition shall also state whether the petitioner is a licensee of this Commission or not, and whether they are related to or connected with any licensee of this Commission, and if so, in what capacity.
- d) Upon receipt of a petition in the proper form, such petition will be considered by the Commission. If the petition is granted, the petitioner will be notified in writing and the Commission shall initiate rule-making proceedings in accordance with Article 5 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 5] and 2 Ill. Adm. Code 2075.100.
- e) If, within 30 days after submission of a petition, the Commission has not initiated rule-making proceedings in accordance with Article 5 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 5] and 2 Ill. Adm. Code 2075.100, the petition shall be deemed to have been denied.

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(Source: Amended at 27 Ill. Reg. 17386, effective November 10, 2003)

Section 100.350 Procedures For Filing Appeals From an Order of the Local Liquor Control Commissioner

Pursuant to Sections 3-12 and 3-13 of the Act [235 ILCS 5/3-12 and 3-13] and Section 10-25 of the Illinois Administrative Procedure Act [5 ILCS 100/10-25]:

- a) In all cases where an appeal from an order or action of the local liquor control commissioner is filed with the Commission, the party filing the appeal shall furnish, along with the petition to appeal:
 - 1) a copy of the citation and notice of hearing before the local liquor control commissioner, if any;
 - 2) a copy of the decision or order of the local liquor control commissioner;
 - 3) a copy of any local ordinances charged to be violated;
 - 4) the current State Retail Liquor License number of the establishment involved;
 - 5) a statement indicating whether or not the licensee has, within the last 12 month period, had a suspension or revocation placed upon the licensee, and if so, all the details relating to the suspension or revocation thereto.
- b) In all cases where an appeal is to be heard upon the record, a certified official record of the proceedings taken and prepared by a certified court reporter, along with all exhibits, shall be filed by the local liquor control commissioner within 5 days after notice of the filing of the appeal, if the appellant licensee pays for the transcript and five additional copies. The failure to file the certified official record of the proceedings before the local liquor control commissioner, without sufficient written explanation, shall result in the appeal not being docketed for hearing, as originally scheduled, or as continued by the Commission.
- c) The parties shall file ~~eight~~six copies of any documents filed in connection with the appeal. The failure to file ~~eight~~six copies of any document to be considered by the Commission shall result in the appeal not being docketed for hearing, as originally scheduled, or as continued by the Commission.

ILLINOIS LIQUOR CONTROL COMMISSION

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- d) Upon notice to the local liquor control commissioner that an appeal has been accepted by the Commission, Section 100.230 of this Part shall become effective, when applicable.
- e) All materials filed with the Commission shall be served upon the opposing party or parties in interest.
- f) Proof of service upon the opposing party or parties in interest shall accompany all materials filed with the Commission and served upon the parties. All documents shall be served upon the Commission by:
 - 1) Personal delivery;
 - 2) United States mail, enclosed in an envelope, plainly addressed, with postage prepaid;
 - 3) Via facsimile machine, provided original documents with appropriate copies are also served via subsection (f)(1) or (2).
- g) All material filed with this Commission shall be filed at James R. Thompson Center, 100 West Randolph Street, Room 5-300, Chicago, Illinois 60601 or 101 W. Jefferson St. 222 S. College Street, 1st Floor, Springfield, Illinois 6270262704.
- h) The inability of any party to comply with the foregoing requirements shall be detailed in written communication to the Commission.

(Source: Amended at 27 Ill. Reg. 17386, effective November 10, 2003)

Section 100.380 Ex Parte Consultations

Pursuant to Sections 3-12 and 3-13 of the Act [235 ILCS 5/3-12 and 3-13] and Section 10-60 of the Illinois Administrative Procedure Act [5 ILCS 100/10-60]: Except in the disposition of matters which they are authorized by law to entertain or dispose of on an ex-parte basis, neither Commission~~agency~~ members, Department of Revenue employees assigned to Commission functions nor hearing examiners shall, after notice of hearing in a contested case or licensing to which the procedures of a contested case apply under this Act, communicate, directly or indirectly, in connection with any issue of fact, with any person or party, or in connection with any other issue with any party or representative of such party, except upon notice and opportunity for all parties to participate. However, a Commission~~an agency~~ member may

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communicate with other members of the ~~agency~~Commission or employees of the Department, and ~~a Commission~~an agency member, Department employee or hearing examiner may have the aid and advice of one or more personal assistants.

(Source: Amended at 27 Ill. Reg. 17386, effective November 10, 2003)

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Beverage Alcohol Sellers And Servers Education And Training (Basset) Programs
- 2) Code Citation: 77 Ill. Adm. Code 3500
- 3) Section Numbers: 3500.110 Adopted Action: Amend
- 4) Statutory Authority: Implementing and authorized by Section 3-12(a)(2) and (11.1) of the Liquor Control Act of 1934 [235 ILCS 5/3-12(a)(2) and (11.1)].
- 5) Effective Date of Rulemaking: November 10, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: Under Section 5-15 of the Illinois Administrative Procedure Act, required rules are adopted when filed and are not subject to 1st or 2nd Notice requirements.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? JCAR review is not required.
- 11) Differences between proposal and final version: Under Section 5-15 of the Illinois Administrative Procedure Act, required rules are adopted when filed and are not subject to 1st or 2nd Notice requirements.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? None
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 15) Summary and Purpose of Rulemaking: The Commission is updating its required rules to reflect an address change.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Anne Treonis
Illinois Liquor Control Commission
James R. Thompson Center
100 W. Randolph, Suite 5-300
Chicago IL 60601

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

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER XVI: LIQUOR CONTROL COMMISSIONPART 3500
BEVERAGE ALCOHOL SELLERS AND SERVERS EDUCATION
AND TRAINING (BASSET) PROGRAMS

Section

3500.101	Programs Subject to Licensure
3500.105	Purpose of BASSET
3500.110	License Applications
3500.115	Renewal Applications
3500.120	License Fees
3500.125	Period of Licensure
3500.130	Acceptance for Processing
3500.135	Non-Transferability of License
3500.140	Change in BASSET Program Director or Services
3500.145	Exceptions for BASSET Programs
3500.150	Compliance With Local Government Ordinances
3500.155	BASSET Curriculum Requirements
3500.160	BASSET Programmatic Requirements
3500.165	BASSET Program Fee
3500.170	Sanctions
3500.175	Eligibility Requirements

AUTHORITY: Implementing and authorized by Section 3-12(a)(2) and (11.1) of the Liquor Control Act of 1934 [235 ILCS 5/3-12(a)(2) and (11.1)].

SOURCE: Adopted at 20 Ill. Reg. 13591, effective October 3, 1996; codification change at 21 Ill. Reg. 9319; recodified from 77 Ill. Adm. Code 2057 to 77 Ill. Adm. Code 3500 at 23 Ill. Reg. 11342; amended at 24 Ill. Reg. 1630, effective January 14, 2000; amended at 25 Ill. Reg. 13591, effective October 15, 2001; amended at 27 Ill. Reg. 13796, effective November 10, 2003.

Section 3500.110 License Applications

- a) Application forms may be obtained by writing to the Illinois Liquor Control Commission at 100 W. Randolph St., Suite 5-300, Chicago IL 60601 or at [101 W. Jefferson St. 222 S. College St., 1st Floor](#), Springfield IL [62702 62704](#).
- b) Application forms shall be signed and dated.

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NOTICE OF ADOPTED AMENDMENT

(Source: Amended at 28 Ill. Reg. 17396, effective November 10, 2003)

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

- 1) Heading of the Part: Illinois Renewable Fuels Development Program
- 2) Code Citation: 32 Ill. Adm. Code 130
- 3)

<u>Section Numbers</u> :	<u>Emergency Action</u> :
130.10	New Section
130.20	New Section
130.30	New Section
130.40	New Section
130.50	New Section
130.60	New Section
130.70	New Section
130.80	New Section
130.90	New Section
130.100	New Section
130.110	New Section
130.120	New Section
130.130	New Section
130.APPENDIX A	New Section
130.APPENDIX B	New Section
130.APPENDIX C	New Section
- 4) Statutory Authority: Implementing and authorized by the Illinois Renewable Fuels Development Program Act [20 ILCS 689] (PA 93-15, effective June 11, 2003).
- 5) Effective Date of Rule: November 6, 2003
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A
- 7) Date Filed with the Index Department: November 6, 2003
- 8) A copy of the adopted rule, 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: New legislation was passed concerning the Illinois Renewable Fuels Development Program Act [20 ILCS 689] (P.A. 93-15, effective June 11, 2003).

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- 10) A Complete Description of the Subjects and Issues Involved: Illinois Renewable Fuels Development Program. The Program will allow for construction of new plants and expansion of existing plants which produce renewable fuels.
- 11) Are there any proposed amendments to this Part pending? No
- 12) Statement of Statewide Policy Objectives: The rulemaking does not create or expand a State Mandate as defined in Section 3(b) of the State Mandate Act [30 ILCS 805].
- 12) Information and questions regarding this Rule shall be directed to:

Erin E. Davis
Administrative Code Rules Manager
Illinois Department of Commerce and Economic Opportunity
620 East Adams
Springfield IL 62701
(217) 785-6285

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

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TITLE 32: ENERGY

CHAPTER I: DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

PART 130

ILLINOIS RENEWABLE FUELS DEVELOPMENT PROGRAM

Section

130.10	Purpose
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130.20	Definitions
EMERGENCY	
130.30	Allocation of Appropriations
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130.40	Project Eligibility Requirements
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EMERGENCY	

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AUTHORITY: Implementing and authorized by the Illinois Renewable Fuels Development Program Act [20 ILCS 689] (see P.A. 93-15, effective June 11, 2003).

SOURCE: Adopted by emergency rulemaking at 27 Ill. Reg. 17400, effective November 6, 2003.

**Section 130.10 Purpose
EMERGENCY**

The Department of Commerce and Economic Opportunity recognizes that renewable fuels produced from Illinois agricultural products will enhance the economy of Illinois, expand rural economic development, reduce the nation's dependence on foreign oil supplies, and improve the environment by reducing harmful emissions from vehicles. In 2003, factors such as the electric blackout in the northeastern United States, the electricity crisis affecting California and other western states, instability in the Middle East, and extraordinarily high gasoline prices have created a situation in which renewable forms of energy must be utilized in order for both the Illinois economy and national economy to grow.

Reliable supplies of renewable fuels will be integral to the long term energy security of the United States (P.A. 93-15, Section 5). Illinois is the largest producer of soybeans in the United States and ranks second in annual corn production. Illinois is also the leading producer of ethanol and biodiesel in the nation, with an ethanol production capacity of approximately 800 million gallons per year. Accordingly, the Illinois Department of Commerce and Economic Opportunity administers the Illinois Renewable Fuels Development Program, which will offer grants to new and existing ethanol and biodiesel production facilities in Illinois. Implementation of the Program is intended to stimulate the agricultural sector of Illinois' economy, encourage the use of renewable fuels as a viable and necessary alternative to the nation's reliance on fossil fuels, and to improve air quality. It is anticipated that new or expanded renewable fuel production facilities will expand a local economy, foster additional household income, support creation of permanent jobs, generate revenue for the State of Illinois, and increase revenue for local grain farmers.

When awarding public funds for public works projects, the State of Illinois has a compelling interest in ensuring that the highest standards of quality and efficiency are applied to the project. Project labor agreements provide the State of Illinois with a guarantee that specific public works projects will be completed with highly skilled workers, and also functions as a means to provide for peaceful, orderly and mutually binding procedures for resolving labor issues. Accordingly, recipients of renewable fuel development grants will be required to enter into project labor agreements establishing wages, benefits and other provisions pertaining to labor organization

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employees. This requirement does not prohibit the construction of renewable fuel production facilities in Illinois that are undertaken without a project labor agreement.

Section 130.20 Definitions**EMERGENCY**

The following definitions are applicable to this Part:

“Biodiesel” means a renewable diesel fuel derived from biomass that is intended for use in diesel engines (P.A. 93-15, Section 10).

“Biodiesel blend” means a blend of biodiesel with petroleum-based diesel fuel in which the resultant product contains no less than 1% and no more than 99% biodiesel (P.A. 93-15, Section 10).

“Biofuels” means either Ethanol or Biodiesel.

“Biomass” means non-fossil organic materials that have an intrinsic energy content. “Biomass” includes, but is not limited to, soybean oil, vegetable oils, and ethanol (P.A. 93-15, Section 10).

“Department” means the Illinois Department of Commerce and Economic Opportunity, formerly known as the Illinois Department of Commerce and Community Affairs.

“Diesel Fuel” means any product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without electric spark (P.A. 93-15, Section 10).

“Director” means the Director of the Department.

“Ethanol” means a product produced from agricultural commodities or by-products used as a fuel or to be blended with other fuels for use in motor vehicles (P.A. 93-15, Section 10).

“Fuel” means fuel as defined in Section 1.19 of the Motor Fuel Tax Law (P.A. 93-15, Section 10).

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“Gasohol” means motor fuel that is no more than 90% gasoline and at least 10% denatured ethanol that contains no more than 1.25% water by weight (P.A. 93-15, Section 10).

“Gasoline” means all products commonly or commercially known or sold as gasoline (including casing head and absorption or natural gasoline) [P.A. 93-15, Section 10].

“Illinois Agricultural Product” means any agricultural commodity grown in Illinois that is used by a production facility to produce renewable fuel in Illinois, including, but not limited to, corn, barley, and soybeans (P.A. 93-15, Section 10).

“Labor Organization” means any organization (P.A. 93-15, Section 10) or regional body or group of local unions:

in which building and construction industry trades, crafts, or labor employees, or all or any of these participate; and

that represents building and construction industry trades, crafts, or labor employees or any or all of these; and

that exists for the purpose, in whole or in part, of negotiating with the employers of building and construction industry trades, crafts, or labor employees, or any or all of these, terms and conditions of employment, including, but not limited to: wages, hours of work, overtime provisions, fringe benefits, and the settlement of grievances; and

that participate in apprenticeship and training approved and registered with United States Department of Labor’s Bureau of Apprenticeship and Training, in the State of Illinois (P.A. 93-15, Section 10).

“Majority Blended Ethanol Fuel” means motor fuel that contains no less than 70% and no more than 90% denatured ethanol and no less than 10% and no more than 30% gasoline (P.A. 93-15, Section 10).

“Motor Vehicles” means motor vehicles as defined in the Illinois Vehicle Code and watercraft propelled by an internal combustion engine (P.A. 93-15, Section 10).

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“Owner” means any individual, sole proprietorship, limited partnership, co-partnership, joint venture, corporation, cooperative, or other legal entity that operates or will operate a plant located within the State of Illinois (P.A. 93-15, Section 10).

“Permanent Job” means a job in which a new employee works for the Owner at the Project at a rate of at least 35 hours per week and does not include construction jobs.

“Plant” means a production facility that produces a renewable fuel. “Plant” includes land, any building or other improvement on or to land, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in the processing of fuel from agricultural commodities or by-products (P.A. 93-15, Section 10).

“Plant Construction” means any new construction of a renewable fuels production plant with a minimum annual production capacity of 30 million gallons.

“Plant Expansion” means any modification, alteration or retrofitting of an existing Plant with a minimum annual renewable fuels production capacity of 30 million gallons which will result in an increase renewable fuels production capacity, yield or efficiency.

“Project” means a Plant Construction or Plant Expansion project that is funded under the Program.

“Program” means the Renewable Fuels Development Program.

“Renewable fuel” means ethanol, gasohol, majority blended ethanol fuel, biodiesel blend fuel, and biodiesel (P.A. 93-15, Section 10).

“Rural County” means a county in the State of Illinois designated as a non-Metropolitan Statistical Area by the United States Office of Management and Budget. A rural county has a population of less than 50,000.

“The State” means the State of Illinois.

“Weighting criteria” means the criteria established by the Department in Section 130.90 hereof, which are utilized in determining the maximum potential grant award available.

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**Section 130.30 Allocation of Appropriations
EMERGENCY**

Subject to appropriation from the Build Illinois Bond Fund, the Director is authorized to award grants for Projects approved pursuant to these Rules. *The aggregate amount of grants awarded shall not exceed \$15,000,000* (P.A. 93-15, Section 20). Only one grant will be awarded per approved Project.

**Section 130.40 Project Eligibility Requirements
EMERGENCY**

In order to be eligible for funding under the Program, the proposed Project must meet all of the following criteria:

- a) the Project must be physically located in the State of Illinois;
- b) the Project must be either a plant Construction Project or a plant Expansion Project;
- c) the Owner must commit to entering into Project Labor Agreement covering the Project that is compliant with the provisions of Section 130.60 hereof;
- d) The Owner must commit to securing all financing (debt and equity) necessary to complete the Project; and
- e) the Owner must commit to using Illinois Agricultural Products as the primary source in the renewable fuels production process.

**Section 130.50 Eligible Uses of Grant Funds
EMERGENCY**

Program grant proceeds may be expended solely for costs incurred, including labor and other bondable expenses, which are directly related to capital facilities consisting of buildings, structures and durable equipment in connection with an approved Plant Construction or Plant Expansion Project. Grant funding may not be used for administrative expenditures, including labor that is not related to the Project.

**Section 130.60 Project Labor Agreements
EMERGENCY**

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- a) Project labor agreements must include the following:
- 1) Provisions setting forth established standard hourly wages for each class of labor organization employee;
 - 2) Provisions setting forth area standard benefits and other compensation for each class of labor organization employee;
 - 3) Provisions establishing that no strike, job interruption, or delay will be engaged in by the covered employees;
 - 4) Provisions setting forth effective, immediate, and mutually binding procedures for resolving jurisdictional labor disputes and grievances arising before the completion of work;
 - 5) Provisions ensuring a reliable source of skilled and experienced labor;
 - 6) Provisions to further public policy objectives as to improved employment opportunities for minorities and women in the construction industry to the extent permitted by State and federal law;
 - 7) Provisions to permit the selection of the most qualified lowest responsible bidder, without regard to union or non-union status at other construction sites;
 - 8) Provisions to bind all contractors and subcontractors on the public works project through the inclusion of appropriate bid specifications in all relevant bid documents.
 - 9) The Project Labor Agreement must provide the names, addresses, and occupations of the owner of the plant and the individuals representing the labor organization employees participating in the Project Labor Agreement.
- b) Project Labor Agreements shall include other terms as the parties deem appropriate.
- c) *The Project Labor Agreement shall be filed with the Director in accordance with the procedures established by the Department. (P.A. 93-15, Section 25).*

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**Section 130.70 Form of Application
EMERGENCY**

The grant application package must include all of the following materials/information:

- a) Application Cover Page (Appendix A)
- b) Application Form (Appendix B)
- c) Projected Energy Use by Type Form (Appendix C)
- d) Narrative description of the proposed Project including:
 - 1) **Plant Description.** A description of the proposed Construction or Expansion Project, including a description of the scope and nature of the Plant, a description of equipment, technologies and processes used; a description of the renewable fuels production capacity, a description of the amounts, types and sources of Illinois Agricultural Products used as feedstock in the Project, a location map showing Project site and connections to existing transportation routes, and, a description of all permits, contracts or other agreements necessary to complete the Project. If the applicant does not have all relevant or necessary operating permits, identification of the status of any permit applications and anticipated date of permit issuance should be included in the narrative, in addition to the date that any required contracts or agreements will be executed.
 - 2) **Project Benefits.** Economic justification for the Project that includes a summary of the social or economic benefits of the Project to Illinois; identification of those communities, businesses, and other entities likely to benefit from the Project; identification of employment impacts such as number and type of Permanent Jobs created or retained by the Project itself (i.e. non-construction jobs), projected payrolls, and the existing and or new agricultural commodity and renewable fuel markets that would be affected by the Project.
 - 3) **Project Costs and Schedule.** A gross Project budget and time schedule for completion of the Project and for major project components, include cost estimates and anticipated completion dates;

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- 4) Ownership Disclosure. Identification by name of those individuals or entities with 10% or more ownership of the Plant that is the subject of the Project.
- 5) Performance Disclosure. As asserted against the Owner, or any parent organization or holding company, identification of all pending or unresolved violations of state or federal laws or regulations that could result in legal or regulatory impact on the operation of the Project.
- e) Copy of the Prospectus to Shareholders, if applicable
- f) Copy of the Business Plan
- g) Organization/Management Structure Information
- h) Copy of the Project Labor Agreement (if executed)
- i) Certification that Owner will obtain all necessary, applicable and required permits.
- j) Certification that Owner will obtain all financing necessary (debt and equity) necessary to complete the Project
- k) Certification identifying the number of permanent jobs to be created/retained and identification of the types of jobs created/retained.

**Section 130.80 Application Submittal
EMERGENCY**

- a) Applications to the Program for grant funds may be submitted to the Department at any time in accordance with this Part, or pursuant to the time frame specified in a formal Request for Proposals issued by the Department.
- b) One original and five copies of each grant application shall be submitted to Norm Marek, Illinois Renewable Fuels Development Program, Bureau of Energy and Recycling, Illinois Department of Commerce and Economic Opportunity, 620 East Adams Street, CIPS-5, Springfield, IL 62701-1615. Applications submitted by e-mail or facsimile are not acceptable unless the Department specifically requests additional information and/or materials to be submitted by the applicant

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- c) The Department may require applications to be clarified or supplemented through additional written submissions or oral presentations.
- d) Information submitted that could reasonably be considered to be proprietary, privileged, or confidential commercial or financial information should be identified as such in the application. The Department will maintain the confidentiality of that information to the extent permitted by law.

**Section 130.90 Application Evaluation Procedures
EMERGENCY**

- a) The Department will evaluate complete proposals in the following manner: Proposals will be evaluated to determine whether the proposed Project meets the Project Eligibility Criteria specified in Section 100.40 and to determine whether, based on the information supplied in the application documentation, the proposal demonstrates that (i) the Project is economically viable, (ii) the Project is technically viable, and (iii) the Project will result in economic development benefits to the State.
- b) Proposals, which meet all eligibility criteria and satisfy the evaluation criteria will then be reviewed by the Department in order to determine the maximum potential grant available for the Project through the application of the following Weighting Criteria, which are relevant to the Department economic and rural development objectives:
 - 1) Ownership of the Facility.
Sole Proprietorship, Partnership, Cooperative or LLC – 2 Points
Privately Owned or Publicly Owned Corporation – 1 Point
 - 2) Type of Project.
Plant Construction – 2 Points
Plant Expansion – 1 Point
Plant Expansion (No Production Expansion) – 0 Points
 - 3) Permanent Jobs Created.
More than 30 Permanent Jobs Created – 2 Points
At Least 20, But Not More Than 30 Permanent Jobs Created – 1 Point
Less than 20 Permanent Jobs Created – 0 Points
 - 4) Location.

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Plant located in county with population less than 30,000 – 2 Points
Plant located in county with population less than 50,000 – 1 Point
Plant located in county with population greater than 50,000 – 0 Points

- 5) Corn/Soybean Base Prices at Location. This is the Prior Month's Average Closing Price of Corn/Soybean at the three (3) licensed Illinois grain elevators closest to the Project location grain elevators at the time of application compared to the average state corn/soybean price.
Below Average State Corn/Soybean Price – 2 Points
Average State Corn/Soybean Price – 1 Point
Above Average State Corn/Soybean Price – 0 Points
- c) The Department may obtain the assistance of other persons either within or outside of State government in reviewing part or all of any application, when, in the opinion of the Department, to do so would promote a more thorough and fair understanding of the proposed Project. If the Department elects to obtain such assistance, the Department shall select persons qualified by relevant environmental, technical, or engineering experience.
- d) The Department reserves the right to make on-site survey inspections during the evaluation when, in the opinion of the Department, to do so would promote a more thorough and fair understanding of the proposed Project.
- e) Upon completion of the evaluation, and determination of the grant award, in accordance with Section 130.100 below, the Department staff shall make a recommendation to the Director for final review and approval.
- f) Rejection of Applications. The Department reserves the right to reject any proposal that does not comply with the requirements of these Rules.
- g) No Rights Conferred. The submission of a proposal under these guidelines confers no right upon any applicant. The Department is not obligated to award a grant, to pay any cost incurred by the applicant in the preparation and submission of a proposal, or pay any grant related costs incurred prior to the project start date.

130.100 Grant Amount and Funding Limitations
EMERGENCY

- a) Maximum Potential Grant Amount.

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The Department will calculate the maximum potential grant (MPG) available using the formula that applies to the proposed Project:

- 1) Plant Construction Project

$$\frac{\text{Millions of Gallons of New Capacity}}{10} + (\$150,000 \times \text{Weighting Criteria}) = \text{MPG}$$

- 2) Plant Expansion Project

$$\frac{\text{Millions of Gallons of New Capacity}}{20} + (\$150,000 \times \text{Weighting Criteria}) = \text{MPG}$$

- b) Grant Limitations.

- 1) The maximum grant award under the Program is \$6.5 million (based on a 50 million gallon production facility)
- 2) Grants for biofuels facilities shall not exceed 10% of the total construction costs of the facility
- 3) The Department reserves the right to determine the final amount of the grant based on its evaluation of the project, amount of funds available, and the number of applications for Program funds.
- 4) Funding awards are not transferable or assignable to another project and may not be assigned to another entity without the Department's prior written permission.
- 5) The Department will negotiate the structure of the agreement (i.e. advance production payment, conventional grant award, etc) with the Recipient, taking into consideration the organizational status of the recipient, project financing, applicable tax credits and considerations, as well as applicable Illinois statutory and administrative requirements.

- c) Disbursement of Grant Funds. Notwithstanding selection for a grant award pursuant to these Rules, disbursement of grant funds is contingent upon the following requirements:

- 1) Fully executed Grant Agreement;

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- 2) A fully executed Project Labor Agreement for the Project;
- 3) Evidence of commitment from the primary lender for all financing necessary to complete the Project;

**Section 130.110 General Program Requirements
EMERGENCY**

- a) Reporting Requirement. Recipients will be required to submit Monthly Progress Reports to the Department during the grant term including information on the number of jobs created or retained. Recipients shall also be required to provide production data/records for during the performance period specified by the Department.
- b) Grant Duration/Performance Period. The grant term/performance period will be determined on a project specific basis.
- c) Freedom of Information Act/Confidential Information. Funded proposals are subject to disclosure, in response to requests received under provisions of the Freedom of Information Act (5 ILCS 140/1 et seq.). Information that may reasonably be considered to be proprietary, privileged or confidential commercial or financial information should be identified as such in the proposal. The Department will maintain the confidentiality of that information only to the extent permitted by law.
- d) Ownership/Use of Equipment. Grant recipients may not sell, lease, transfer, assignment or encumber any equipment or material purchased with grant funds, without the express written approval of the Department for the duration of the grant term/performance period.
- e) Dissemination of Information/Technology Transfer. Recipients will be contractually required to allow the Department access to the project site and the ability to obtain, publish, disseminate or distribute any and all information obtained from the project (except any data or information that has been negotiated as being confidential or proprietary), without restriction and without payment or compensation by the Department.
- f) Recapture of Grant Funds. A recipient must operate the Plant to produce renewable fuels for a period of five years. In the event that the Plant ceases

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production during said period, the Department reserves the right to require the grantee to re-pay up to the entire amount of the grant back to the State.

- g) The Director may elect to waive enforcement of any provision of these Rules or of a contractual provision arising out of a Grant Agreement based on a finding that the waiver is necessary to avert any imminent and demonstrable hardship to the Recipient that may result in the Recipient's insolvency or discharge of workers.
- h) In addition to compliance with any federal, state or local permitting requirements, funded projects will be subject to review by the Following Illinois agencies:

Department of Natural Resources

Historic Preservation Agency

Department of Agriculture

Illinois Environmental Protection Agency.

Recipients will be required to comply with requirements established by said agencies relative to their respective reviews. Recipients will be responsible for coordinating directly with the applicable external agencies. Any requirements communicated to the Department shall be incorporated into the agreement awarded as of its execution date, or if received from the applicable agency subsequent to execution, as an addendum to the agreement. Recipients will be contractually obligated to comply with such requirements. Prior to notification of compliance by the applicable agency, Recipients may request disbursement of funds only for the following purposes: administrative, contractual, legal, engineering or architectural/engineering costs incurred which are necessary to allow for compliance by the Recipient of requirements established by the external agency. Funds will not be disbursed for land acquisition or any activity that physically impacts the project site until the Department received the appropriate sign-off from the applicable agencies.

Section 130.120 Grant Agreement
EMERGENCY

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- a) When a grant has been awarded, the grantee and the Department shall execute an Agreement. The Agreement shall be executed between the grantee and the Director or the Director's designee on behalf of the Department.
- b) The Agreement shall contain substantive provisions, including, but not limited to, the following:
 - 1) A recitation of legal authority pursuant to which the Agreement is made;
 - 2) An identification of the project scope and schedule, and the work or services to be performed or conducted by the grantee;
 - 3) An identification of the grant amount;
 - 4) The conditions and manner in which the Department shall pay the grant amount subject at all times to annual appropriation by the General Assembly;
 - 5) A promise by the grantee not to assign or transfer any of the rights, duties or obligations of the grantee without the written consent of the Department;
 - 6) A promise by the grantee not to amend the Agreement without the written consent of the Department. Failure to do so will result in a cost disallowance. The project must be completed by the completion date in the Agreement unless a written request for an extension is submitted no later than 30 days prior to the award completion date;
 - 7) A covenant that the grantee shall expend the grant amount and any accrued interest only for the purposes of the project as stated in the Agreement and approved by the Department; and
 - 8) A covenant that the grantee shall refrain from entering into any written or oral agreement or understanding with any party that might be construed as an obligation of the State of Illinois or the Department for the payment of any funds under the Act

**Section 130.130 Administrative Requirements for Grants
EMERGENCY**

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- a) Termination of Grant – Grants shall be terminated for the following reasons:
- 1) Termination Due to Loss of Funding – In the absence of State funding for a fiscal year, all grants for that year will be terminated in full. In the event of a partial loss of State funding, the Department will make proportionate cuts to all grantees. In the event the Department suffers such a loss of funding in full or part, the Department will give the grantee written notice setting forth the effective date of full or partial termination or, if a change in funding is required, setting forth the change in funding and changes in the approved budget.
 - 2) Termination for Cause
 - A) If the Department determines that the grantee has failed to comply with the terms and conditions of the grant, the Department shall terminate the grant in whole, or in part, at any time before the date of completion. Circumstances that will result in the termination of a grant include, but are not necessarily limited to, the following: consistent failure to submit required reports; failure to maintain required records; evidence of fraud and abuse; and consistent failure to meet performance standards. These circumstances are explained in the Agreement.
 - B) The Department shall notify the grantee in writing, within 10 working days after the determination to terminate, of the reasons for the termination and the effective date of the termination. Payments made to the grantee or recoveries by the Department shall be made in accordance with legal rights and liabilities in the Agreement.
 - 3) Termination for Convenience – The Department may terminate the grant upon its determination that continuation of the project is not in the best interest of the State such that it would justify further expenditure of public funds. The grantee shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Department shall allow full credit to the grantee for the Department's share of the noncancelable obligations, properly incurred by the grantee prior to termination.

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- b) Interest on Grant Funds – In accordance with Section 10 of the Illinois Grant Funds Recovery Act [30 ILCS 705/10], all interest earned on funds held by the grantee under the grant shall become part of the grant when earned, as long as this amount does not exceed the maximum allowable grant award. Any interest earned under the grant, and not expended as grant principal during the term of the grant, shall be returned to the Department.
- c) Grant Close-out – In accordance with Section 4 of the Illinois Grant Funds Recovery Act [30 ILCS 705/4], all funds, including any interest, remaining at the end of the grant period or at the expiration of the period of time grant funds are available for expenditure or obligation by the Grantee, shall be returned to the Department within 45 days after the end of the relevant period. The grantee agrees to repay the Department for any funds that are determined by the Department to have been spent in violation of the Agreement.
- d) Audits – A grantee shall be responsible for securing a compliance audit for any grant award exceeding \$300,000. Additionally, an audit may be required when certain risk conditions exist, including, but not limited to, a negative compliance history and disclosure of previous material audit findings. The audit shall be performed by an independent certified public accountant, licensed by authority of the State of Illinois pursuant to the Illinois Public Accounting Act [225 ILCS 450]. The audit shall be conducted in accordance with generally accepted auditing standards contained in the publication entitled AICPA Professional Standards, American Institute of Certified Public Accountants, Harborside Financial Center, 201 Plaza 3, Jersey City, New Jersey 07311 (June 2001, no later editions are incorporated).
- e) Special Audits – The Department reserves the right to conduct special audits, including but not limited to an agency-wide audit, at any time during normal working hours, of the funds expended under Department grants.
- f) Monitoring and Evaluation – Grantee shall permit any agent authorized by the Department, upon presentation of credentials, in accordance with the constitutional limitation on administrative searches, to have full access to, and the right to examine, any documents, papers, and records of the grantee involving transactions related to a grant from the Department. Once the Department has concluded its monitoring activities, the grantee will be notified of the Department's findings. If a determination of noncompliance has been made by the Department, the grantee will be allowed an opportunity to cure any and all noncompliance issues. If any noncompliance issues cannot be resolved, the

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Department will issue a notice requesting that the grantee repay any funds that are determined by the Department to have been spent in violation of the Agreement. If the grantee fails to comply with the Department's notice, the Department shall issue a final notice providing the grantee the opportunity to request an administrative hearing pursuant to the Department's Administrative Hearing Rules found at 56 Ill. Adm. Code 2605.

- g) Complaint Process – An administrative hearing is initiated by a party serving a Petition for Hearing on the Department, or by the Department serving a Notice of Charges on the grantee. In either case, the Department and the grantee shall follow the Administrative Hearing Rules as set forth in 56 Ill. Adm. Code 2605.
- h) Certifications – The grantee shall make all certifications required by statute or administrative rules or regulations relative to the issuance of a grant.
- i) Reports – Grantee shall submit, as required by the Department, reports on the financial status of the project and reports on outcomes and results of the project.

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

**Section 130.APPENDIX A Renewable Fuels Development Program Application Cover Sheet
EMERGENCY**

Illinois Department of Commerce & Economic Opportunity

Bureau of Energy & Recycling – Alternative Energy Development Section

**Renewable Fuels Development Program
Application Cover Sheet**

Applicant Name _____

FEIN No. _____

Applicant Address (including 9 digit zip code) _____

Project Address (if different from above) _____

County of Project _____

Project Manager (Please Type) _____

Phone _____

Fax _____

Type of Biofuels Project: New Construction Alteration Modification Retrofit

Legal Organizational Status

Owner of Sole Proprietorship

LLC

Partnership

Cooperative

Corporation

Other

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

Funding: Total Grant Request: \$ _____

Total Project Cost: \$ _____

Applicant Certifications – The Applicant Certifies That:

- This project complies with all applicable state, federal, and local environmental and zoning laws, ordinances and regulations and that all required licenses, permits, et cetera have either been obtained or will be obtained no later than ninety (90) days following the grant award from DCEO
- It is not in violation of the prohibitions against bribery of any officer or employee of the State of Illinois as set forth in 30 ILCS 505/10.1
- It has not been barred from contracting with a unit of state or local government as a result of a violation of Sector 33E-3 or 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33 E-3 and 5/33 E-4)
- It is not in violation of the Educational Loan Default Act (5 ILCS 385/3)
- As of the submittal date, the information provided in this application is accurate, and the individuals signing below are authorized to submit this application.
- It will enter into a Project Labor Agreement covering the Project that is compliant with the provisions of the Renewable Fuels Development Program.
- It will commit to securing all debt and equity financing necessary to complete the project.
- It will commit to using Illinois Agricultural Products as the primary source in the renewable fuels production process.

Authorized Official (signature)

Title

Printed Name

Date

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

**Section 130.APPENDIX B Application Form For Renewable Fuels Development Program
EMERGENCY**

Illinois Department of Commerce & Economic Opportunity

Application Form For Renewable Fuels Development Program

Name and Mailing Address of Organization:

List Type of Organization (Cooperative, LLC, Corporation, etc.) _____

Type of Renewable Fuels Production Facility: Biodiesel Ethanol

New Construction Expansion Retrofit or Upgrade

Capacity (gallon/year):

New: _____

Existing: _____

Total: _____

Feedstock – Type & Quantity _____

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

Facility Location:

- 1.) Nearest City or Town: _____
- 2.) Estimated Population: _____
- 3.) County: _____
- 4.) Proposed Site Location: _____

Total Costs of Project: _____

Total Construction Jobs: _____

Total Permanent Jobs Created: _____

Estimated Start Date of Construction: _____

Estimated Completion Date of Construction: _____

Financial Structure:

- 1.) Cooperative (# of Members) _____
- 2.) Cost/Share _____
- 3.) Total Equity _____
- 4.) List other Equity Partners & Amount of Investment

- 5.) Debt: _____

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

List Primary Lender, _____

Design Company: _____

Construction Management Company:

List Other Incentives Received or Applied For:

List of Required Attachments:

- 1.) Completed Appendix A (Application Cover Sheet)
- 2.) Completed Appendix B (Grant Application Form)
- 3.) Completed Appendix C (Projected Energy Use By Type Information Form)
- 4.) Copy of Prospectus for Shareholders (Either Cooperative or Other)
- 5.) Copy of Business Plan
- 6.) Organizational Structure
- 7.) Copy of Budget for Construction including Materials, Labor Hours and Total Costs, and Management/Engineering (Please Indicate If Confidential)
- 8.) Copy of Project Labor Agreement

PROJECT NARRATIVE

The Project Narrative should concisely address all topics set forth below:.

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

- 1) **Plant Description.** A description of the proposed Construction or Expansion Project, including a description of the scope and nature of the Plant, a description of equipment, technologies and processes used; a description of the renewable fuels production capacity, a description of the amounts, types and sources of Illinois Agricultural Products used as feedstock in the Project, a location map showing Project site and connections to existing transportation routes, and, a description of all permits, contracts or other agreements necessary to complete the Project. If the applicant does not have all relevant or necessary operating permits, identification of the status of any permit applications and anticipated date of permit issuance should be included in the narrative, in addition to the date that any required contracts or agreements will be executed.
- 2) **Project Benefits.** Economic justification for the Project that includes a summary of the social or economic benefits of the Project to Illinois; identification of those communities, businesses, and other entities likely to benefit from the Project; identification of employment impacts such as number and type of Permanent (non-construction) Jobs created or retained by the Project itself (i.e. non-construction jobs), projected payrolls, and the existing and or new agricultural commodity and renewable fuel markets that would be affected by the Project.
- 3) **Project Costs and Schedule.** A gross Project budget and time schedule for completion of the Project and for major project components, include cost estimates and anticipated completion dates;
- 4) **Ownership Disclosure.** Identification by name of those individuals or entities with 10% or more ownership of the Plant that is the subject of the Project.
- 5) **Performance Disclosure.** As asserted against the Owner, or any parent organization or holding company, identification of all pending or unresolved violations of state or federal laws or regulations that could result in legal or regulatory impact on the operation of the Project

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

**Section 130.APPENDIX C Projected Energy Use By Type Information Form
EMERGENCY**

Projected Energy Use By Type Information Form

Electricity

Monthly Estimated Total Usage: _____ Kwh

- a. Estimated Electricity To Be Purchased: _____ %
- b. Estimated Electricity To Be Generated on Site: _____ %

Natural Gas

Monthly Estimated Total Usage: _____ Therms

- a. Estimated Use For Process Heat: _____ Therms
- b. Estimated Use For Electric Power Generation: _____ Therms

Coal

Estimated Use For Electric Power Generation:

Monthly Estimated Total Usage: _____ Tons

- a. Estimated Use For Process Heat: _____ Tons
- b. Estimated Use For Electric Power Generation: _____ Tons

Other Energy Usage

- a. Estimated Use For Process Heat: _____

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF EMERGENCY RULE

b. Estimated Use For Electric Power Generation: _____

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Determination of Need (DON) and Resulting Service Cost Maximums (SCMs)
- 2) Code Citation: 89 Ill. Adm. Code 679
- 3) Section Number: 679.50 Emergency Action: Amend
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- 5) Effective Date of Amendments: November 6, 2003
- 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: Will be followed up with a proposed rulemaking.
- 7) Date filed with the Index Department: November 5, 2003
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Central Management Services on behalf of the State of Illinois recently completed negotiations with SEIU Local 880. As part of the contract, there will be an increase in the wages of Personal Care Attendants. This increase impacts Service Cost Maximums which are set by 89 Ill. Adm. Code 679.
- 10) A Complete Description of the Subject and Issues Involved: This rulemaking is being promulgated in order to bring the Personal Care Attendants wages in compliance with the new contract recently completed by the State and Local 880.
- 11) Are there any other amendments pending on this Part? No
- 12) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 13) Information and questions regarding this amendment shall be directed to:

Tracie Drew, Bureau Chief
Bureau Administrative Rules and Procedures

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
(217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAMPART 679
DETERMINATION OF NEED (DON) AND
RESULTING SERVICE COST MAXIMUMS (SCMs)

Section

- 679.10 General Provisions
679.20 Composition of the DON
679.30 Scoring of the DON Except for Respite Cases
679.40 Scoring the DON for Respite Cases
679.50 Service Cost Maximums (SCMs)

EMERGENCY

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5062, effective March 21, 1995; amended at 20 Ill. Reg. 6303, effective April 18, 1996; amended at 21 Ill. Reg. 2674, effective February 7, 1997; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; emergency amendment at 22 Ill. Reg. 2328, effective January 12, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 10445, effective May 29, 1998; emergency amendment at 22 Ill. Reg. 16031, effective August 14, 1998, for a maximum of 150 days; emergency expired on January 11, 1999; amended at 23 Ill. Reg. 1615, effective January 20, 1999; amended at 23 Ill. Reg. 7492, effective June 17, 1999; emergency amendment at 23 Ill. Reg. 10526, effective August 10, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. 285, effective December 23, 1999; amended at 24 Ill. Reg. 6563, effective May 1, 2000; emergency amendment at 24 Ill. Reg. 9966, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 17126, effective November 3, 2000; emergency amendment at 27 Ill. Reg. 17428, effective November 6, 2003, for a maximum of 150 days.

Section 679.50 Service Cost Maximums (SCMs)**EMERGENCY**

- a) For each individual meeting the minimum required DON scores for eligibility (see 89 Ill. Adm. Code 682), there is a corresponding Service Cost Maximum (SCM) for his/her DON score which is the maximum amount that may be expended for services through HSP for an individual who chooses HSP services

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

over institutionalization. This amount directly corresponds to the amount the State would expect to pay for the nursing care component of institutionalization if the individual chose institutionalization.

- b) The SCMs for individuals served under the HSP Medicaid Waiver are:

<u>DON</u> <u>Range</u>	<u>11/1/03</u> <u>SCM</u>	<u>8/1/04</u> <u>SCM</u>	<u>8/1/05</u> <u>SCM</u>	<u>8/1/06</u> <u>SCM</u>	<u>8/1/07</u> <u>SCM</u>
29-32	\$1,154	\$1,194	\$1,249	\$1,329	\$1,488
33-40	\$1,326	\$1,371	\$1,435	\$1,527	\$1,710
41-49	\$1,475	\$1,526	\$1,597	\$1,699	\$1,902
50-59	\$1,766	\$1,827	\$1,912	\$2,034	\$2,277
60-69	\$2,076	\$2,147	\$2,247	\$2,390	\$2,677
70-79	\$2,244	\$2,322	\$2,430	\$2,585	\$2,894
80-100	\$2,412	\$2,495	\$2,612	\$2,778	\$3,111
Total DON Score		SCM			
29 through 32		\$1114			
33 through 40		1280			
41 through 49		1424			
50 through 59		1705			
60 through 69		2004			
70 through 79		2167			
80 through 100		2329			

- c) The SCMs for individuals served under the AIDS Medicaid Waiver are:

<u>DON</u> <u>Range</u>	<u>11/1/03</u> <u>SCM</u>	<u>8/1/04</u> <u>SCM</u>	<u>8/1/05</u> <u>SCM</u>	<u>8/1/06</u> <u>SCM</u>	<u>8/1/07</u> <u>SCM</u>
29-32	\$1,486	\$1,538	\$1,609	\$1,712	\$1,917
33-40	\$2,228	\$2,305	\$2,412	\$2,566	\$2,873
41-49	\$2,970	\$3,073	\$3,216	\$3,421	\$3,831
50-59	\$3,714	\$3,842	\$4,021	\$4,278	\$4,790
60-69	\$4,458	\$4,611	\$4,827	\$5,134	\$5,749
70-79	\$5,198	\$5,378	\$5,628	\$5,987	\$6,704
80-100	\$5,943	\$6,148	\$6,435	\$6,845	\$7,664
Total DON Score		SCM			
29 through 32		\$1435			

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

33 through 40	2151
41 through 49	2868
50 through 59	3586
60 through 69	4304
70 through 79	5019
80 through 100	5738

- d) The SCM for individuals served through the Medicaid Waiver for Ventilator Assisted Individuals shall be no higher than the comparable institutionalized cost of care for the individual, less the costs for equipment and supplies.
- e) The SCM for an individual may be exceeded on a monthly basis to meet a temporary increase in need for services as long as the average monthly cost for services during the twelve month period does not exceed the SCM. Such an increase in services shall not last more than 3 months.
- f) The monthly SCMs for individuals served under the Medicaid Waiver for Persons with a Brain Injury are:

<u>DON</u> <u>Range</u>	<u>11/1/03</u> <u>SCM</u>	<u>8/1/04</u> <u>SCM</u>	<u>8/1/05</u> <u>SCM</u>	<u>8/1/06</u> <u>SCM</u>	<u>8/1/07</u> <u>SCM</u>
<u>29-32</u>	<u>\$1,286</u>	<u>\$1,331</u>	<u>\$1,393</u>	<u>\$1,482</u>	<u>\$1,659</u>
<u>33-40</u>	<u>\$1,427</u>	<u>\$1,476</u>	<u>\$1,545</u>	<u>\$1,644</u>	<u>\$1,841</u>
<u>41-49</u>	<u>\$1,586</u>	<u>\$1,640</u>	<u>\$1,717</u>	<u>\$1,826</u>	<u>\$2,045</u>
<u>50-59</u>	<u>\$1,901</u>	<u>\$1,966</u>	<u>\$2,058</u>	<u>\$2,189</u>	<u>\$2,451</u>
<u>60-69</u>	<u>\$2,234</u>	<u>\$2,311</u>	<u>\$2,419</u>	<u>\$2,573</u>	<u>\$2,881</u>
<u>70-79</u>	<u>\$2,415</u>	<u>\$2,499</u>	<u>\$2,615</u>	<u>\$2,782</u>	<u>\$3,115</u>
<u>80-100</u>	<u>\$2,597</u>	<u>\$2,686</u>	<u>\$2,811</u>	<u>\$2,990</u>	<u>\$3,349</u>

<u>Total DON Score</u>	<u>SCM</u>
<u>29 through 32</u>	<u>\$1242</u>
<u>33 through 40</u>	<u>1378</u>
<u>41 through 49</u>	<u>1531</u>
<u>50 through 59</u>	<u>1835</u>
<u>60 through 69</u>	<u>2157</u>
<u>70 through 79</u>	<u>2332</u>
<u>80 through 100</u>	<u>2507</u>

(Source: Amended by emergency rulemaking at 27 Ill. Reg. 17428, effective November 6, 2003, for a maximum of 150 days)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: 310.APPENDIX A, Table W Peremptory Action: Amend
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: Memorandum of Understanding, between the State of Illinois and AFSCME signed October 18, 2003 and effective July 26, 2002, includes Labor Conciliator into the RC-062 bargaining unit and assigns RC-062-20 as the pay rate.
- 5) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 6) Effective Date: November 7, 2003
- 7) A Complete Description of the Subjects and Issues Involved: The State of Illinois and AFSCME agreed to the assignment of RC-062-20 as the pay rate for the Labor Conciliator, effective July 26, 2002. Eligible employees will be placed on a step and receive a lump sum payment based upon time in active pay status since July 26, 2002. The lump sum payment for the period from July 1, 2003, through the present will be paid by the Department of Labor and through the Back Wage Claim fund administered by the Department of Central Management Services.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: November 7, 2003
- 10) A copy of the peremptory amendment including any material incorporated is on file in the agency's principal office and is available for public inspection.

This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this peremptory amendment in compliance with Section 5-50 of the Illinois Administrative Procedure Act. Yes
- 12) Are there any other proposed amendments pending on this Part? Yes

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.280	Amend	27 Ill. Reg. 8570, 05/03/2003
310. Appendix A, Table L	Amend	27 Ill. Reg. 8570, 05/03/2003
310. Appendix A, Table W	Amend	27 Ill. Reg. 8570, 05/03/2003
310.280	Amend	27 Ill. Reg. 9656, 07/07/2003
310. Appendix A, Table W	Amend	27 Ill. Reg. 9656, 07/07/2003
310.80	Amend	27 Ill. Reg. 10442, 07/11/2003
310.100	Amend	27 Ill. Reg. 10442, 07/11/2003
310.110	Amend	27 Ill. Reg. 10442, 07/11/2003
310.130	Amend	27 Ill. Reg. 10442, 07/11/2003
310.220	Amend	27 Ill. Reg. 10442, 07/11/2003
310.230	Amend	27 Ill. Reg. 10442, 07/11/2003
310.290	Amend	27 Ill. Reg. 10442, 07/11/2003
310.450	Amend	27 Ill. Reg. 10442, 07/11/2003
310.530	Amend	27 Ill. Reg. 10442, 07/11/2003
310.540	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix B	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix C	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix D	Amend	27 Ill. Reg. 10442, 07/11/2003
Appendix G	Amend	27 Ill. Reg. 10442, 07/11/2003
310. 230	Amend	27 Ill. Reg. 17433, 11/07/2003
310.280	Amend	27 Ill. Reg. 17433, 11/07/2003
310. Appendix A, Table AB	Amend	27 Ill. Reg. 17433, 11/07/2003

13) Statement of Statewide Policy Objectives: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.

14) Information and questions regarding this peremptory amendment shall be directed to:

Ms. Marianne Armento

Department of Central Management Services

Division of Technical Services

504 William G. Stratton Building

Springfield IL 62706

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

(217) 782-5601

(217) 524-4570

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2003
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

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

SUBPART C: MERIT COMPENSATION SYSTEM

Section

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

310.APPENDIX A Negotiated Rates of Pay

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

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

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

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6,

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1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666,

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effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; 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 December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997;

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peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; peremptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; peremptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at

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25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003.

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

Title	Salary Grade	Code
Accountant	RC-062-14	00130
Accountant Advanced	RC-062-16	00133
Accounting and Fiscal Administration Career Trainee	RC-062-12	00140
Activity Therapist	RC-062-15	00157
Activity Therapist Coordinator	RC-062-17	00160
Actuarial Assistant	RC-062-16	00187
Actuarial Examiner	RC-062-16	00195
Actuarial Examiner Trainee	RC-062-13	00196
Actuarial Senior Examiner	RC-062-19	00197
Actuary I	RC-062-20	00201
Actuary II	RC-062-24	00202
Agricultural Market News Assistant	RC-062-12	00804
Agricultural Marketing Generalist	RC-062-14	00805
Agricultural Marketing Reporter	RC-062-18	00807
Agricultural Marketing Representative	RC-062-18	00810
Agriculture Land and Water Resource Specialist I	RC-062-14	00831
Agriculture Land and Water Resource Specialist II	RC-062-17	00832
Agriculture Land and Water Resource Specialist III	RC-062-20	00833
Aircraft Pilot I	RC-062-18	00955
Aircraft Pilot I (Eff. 07-01-01)	RC-062-19	00955
Aircraft Pilot II	RC-062-21	00956
Aircraft Pilot II (Eff. 07-01-01)	RC-062-22	00956
Appraisal Specialist I	RC-062-14	01251
Appraisal Specialist II	RC-062-16	01252
Appraisal Specialist III	RC-062-18	01253
Arts Council Associate	RC-062-12	01523
Arts Council Program Coordinator	RC-062-18	01526
Arts Council Program Representative	RC-062-15	01527
Bank Examiner I	RC-062-16	04131
Bank Examiner II	RC-062-19	04132
Bank Examiner III	RC-062-22	04133
Behavioral Analyst I	RC-062-17	04351
Behavioral Analyst II	RC-062-19	04352
Behavioral Analyst Associate	RC-062-15	04355
Business Administrative Specialist	RC-062-16	05810

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Buyer	RC-062-18	05900
Carnival and Amusement Safety Inspector	RC-062-16	06550
Carnival and Amusement Safety Inspector Trainee	RC-062-10	06555
Chemist I	RC-062-16	06941
Chemist II	RC-062-19	06942
Chemist III	RC-062-21	06943
Child Protective Associate Investigator	RC-062-15	07187
Child Protective Investigator	RC-062-17	07188
Child Protective Lead Investigator	RC-062-18	07189
Child Welfare Staff Development Coordinator I	RC-062-17	07201
Child Welfare Staff Development Coordinator II	RC-062-19	07202
Child Welfare Staff Development Coordinator III	RC-062-20	07203
Child Welfare Staff Development Coordinator IV	RC-062-22	07204
Child Welfare Specialist	RC-062-15	07211
Children and Family Service Intern – Option 1	RC-062-12	07241
Children and Family Service Intern – Option 2	RC-062-15	07242
Clinical Laboratory Technologist I	RC-062-18	08220
Clinical Laboratory Technologist II	RC-062-19	08221
Clinical Laboratory Technologist Trainee	RC-062-14	08229
Communications Systems Specialist	RC-062-23	08860
Community Management Specialist I	RC-062-15	08891
Community Management Specialist II	RC-062-17	08892
Community Management Specialist III	RC-062-19	08893
Community Planner I	RC-062-15	08901
Community Planner II	RC-062-17	08902
Community Planner III	RC-062-19	08903
Conservation Education Representative	RC-062-12	09300
Conservation Grant Administrator I	RC-062-18	09311
Conservation Grant Administrator II	RC-062-20	09312
Conservation Grant Administrator III	RC-062-22	09313
Construction Program Assistant	RC-062-12	09525
Correctional Counselor I	RC-062-15	09661
Correctional Counselor II	RC-062-17	09662
Correctional Counselor III	RC-062-19	09663
Corrections Academy Trainer	RC-062-17	09732
Corrections Apprehension Specialist	RC-062-19	09750
Corrections Industries Marketing Representative	RC-062-17	09803
Corrections Leisure Activities Specialist I	RC-062-14	09811
Corrections Leisure Activities Specialist I (Eff. 07-01-01)	RC-062-15	09811
Corrections Leisure Activities Specialist II	RC-062-16	09812

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Corrections Leisure Activities Specialist II (Eff. 07-01-01)	RC-062-17	09812
Corrections Leisure Activities Specialist III	RC-062-19	09813
Corrections Parole Agent	RC-062-17	09842
Corrections Senior Parole Agent	RC-062-19	09844
Criminal Intelligence Analyst I	RC-062-18	10161
Criminal Intelligence Analyst II	RC-062-20	10162
Criminal Intelligence Analyst Specialist	RC-062-22	10165
Criminal Justice Specialist I	RC-062-16	10231
Criminal Justice Specialist II	RC-062-20	10232
Curator of the Lincoln Collection	RC-062-16	10750
Day Care Licensing Representative I	RC-062-15	11471
Developmental Disabilities Council Program Planner I	RC-062-12	12361
Developmental Disabilities Council Program Planner II	RC-062-16	12362
Developmental Disabilities Council Program Planner III	RC-062-18	12363
Dietitian	RC-062-14	12510
Dietitian (Eff. 07-01-01)	RC-062-15	12510
Disability Claims Adjudicator I	RC-062-15	12537
Disability Claims Adjudicator II	RC-062-17	12538
Disability Claims Analyst	RC-062-20	12540
Disability Claims Specialist	RC-062-18	12558
Disaster Services Planner	RC-062-19	12585
Document Examiner	RC-062-22	12640
Educator – Provisional	RC-062-12	13105
Employment Security Manpower Representative I	RC-062-12	13621
Employment Security Manpower Representative II	RC-062-14	13622
Employment Security Program Representative	RC-062-14	13650
Employment Security Program Representative – Intermittent	RC-062-14H	13651
Employment Security Service Representative	RC-062-16	13667
Employment Security Specialist I	RC-062-14	13671
Employment Security Specialist II	RC-062-16	13672
Employment Security Specialist III	RC-062-19	13673
Employment Security Tax Auditor I	RC-062-17	13681
Employment Security Tax Auditor II	RC-062-19	13682
Energy and Natural Resources Specialist I	RC-062-15	13711
Energy and Natural Resources Specialist II	RC-062-17	13712
Energy and Natural Resources Specialist III	RC-062-19	13713
Energy and Natural Resources Specialist Trainee	RC-062-12	13715
Environmental Health Specialist I	RC-062-14	13768
Environmental Health Specialist II	RC-062-16	13769

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Environmental Health Specialist III	RC-062-18	13770
Environmental Protection Associate	RC-062-12	13785
Environmental Protection Specialist I	RC-062-14	13821
Environmental Protection Specialist II	RC-062-16	13822
Environmental Protection Specialist III	RC-062-18	13823
Environmental Protection Specialist IV	RC-062-22	13824
Financial Institution Examiner I	RC-062-16	14971
Financial Institution Examiner II	RC-062-19	14972
Financial Institution Examiner III	RC-062-22	14973
Financial Institution Examiner Trainee	RC-062-13	14978
Flight Safety Coordinator	RC-062-21	15640
Forensic Scientist I	RC-062-18	15891
Forensic Scientist II	RC-062-20	15892
Forensic Scientist III	RC-062-22	15893
Forensic Scientist Trainee	RC-062-15	15897
Guardianship Representative	RC-062-17	17710
Habilitation Program Coordinator	RC-062-17	17960
Handicapped Services Representative I	RC-062-11	17981
Health and Safety Officer I	RC-062-14	18001
Health and Safety Officer II	RC-062-16	18002
Health and Safety Officer Trainee	RC-062-10	18006
Health Facilities Surveyor I	RC-062-16	18011
Health Facilities Surveyor II	RC-062-19	18012
Health Facilities Surveyor III	RC-062-20	18013
Health Planning Specialist I	RC-062-19	18154
Health Planning Specialist II	RC-062-22	18155
Health Services Investigator I – Opt. A	RC-062-19	18181
Health Services Investigator I – Opt. B	RC-062-20	18182
Health Services Investigator II – Opt. A	RC-062-22	18185
Health Services Investigator II – Opt. B	RC-062-22	18186
Health Services Investigator II – Opt. C	RC-062-23	18187
Health Services Investigator II – Opt. D	RC-062-23	18188
Historical Documents Conservator I	RC-062-13	18981
Historical Research Editor II	RC-062-14	19002
Human Relations Representative	RC-062-16	19670
Human Services Caseworker	RC-062-16	19785
Human Services Grants Coordinator I	RC-062-14	19791
Human Services Grants Coordinator II	RC-062-17	19792
Human Services Grants Coordinator III	RC-062-20	19793
Human Services Grants Coordinator Trainee	RC-062-12	19796

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Human Services Sign Language Interpreter	RC-062-16	19810
Iconographer	RC-062-12	19880
Industrial Services Consultant I	RC-062-14	21121
Industrial Services Consultant II	RC-062-16	21122
Industrial Services Consultant Trainee	RC-062-11	21125
Industrial Services Hygienist	RC-062-19	21127
Industrial Services Hygienist Technician	RC-062-16	21130
Industrial Services Hygienist Trainee	RC-062-12	21133
Instrument Designer	RC-062-18	21500
Insurance Analyst III	RC-062-14	21563
Insurance Analyst IV	RC-062-16	21564
Insurance Company Field Staff Examiner	RC-062-16	21608
Insurance Company Financial Examiner Trainee	RC-062-13	21610
Insurance Performance Examiner	RC-062-14	21671
Intermittent Unemployment Insurance Representative	RC-062-12H	21689
<u>Labor Conciliator</u>	<u>RC-062-20</u>	<u>22750</u>
Laboratory Equipment Specialist	RC-062-18	22990
Laboratory Quality Specialist I	RC-062-19	23021
Laboratory Quality Specialist II	RC-062-21	23022
Laboratory Research Specialist I	RC-062-19	23027
Laboratory Research Specialist II	RC-062-21	23028
Land Acquisition Agent I	RC-062-15	23091
Land Acquisition Agent II	RC-062-18	23092
Land Acquisition Agent III	RC-062-21	23093
Land Reclamation Specialist I	RC-062-14	23131
Land Reclamation Specialist II	RC-062-17	23132
Liability Claims Adjuster I	RC-062-14	23371
Library Associate	RC-062-12	23430
Life Sciences Career Trainee	RC-062-12	23600
Liquor Control Special Agent II	RC-062-15	23752
Local Housing Advisor I	RC-062-14	24031
Local Housing Advisor II	RC-062-16	24032
Local Housing Advisor III	RC-062-18	24033
Local Revenue and Fiscal Advisor I	RC-062-15	24101
Local Revenue and Fiscal Advisor II	RC-062-17	24102
Local Revenue and Fiscal Advisor III	RC-062-19	24103
Lottery Sales Representative	RC-062-16	24515
Management Operations Analyst I	RC-062-18	25541
Management Operations Analyst II	RC-062-20	25542
Manpower Planner I	RC-062-14	25591

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Manpower Planner II	RC-062-17	25592
Manpower Planner III	RC-062-20	25593
Manpower Planner Trainee	RC-062-12	25597
Medical Assistance Consultant I	RC-062-13	26501
Medical Assistance Consultant II	RC-062-16	26502
Medical Assistance Consultant III	RC-062-19	26503
Mental Health Specialist I	RC-062-12	26924
Mental Health Specialist II	RC-062-14	26925
Mental Health Specialist III	RC-062-16	26926
Mental Health Specialist Trainee	RC-062-11	26928
Meteorologist	RC-062-18	27120
Methods and Procedures Advisor I	RC-062-14	27131
Methods and Procedures Advisor II	RC-062-16	27132
Methods and Procedures Career Associate I	RC-062-11	27135
Methods and Procedures Career Associate II	RC-062-12	27136
Methods and Procedures Career Associate Trainee	RC-062-09	27137
Metrologist Associate	RC-062-14	27146
Microbiologist I	RC-062-16	27151
Microbiologist II	RC-062-19	27152
Natural Resources Coordinator	RC-062-15	28831
Natural Resources Specialist	RC-062-18	28832
Natural Resources Advanced Specialist	RC-062-20	28833
Network Control Center Specialist	RC-062-21	28873
Network Control Center Technician I	RC-062-13	28875
Network Control Center Technician II	RC-062-16	28876
Network Control Center Technician Trainee	RC-062-10	28879
Paralegal Assistant	RC-062-14	30860
Police Training Specialist	RC-062-17	32990
Property Consultant	RC-062-15	34900
Property Tax Analyst I	RC-062-12	34921
Property Tax Analyst II	RC-062-14	34922
Public Aid Appeals Advisor	RC-062-18	35750
Public Aid Family Support Specialist I	RC-062-17	35841
Public Aid Investigator	RC-062-19	35870
Public Aid Investigator Trainee	RC-062-14	35874
Public Aid Lead Casework Specialist	RC-062-17	35880
Public Aid Program Quality Analyst	RC-062-19	35890
Public Aid Quality Control Reviewer	RC-062-17	35892
Public Aid Staff Development Specialist I	RC-062-15	36071
Public Aid Staff Development Specialist II	RC-062-17	36072

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Public Health Educator Associate	RC-062-14	36434
Public Health Program Specialist I	RC-062-14	36611
Public Health Program Specialist II	RC-062-16	36612
Public Health Program Specialist Trainee	RC-062-12	36615
Public Information Officer I	RC-062-12	37001
Public Information Officer II	RC-062-14	37002
Railroad Safety Specialist I	RC-062-19	37601
Railroad Safety Specialist II	RC-062-21	37602
Railroad Safety Specialist III	RC-062-23	37603
Railroad Safety Specialist IV	RC-062-25	37604
Real Estate Investigator	RC-062-19	37730
Recreation Worker I	RC-062-12	38001
Recreation Worker II	RC-062-14	38002
Rehabilitation Counselor	RC-062-17	38145
Rehabilitation Counselor Senior	RC-062-19	38158
Rehabilitation Counselor Trainee	RC-062-15	38159
Rehabilitation Services Advisor I	RC-062-20	38176
Rehabilitation Workshop Supervisor I	RC-062-12	38194
Rehabilitation Workshop Supervisor II	RC-062-14	38195
Reimbursement Officer I	RC-062-14	38199
Reimbursement Officer II	RC-062-16	38200
Research Economist I	RC-062-18	38207
Research Scientist I	RC-062-13	38231
Research Scientist II	RC-062-16	38232
Research Scientist III	RC-062-20	38233
Resource Planner I	RC-062-17	38281
Resource Planner II	RC-062-19	38282
Resource Planner III	RC-062-22	38283
Revenue Auditor I	RC-062-16	38371
Revenue Auditor II	RC-062-19	38372
Revenue Auditor III	RC-062-21	38373
Revenue Auditor III (Eff. 07-01-01)	RC-062-22	38373
Revenue Auditor Trainee	RC-062-12	38375
Revenue Collection Officer I	RC-062-15	38401
Revenue Collection Officer II	RC-062-17	38402
Revenue Collection Officer III	RC-062-19	38403
Revenue Collection Officer Trainee	RC-062-12	38405
Revenue Senior Special Agent	RC-062-23	38557
Revenue Special Agent	RC-062-19	38558
Revenue Special Agent Trainee	RC-062-14	38565

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Revenue Tax Specialist I	RC-062-12	38571
Revenue Tax Specialist II	RC-062-14	38572
Revenue Tax Specialist III	RC-062-17	38573
Revenue Tax Specialist Trainee	RC-062-10	38575
Site Interpretive Coordinator	RC-062-13	41093
Site Services Specialist I	RC-062-15	41117
Site Services Specialist II	RC-062-17	41118
Site Assistant Superintendent I	RC-062-15	41071
Site Assistant Superintendent II	RC-062-17	41072
Social Service Consultant I	RC-062-18	41301
Social Service Consultant II	RC-062-19	41302
Social Service Program Planner I	RC-062-15	41311
Social Service Program Planner II	RC-062-17	41312
Social Service Program Planner III	RC-062-20	41313
Social Service Program Planner IV	RC-062-22	41314
Social Services Career Trainee	RC-062-12	41320
Social Worker I	RC-062-15	41411
Social Worker I (Eff. 07-01-01)	RC-062-16	41411
Staff Development Technician I	RC-062-12	41781
State Police Field Specialist I	RC-062-18	42001
State Police Field Specialist II	RC-062-20	42002
Statistical Research Specialist I	RC-062-12	42741
Statistical Research Specialist II	RC-062-14	42742
Statistical Research Specialist III	RC-062-17	42743
Storage Tank Safety Specialist	RC-062-18	43005
Substance Abuse Specialist I	RC-062-17	43251
Substance Abuse Specialist II	RC-062-19	43252
Substance Abuse Specialist III	RC-062-22	43253
Telecommunications Systems Analyst	RC-062-17	45308
Telecommunications Systems Technician I	RC-062-10	45312
Telecommunications Systems Technician II	RC-062-13	45313
Unemployment Insurance Adjudicator I	RC-062-11	47001
Unemployment Insurance Adjudicator II	RC-062-13	47002
Unemployment Insurance Adjudicator III	RC-062-15	47003
Unemployment Insurance Revenue Analyst I	RC-062-15	47081
Unemployment Insurance Revenue Analyst II	RC-062-17	47082
Unemployment Insurance Revenue Specialist	RC-062-13	47087
Unemployment Insurance Special Agent I	RC-062-15	47091
Unemployment Insurance Special Agent II	RC-062-17	47092
Veterans Educational Specialist I	RC-062-15	47681

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Veterans Educational Specialist II	RC-062-17	47682
Veterans Educational Specialist III	RC-062-21	47683
Veterans Employment Representative I	RC-062-14	47701
Veterans Employment Representative II	RC-062-16	47702
Vocational Assessment Specialist	RC-062-18	48160
Volunteer Services Coordinator I	RC-062-13	48481
Volunteer Services Coordinator II	RC-062-16	48482
Wage Claims Specialist	RC-062-09	48770
Weatherization Specialist I	RC-062-14	49101
Weatherization Specialist II	RC-062-17	49102
Weatherization Specialist III	RC-062-20	49103
Weatherization Specialist Trainee	RC-062-12	49105

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	Eff. 1/1/02										
	1e	1b	1a	1	2	3	4	5	6	7	8
RC-062-09	1961	2014	2068	2124	2196	2274	2349	2429	2505	2627	2653
RC-062-09a	2014	2068	2124	2182	2256	2336	2413	2496	2574	2700	2727
RC-062-09m	2065	2120	2176	2233	2307	2388	2465	2547	2626	2751	2779
RC-062-10	2029	2084	2141	2199	2286	2361	2443	2523	2606	2740	2767
RC-062-10a	2084	2141	2199	2259	2349	2426	2510	2593	2678	2818	2846
RC-062-10m	2135	2192	2251	2310	2400	2477	2562	2644	2730	2872	2901
RC-062-11	2110	2167	2226	2287	2373	2454	2545	2633	2715	2859	2888
RC-062-11a	2167	2226	2287	2350	2438	2522	2615	2706	2791	2942	2971
RC-062-11m	2219	2278	2338	2401	2490	2573	2667	2757	2845	2995	3025
RC-062-12	2200	2260	2322	2386	2478	2564	2663	2751	2852	3005	3035
RC-062-12a	2260	2322	2386	2452	2546	2635	2737	2830	2934	3093	3124
RC-062-12m	2312	2373	2437	2503	2598	2686	2789	2883	2988	3148	3179
RC-062-12H	13.54	13.91	14.29	14.68	15.25	15.78	16.39	16.93	17.55	18.49	18.68
RC-062-12Ha	13.91	14.29	14.68	15.09	15.67	16.22	16.84	17.42	18.06	19.03	19.22
RC-062-12Hm	14.23	14.60	15.00	15.40	15.99	16.53	17.16	17.74	18.39	19.37	19.56

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RC-062-13	2287	2350	2415	2481	2576	2678	2779	2880	2987	3154	3186
RC-062-13a	2350	2415	2481	2549	2647	2752	2859	2963	3073	3248	3280
RC-062-13m	2401	2466	2533	2601	2699	2805	2913	3017	3129	3304	3337
RC-062-14	2388	2454	2522	2592	2694	2799	2921	3027	3143	3325	3358
RC-062-14a	2454	2522	2592	2664	2769	2880	3005	3118	3238	3426	3460
RC-062-14m	2505	2573	2643	2715	2822	2933	3059	3172	3292	3480	3515
RC-062-14H	14.70	15.10	15.52	15.95	16.58	17.22	17.98	18.63	19.34	20.46	20.66
RC-062-14Ha	15.10	15.52	15.95	16.39	17.04	17.72	18.49	19.19	19.93	21.08	21.29
RC-062-14Hm	15.42	15.83	16.26	16.71	17.37	18.05	18.82	19.52	20.26	21.42	21.63
RC-062-15	2485	2554	2625	2698	2815	2932	3048	3172	3290	3487	3522
RC-062-15a	2554	2625	2698	2773	2896	3017	3138	3268	3388	3591	3627
RC-062-15m	2605	2676	2749	2826	2950	3070	3194	3322	3443	3647	3683
RC-062-16	2600	2672	2746	2824	2951	3080	3210	3343	3477	3682	3719
RC-062-16a	2672	2746	2824	2906	3036	3173	3307	3442	3581	3793	3831
RC-062-16m	2724	2799	2878	2959	3091	3229	3362	3498	3637	3847	3885
RC-062-17	2717	2794	2875	2958	3096	3239	3375	3511	3654	3872	3911
RC-062-17a	2794	2875	2958	3044	3188	3336	3476	3617	3764	3988	4028
RC-062-17m	2847	2928	3012	3098	3244	3392	3532	3673	3819	4044	4084
RC-062-18	2856	2939	3024	3113	3265	3416	3571	3718	3867	4097	4138
RC-062-18a	2939	3024	3113	3207	3364	3519	3679	3830	3983	4220	4262
RC-062-18m	2992	3077	3169	3261	3419	3575	3734	3885	4039	4275	4318
RC-062-19	3006	3094	3186	3282	3450	3612	3780	3938	4103	4351	4395
RC-062-19a	3094	3186	3282	3380	3553	3719	3894	4057	4227	4482	4527
RC-062-19m	3149	3242	3338	3435	3609	3774	3949	4113	4282	4537	4582
RC-062-20	3174	3270	3368	3468	3643	3813	3993	4167	4338	4603	4649
RC-062-20a	3270	3368	3468	3572	3752	3928	4114	4291	4469	4742	4789
RC-062-20m	3324	3424	3524	3627	3807	3983	4169	4347	4524	4796	4844
RC-062-21	3351	3453	3556	3661	3849	4036	4225	4417	4600	4887	4936
RC-062-21a	3453	3556	3661	3771	3965	4156	4351	4548	4738	5034	5084
RC-062-21m	3507	3612	3717	3827	4020	4211	4407	4604	4793	5089	5140

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RC-062-22	3542	3649	3759	3871	4072	4272	4473	4680	4876	5178	5230
RC-062-22a	3649	3759	3871	3987	4195	4400	4607	4820	5023	5334	5387
RC-062-22m	3704	3813	3927	4043	4249	4456	4661	4875	5079	5389	5443
RC-062-23	3759	3871	3987	4106	4324	4545	4760	4980	5197	5523	5578
RC-062-23a	3871	3987	4106	4230	4454	4682	4903	5129	5352	5688	5745
RC-062-23m	3927	4043	4162	4285	4509	4736	4958	5185	5408	5744	5801
RC-062-24	3999	4119	4242	4370	4602	4842	5075	5310	5550	5897	5956
RC-062-24a	4119	4242	4370	4502	4741	4987	5228	5469	5716	6075	6136
RC-062-24m	4174	4298	4425	4558	4795	5042	5283	5525	5772	6130	6191
RC-062-25	4262	4390	4521	4657	4913	5171	5429	5688	5946	6328	6391
RC-062-25a	4390	4521	4657	4796	5060	5325	5592	5859	6124	6518	6583
RC-062-25m	4446	4576	4713	4852	5116	5380	5647	5914	6179	6573	6639

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	1e	1b	1a	1	2	3	4	5	6	7	8	Eff. 1/1/03
RC-062-09	2061	2114	2168	2224	2296	2374	2449	2529	2605	2727	2754	2782
RC-062-09a	2114	2168	2224	2282	2356	2436	2513	2596	2674	2801	2829	2857
RC-062-09m	2165	2220	2276	2333	2407	2488	2565	2647	2726	2854	2883	2911
RC-062-10	2129	2184	2241	2299	2386	2461	2543	2623	2706	2843	2871	2900
RC-062-10a	2184	2241	2299	2359	2449	2526	2610	2693	2778	2924	2953	2982
RC-062-10m	2235	2292	2351	2410	2500	2577	2662	2744	2832	2980	3010	3040
RC-062-11	2210	2267	2326	2387	2473	2554	2645	2733	2817	2966	2996	3025
RC-062-11a	2267	2326	2387	2450	2538	2622	2715	2807	2896	3052	3083	3113
RC-062-11m	2319	2378	2438	2501	2590	2673	2767	2860	2952	3107	3138	3169
RC-062-12	2300	2360	2422	2486	2578	2664	2763	2854	2959	3118	3149	3180
RC-062-12a	2360	2422	2486	2552	2646	2735	2840	2936	3044	3209	3241	3273
RC-062-12m	2412	2473	2537	2603	2698	2787	2894	2991	3100	3266	3299	3331
RC-062-12H	14.15	14.52	14.90	15.30	15.86	16.39	17.00	17.56	18.21	19.19	19.38	19.57

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RC-062-12Ha	14.52	14.90	15.30	15.70	16.28	16.83	17.48	18.07	18.73	19.75	19.94	20.14
RC-062-12Hm	14.84	15.22	15.61	16.02	16.60	17.15	17.81	18.41	19.08	20.10	20.30	20.50
RC-062-13	2387	2450	2515	2581	2676	2778	2883	2988	3099	3272	3305	3337
RC-062-13a	2450	2515	2581	2649	2747	2855	2966	3074	3188	3370	3404	3437
RC-062-13m	2501	2566	2633	2701	2800	2910	3022	3130	3246	3428	3462	3497
RC-062-14	2488	2554	2622	2692	2795	2904	3031	3141	3261	3450	3485	3519
RC-062-14a	2554	2622	2692	2764	2873	2988	3118	3235	3359	3554	3590	3625
RC-062-14m	2605	2673	2743	2817	2928	3043	3174	3291	3415	3611	3647	3683
RC-062-14H	15.31	15.72	16.14	16.57	17.20	17.87	18.65	19.33	20.07	21.23	21.45	21.66
RC-062-14Ha	15.72	16.14	16.57	17.01	17.68	18.39	19.19	19.91	20.67	21.87	22.09	22.31
RC-062-14Hm	16.03	16.45	16.88	17.34	18.02	18.73	19.53	20.25	21.02	22.22	22.44	22.66
RC-062-15	2585	2654	2725	2799	2921	3042	3162	3291	3413	3618	3654	3690
RC-062-15a	2654	2725	2799	2877	3005	3130	3256	3391	3515	3726	3763	3801
RC-062-15m	2705	2776	2852	2932	3061	3185	3314	3447	3572	3784	3822	3860
RC-062-16	2700	2772	2849	2930	3062	3196	3330	3468	3607	3820	3858	3896
RC-062-16a	2772	2849	2930	3015	3150	3292	3431	3571	3715	3935	3974	4014
RC-062-16m	2826	2904	2986	3070	3207	3350	3488	3629	3773	3991	4031	4071
RC-062-17	2819	2899	2983	3069	3212	3360	3502	3643	3791	4017	4057	4097
RC-062-17a	2899	2983	3069	3158	3308	3461	3606	3753	3905	4138	4179	4221
RC-062-17m	2954	3038	3125	3214	3366	3519	3664	3811	3962	4196	4238	4280
RC-062-18	2963	3049	3137	3230	3387	3544	3705	3857	4012	4251	4294	4336
RC-062-18a	3049	3137	3230	3327	3490	3651	3817	3974	4132	4378	4422	4466
RC-062-18m	3104	3192	3288	3383	3547	3709	3874	4031	4190	4435	4479	4524
RC-062-19	3119	3210	3305	3405	3579	3747	3922	4086	4257	4514	4559	4604
RC-062-19a	3210	3305	3405	3507	3686	3858	4040	4209	4386	4650	4697	4743
RC-062-19m	3267	3364	3463	3564	3744	3916	4097	4267	4443	4707	4754	4801
RC-062-20	3293	3393	3494	3598	3780	3956	4143	4323	4501	4776	4824	4872
RC-062-20a	3393	3494	3598	3706	3893	4075	4268	4452	4637	4920	4969	5018
RC-062-20m	3449	3552	3656	3763	3950	4132	4325	4510	4694	4976	5026	5076
RC-062-21	3477	3582	3689	3798	3993	4187	4383	4583	4773	5070	5121	5171

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RC-062-21a	3582	3689	3798	3912	4114	4312	4514	4719	4916	5223	5275	5327
RC-062-21m	3639	3747	3856	3971	4171	4369	4572	4777	4973	5280	5333	5386
RC-062-22	3675	3786	3900	4016	4225	4432	4641	4856	5059	5372	5426	5479
RC-062-22a	3786	3900	4016	4137	4352	4565	4780	5001	5211	5534	5589	5645
RC-062-22m	3843	3956	4074	4195	4408	4623	4836	5058	5269	5591	5647	5703
RC-062-23	3900	4016	4137	4260	4486	4715	4939	5167	5392	5730	5787	5845
RC-062-23a	4016	4137	4260	4389	4621	4858	5087	5321	5553	5901	5960	6019
RC-062-23m	4074	4195	4318	4446	4678	4914	5144	5379	5611	5959	6019	6078
RC-062-24	4149	4273	4401	4534	4775	5024	5265	5509	5758	6118	6179	6240
RC-062-24a	4273	4401	4534	4671	4919	5174	5424	5674	5930	6303	6366	6429
RC-062-24m	4331	4459	4591	4729	4975	5231	5481	5732	5988	6360	6424	6487
RC-062-25	4422	4555	4691	4832	5097	5365	5633	5901	6169	6565	6631	6696
RC-062-25a	4555	4691	4832	4976	5250	5525	5802	6079	6354	6762	6830	6897
RC-062-25m	4613	4748	4890	5034	5308	5582	5859	6136	6411	6819	6887	6955

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

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RC-062-12m	2512	2573	2638	2707	2806	2898	3010	3111	3224	3397	3465	3499
RC-062-12H	14.77	15.14	15.52	15.91	16.50	17.05	17.69	18.26	18.94	19.96	20.36	20.55
RC-062-12Ha	15.14	15.52	15.91	16.33	16.94	17.50	18.18	18.79	19.48	20.54	20.95	21.15
RC-062-12Hm	15.46	15.83	16.23	16.66	17.27	17.83	18.52	19.14	19.84	20.90	21.32	21.53
RC-062-13	2487	2550	2616	2684	2783	2889	2998	3108	3223	3403	3471	3505
RC-062-13a	2550	2616	2684	2755	2857	2969	3085	3197	3316	3505	3575	3610
RC-062-13m	2601	2669	2738	2809	2912	3026	3143	3255	3376	3565	3636	3672
RC-062-14	2588	2656	2727	2800	2907	3020	3152	3267	3391	3588	3660	3696
RC-062-14a	2656	2727	2800	2875	2988	3108	3243	3364	3493	3696	3770	3807
RC-062-14m	2709	2780	2853	2930	3045	3165	3301	3423	3552	3755	3830	3868
RC-062-14H	15.93	16.34	16.78	17.23	17.89	18.58	19.40	20.10	20.87	22.08	22.52	22.74
RC-062-14Ha	16.34	16.78	17.23	17.69	18.39	19.13	19.96	20.70	21.50	22.74	23.20	23.43
RC-062-14Hm	16.67	17.11	17.56	18.03	18.74	19.48	20.31	21.06	21.86	23.11	23.57	23.80
RC-062-15	2688	2760	2834	2911	3038	3164	3288	3423	3550	3763	3838	3876
RC-062-15a	2760	2834	2911	2992	3125	3255	3386	3527	3656	3875	3953	3991
RC-062-15m	2813	2887	2966	3049	3183	3312	3447	3585	3715	3935	4014	4053
RC-062-16	2808	2883	2963	3047	3184	3324	3463	3607	3751	3973	4052	4092
RC-062-16a	2883	2963	3047	3136	3276	3424	3568	3714	3864	4092	4174	4215
RC-062-16m	2939	3020	3105	3193	3335	3484	3628	3774	3924	4151	4234	4276
RC-062-17	2932	3015	3102	3192	3340	3494	3642	3789	3943	4178	4262	4303
RC-062-17a	3015	3102	3192	3284	3440	3599	3750	3903	4061	4304	4390	4433
RC-062-17m	3072	3160	3250	3343	3501	3660	3811	3963	4120	4364	4451	4495
RC-062-18	3082	3171	3262	3359	3522	3686	3853	4011	4172	4421	4509	4554
RC-062-18a	3171	3262	3359	3460	3630	3797	3970	4133	4297	4553	4644	4690
RC-062-18m	3228	3320	3420	3518	3689	3857	4029	4192	4358	4612	4704	4750
RC-062-19	3244	3338	3437	3541	3722	3897	4079	4249	4427	4695	4789	4836
RC-062-19a	3338	3437	3541	3647	3833	4012	4202	4377	4561	4836	4933	4981
RC-062-19m	3398	3499	3602	3707	3894	4073	4261	4438	4621	4895	4993	5042
RC-062-20	3425	3529	3634	3742	3931	4114	4309	4496	4681	4967	5066	5116
RC-062-20a	3529	3634	3742	3854	4049	4238	4439	4630	4822	5117	5219	5271

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

RC-062-20m	3587	3694	3802	3914	4108	4297	4498	4690	4882	5175	5279	5330
RC-062-21	3616	3725	3837	3950	4153	4354	4558	4766	4964	5273	5378	5431
RC-062-21a	3725	3837	3950	4068	4279	4484	4695	4908	5113	5432	5541	5595
RC-062-21m	3785	3897	4010	4130	4338	4544	4755	4968	5172	5491	5601	5656
RC-062-22	3822	3937	4056	4177	4394	4609	4827	5050	5261	5587	5699	5755
RC-062-22a	3937	4056	4177	4302	4526	4748	4971	5201	5419	5755	5870	5928
RC-062-22m	3997	4114	4237	4363	4584	4808	5029	5260	5480	5815	5931	5989
RC-062-23	4056	4177	4302	4430	4665	4904	5137	5374	5608	5959	6078	6138
RC-062-23a	4177	4302	4430	4565	4806	5052	5290	5534	5775	6137	6260	6321
RC-062-23m	4237	4363	4491	4624	4865	5111	5350	5594	5835	6197	6321	6383
RC-062-24	4315	4444	4577	4715	4966	5225	5476	5729	5988	6363	6490	6554
RC-062-24a	4444	4577	4715	4858	5116	5381	5641	5901	6167	6555	6686	6752
RC-062-24m	4504	4637	4775	4918	5174	5440	5700	5961	6228	6614	6746	6812
RC-062-25	4599	4737	4879	5025	5301	5580	5858	6137	6416	6828	6965	7033
RC-062-25a	4737	4879	5025	5175	5460	5746	6034	6322	6608	7032	7173	7243
RC-062-25m	4798	4938	5086	5235	5520	5805	6093	6381	6667	7092	7234	7305

(Source: Peremptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Customer Rights and Responsibilities
- 2) Code Citation: 89 Ill. Adm. Code 677
- 3) Register citation of proposed action: 27 Ill. Reg. 17169; November 14, 2003
- 4) Explanation: When DHS proposed this rulemaking, it submitted a correct hardcopy and disk of the amended text to the Secretary of State for publication in the *Illinois Register*. However, the published proposed rulemaking failed to show the amendments the Department had submitted. Rather, JCAR inadvertently published the rule text in an unamended form. The Joint Committee on Administrative Rules regrets this error. The following is the proposed rulemaking for 89 Ill. Adm. Code 677.30 as it should have appeared in the 11/14/03 issue of the *Illinois Register*.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 677
CUSTOMER RIGHTS AND RESPONSIBILITIES

SUBPART A: CUSTOMER RIGHTS

- Section
- 677.10 Assurance of Customer Rights
- 677.20 Nondiscrimination
- 677.30 Confidentiality of Information
- 677.40 Freedom of Choice
- 677.50 Referral
- 677.60 Application
- 677.70 Notice of Action
- 677.80 Appeal of an Action Taken by DHS
- 677.90 Repayment of Assistance

SUBPART B: CUSTOMER RESPONSIBILITIES

- Section
- 677.200 Consumer Responsibilities

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5056, effective March 21, 1995; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 23 Ill. Reg. 5072, effective April 12, 1999; amended at 28 Ill. Reg. _____, effective _____.

SUBPART A: CUSTOMER RIGHTS

Section 677.30 Confidentiality of Information

All customer information maintained by DHS-ORS for the purposes of administering the funds available under the HSP is confidential and shall only be used for the purpose of the administration of HSP, pursuant to [the Health Insurance Portability and Accountability Act \(42](#)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

USC 1320(d) et seq.) and the regulations promulgated thereunder, and DHS' rules found at 89 Ill. Adm. Code 505 – Confidentiality and 89 Ill. Adm. Code 676.110. |

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

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 89 Ill. Adm. Code 120
- 3) Register citation of proposed action: 27 Ill. Reg. 17193; November 14, 2003
- 4) Explanation: When DPA proposed this rulemaking, it submitted a correct hardcopy and disk of the amended text to the Secretary of State for publication in the *Illinois Register*. However, the published proposed rulemaking failed to show the amendments the Department had submitted. Rather, JCAR inadvertently published the rule text in an unamended form. The Joint Committee on Administrative Rules regrets this error. The following is the proposed rulemaking for 89 Ill. Adm. Code 120.336 as it should have appeared in the 11/14/03 issue of the *Illinois Register*.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120
MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1 Incorporation by Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10 Eligibility For Medical Assistance
120.11 MANG(P) Eligibility
120.12 Healthy Start – Medicaid Presumptive Eligibility Program For Pregnant Women
120.20 MANG(AABD) Income Standard
120.30 MANG(C) Income Standard
120.31 MANG(P) Income Standard
120.32 KidCare Parent Coverage Waiver Eligibility and Income Standard
120.40 Exceptions To Use Of MANG Income Standard
120.50 AMI Income Standard (Repealed)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60 Cases Other Than Long Term Care, Pregnant Women and Certain Children
120.61 Cases in Intermediate Care, Skilled Nursing Care and DMHDD –
MANG(AABD) and All Other Licensed Medical Facilities
120.62 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings Under 89 Ill. Adm.
Code 140.643
120.63 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings
120.64 MANG(P) Cases
120.65 Department of Mental Health and Developmental Disabilities (DMHDD)
Licensed Community – Integrated Living Arrangements

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

SUBPART D: MEDICARE PREMIUMS

Section	
120.70	Supplementary Medical Insurance Benefits (SMIB) Buy-In Program
120.72	Eligibility for Medicare Cost Sharing as a Qualified Medicare Beneficiary (QMB)
120.73	Eligibility for Medicaid Payment of Medicare Part B Premiums as a Specified Low-Income Medicare Beneficiary (SLIB)
120.74	Qualified Medicare Beneficiary (QMB) Income Standard
120.75	Specified Low-Income Medicare Beneficiary (SLIB) Income Standards
120.76	Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section	
120.80	Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section	
120.90	Migrant Medical Program (Repealed)
120.91	Income Standards (Repealed)

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section	
120.200	Elimination Of Aid To The Medically Indigent
120.208	Client Cooperation (Repealed)
120.210	Citizenship (Repealed)
120.211	Residence (Repealed)
120.212	Age (Repealed)
120.215	Relationship (Repealed)
120.216	Living Arrangement (Repealed)
120.217	Supplemental Payments (Repealed)
120.218	Institutional Status (Repealed)
120.224	Foster Care Program (Repealed)
120.225	Social Security Numbers (Repealed)
120.230	Unearned Income (Repealed)
120.235	Exempt Unearned Income (Repealed)
120.236	Education Benefits (Repealed)
120.240	Unearned Income In-Kind (Repealed)

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120.245	Earmarked Income (Repealed)
120.250	Lump Sum Payments and Income Tax Refunds (Repealed)
120.255	Protected Income (Repealed)
120.260	Earned Income (Repealed)
120.261	Budgeting Earned Income (Repealed)
120.262	Exempt Earned Income (Repealed)
120.270	Recognized Employment Expenses (Repealed)
120.271	Income From Work/Study/Training Program (Repealed)
120.272	Earned Income From Self-Employment (Repealed)
120.273	Earned Income From Roomer and Boarder (Repealed)
120.275	Earned Income In-Kind (Repealed)
120.276	Payments from the Illinois Department of Children and Family Services (Repealed)
120.280	Assets (Repealed)
120.281	Exempt Assets (Repealed)
120.282	Asset Disregards (Repealed)
120.283	Deferral of Consideration of Assets (Repealed)
120.284	Spend-down of Assets (AMI) (Repealed)
120.285	Property Transfers (Repealed)
120.290	Persons Who May Be Included in the Assistance Unit (Repealed)
120.295	Payment Levels for AMI (Repealed)

SUBPART H: MEDICAL ASSISTANCE – NO GRANT

Section	
120.308	Client Cooperation
120.309	Caretaker Relative
120.310	Citizenship
120.311	Residence
120.312	Age
120.313	Blind
120.314	Disabled
120.315	Relationship
120.316	Living Arrangements
120.317	Supplemental Payments
120.318	Institutional Status
120.319	Assignment of Rights to Medical Support and Collection of Payment
120.320	Cooperation in Establishing Paternity and Obtaining Medical Support
120.321	Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support

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- 120.322 Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
- 120.323 Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause
- 120.324 Health Insurance Premium Payment (HIPP) Program
- 120.325 Health Insurance Premium Payment (HIPP) Pilot Program
- 120.326 Foster Care Program
- 120.327 Social Security Numbers
- 120.330 Unearned Income
- 120.332 Budgeting Unearned Income
- 120.335 Exempt Unearned Income
- 120.336 Education Benefits
- 120.338 Incentive Allowance
- 120.340 Unearned Income In-Kind
- 120.342 Child Support and Spousal Maintenance Payments
- 120.345 Earmarked Income
- 120.346 Medicaid Qualifying Trusts
- 120.347 Treatment of Trusts
- 120.350 Lump Sum Payments and Income Tax Refunds
- 120.355 Protected Income
- 120.360 Earned Income
- 120.361 Budgeting Earned Income
- 120.362 Exempt Earned Income
- 120.363 Earned Income Disregard – MANG(C)
- 120.364 Earned Income Exemption
- 120.366 Exclusion From Earned Income Exemption
- 120.370 Recognized Employment Expenses
- 120.371 Income From Work/Study/Training Programs
- 120.372 Earned Income From Self-Employment
- 120.373 Earned Income From Roomer and Boarder
- 120.375 Earned Income In Kind
- 120.376 Payments from the Illinois Department of Children and Family Services
- 120.379 Provisions for the Prevention of Spousal Impoverishment
- 120.380 Assets
- 120.381 Exempt Assets
- 120.382 Asset Disregard
- 120.383 Deferral of Consideration of Assets
- 120.384 Spend-down of Assets (AABD MANG)
- 120.385 Property Transfers for Applications Filed Prior to October 1, 1989 (Repealed)
- 120.386 Property Transfers Occurring On or Before August 10, 1993

DEPARTMENT OF PUBLIC AID

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- 120.387 Property Transfers Occurring On or After August 11, 1993
120.390 Persons Who May Be Included In the Assistance Unit
120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And
Children Born October 1, 1983, or Later
120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The
Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically
Needy
120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As
Mandatory Categorically Needy Demonstration Project
120.395 Payment Levels for MANG (Repealed)
120.399 Redetermination of Eligibility
120.400 Twelve Month Eligibility for Persons under Age 19

SUBPART I: SPECIAL PROGRAMS

Section

- 120.500 Health Benefits for Persons with Breast or Cervical Cancer
120.510 Health Benefits for Workers with Disabilities
120.520 SeniorCare

- 120.TABLE A Value of a Life Estate and Remainder Interest
120.TABLE B Life Expectancy

AUTHORITY: Implementing Articles III, IV, V and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and 12-13].

SOURCE: Filed effective December 30, 1977; preemptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; preemptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; preemptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; preemptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; preemptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective

DEPARTMENT OF PUBLIC AID

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March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; preemptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; preemptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; preemptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985;

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amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill. Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 10034, effective June 15, 1992; amended at 16 Ill. Reg. 11582, effective July 15, 1992; amended at 16 Ill. Reg. 17290, effective November 3, 1992; amended at 17 Ill. Reg. 1102, effective January 15, 1993; amended at 17 Ill. Reg. 6827, effective April 21, 1993; amended at 17 Ill. Reg. 10402, effective June 28, 1993; amended at 18 Ill. Reg. 2051, effective January 21, 1994; amended at 18 Ill. Reg. 5934, effective April 1, 1994; amended at 18 Ill. Reg. 8718, effective June 1, 1994; amended at 18 Ill. Reg. 11231, effective July 1, 1994; amended at 19 Ill. Reg. 2905, effective February 27, 1995; emergency amendment at 19 Ill. Reg. 9280, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 11931, effective August 11, 1995; amended at 19 Ill. Reg. 15079, effective October 17, 1995; amended at 20 Ill. Reg. 5068, effective March 20, 1996; amended at 20 Ill. Reg. 15993, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 692, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7423, effective May 31, 1997; amended at 21 Ill. Reg. 7748, effective June 9, 1997; amended at 21 Ill. Reg. 11555, effective August 1, 1997; amended at 21 Ill. Reg. 13638, effective October 1, 1997; emergency amendment at 22 Ill. Reg. 1576, effective January 5, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 7003, effective April 1, 1998; amended at 22 Ill. Reg. 8503, effective May 1, 1998; amended at 22 Ill. Reg. 16291, effective August 28, 1998; emergency amendment at 22 Ill. Reg. 16640, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19875, effective October 30, 1998; amended at 23 Ill. Reg. 2381, effective January 22, 1999; amended at 23 Ill. Reg. 11301, effective August 27, 1999; amended at 24 Ill. Reg. 7361, effective May 1, 2000; emergency amendment at 24 Ill. Reg. 10425, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15075, effective October 1, 2000; amended at 24 Ill. Reg. 18309, effective December 1, 2000; amended at 25 Ill. Reg. 8783, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 10533, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16098, effective December 1, 2001; amended at 26 Ill. Reg. 409, effective December 28, 2001; emergency amendment at 26 Ill. Reg. 8583, effective June 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 9843, effective June 26, 2002; emergency amendment at 26 Ill. Reg. 11029, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 15051, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16288, effective October 25, 2002; amended at 27 Ill. Reg. 4708, effective February 25, 2003; emergency amendment at 27 Ill. Reg. 10793, effective July 1, 2003, for a maximum of 150 days; amended at 28 Ill. Reg. _____, effective _____.

SUBPART H: MEDICAL ASSISTANCE – NO GRANT

Section 120.336 Education Benefits

The following education benefits a) Those portions of the following education benefits that are |

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

~~actually used for items such as tuition, books, fees, equipment, transportation and child care expenses necessary for school attendance~~ shall be exempt:-

- a)1) Veterans Educational Assistance
Income from educational benefits paid to a veteran or to a dependent of a veteran ~~shall be exempt to the extent that it is applied toward educational expenses.~~
- b)2) Social Security Administration Benefits
Income received as an SSA benefit paid to or for an individual and conditioned upon the individual's regular attendance in a school, college or university, or a course of vocational or technical learning, ~~shall be exempt to the extent that it is applied toward educational expenses.~~
- c)b) All other education grants and loans ~~are totally exempt.~~

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

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 11, 2003 through November 17, 2003 and have been scheduled for review by the Committee at its December 16, 2003 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
12/26/03	<u>Illinois Racing Board</u> , Medication (11 Ill. Adm. Code 603)	6/13/03 27 Ill. Reg. 9106	12/16/03
12/26/03	<u>Department of Transportation</u> , Motor Carrier Safety Regulations: General (92 Ill. Adm. Code 390)	9/26/03 27 Ill. Reg. 15077	12/16/03
12/26/03	<u>Department of Transportation</u> , Parts and Accessories Necessary for Safe Operation (92 Ill. Adm. Code 393)	9/26/03 27 Ill. Reg. 15083	12/16/03
12/26/03	<u>Department of Transportation</u> , Hours of Service of Drivers (92 Ill. Adm. Code 395)	9/26/03 27 Ill. Reg. 15088	12/16/03
12/26/03	<u>Pollution Control Board</u> , Site Remediation Program (35 Ill. Adm. Code 740)	7/25/03 27 Ill. Reg. 11879	12/16/03
12/26/03	<u>State Fire Marshal</u> , Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 120)	9/2/03 27 Ill. Reg. 15022	12/16/03

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

12/26/03	<u>Office of Banks and Real Estate</u> , Minimum Organizational Capital Requirements for Banks and Trust (38 Ill. Adm. Code 310)	9/26/03 27 Ill. Reg. 14920	12/16/03
12/26/03	<u>Office of Banks and Real Estate</u> , Rules Governing the Request for Reconsideration of Examination Findings (38 Ill. Adm. Code 385)	9/26/03 27 Ill. Reg. 14936	12/16/03
12/27/03	<u>Department of Public Health</u> , Illinois Home Health Agency Code (77 Ill. Adm. Code 245)	8/29/03 27 Ill. Reg. 14147	12/16/03

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

**NOTICE OF FINE IMPOSED UNDER
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987**

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") [205 ILCS 635/4-5 (h)], notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$2000 against Best Rate, LLC, License No. 6143 of Chicago, IL, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective October 17, 2003.

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

**NOTICE OF FINE IMPOSED UNDER
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987**

Pursuant to Section 4-5(h) of the Residential Mortgage License Act of 1987 ("the Act") [205 ILCS 635/4-5 (h)], notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500 against Raven Mortgage Corporation, License No. 6241 of Homewood, IL, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective October 10, 2003.

PROCLAMATIONS

2003-289 (Revised)
Paralyzed Veterans of America Recognition Day

WHEREAS, millions of United States citizens have shown their courage in coming to their country's defense throughout the years; and

WHEREAS, of the millions of veterans across the country, over 900,000 reside in Illinois; and

WHEREAS, currently, there are over 20,000 veterans who are paralyzed nationwide; and

WHEREAS, in Illinois, there are more than 630 paralyzed veterans. One-third of those paralyzed in Illinois suffered paralysis in connection with their military service; and

WHEREAS, it is important to recognize those who have bravely served their country, especially those who have served and are now paralyzed; and

WHEREAS, throughout the year, but especially during Paralyzed Veterans of America Recognition Day, special events are observed to recognize the men and women who have served in the Armed Forces and have experienced paralysis; and

WHEREAS, in Illinois, the Vaughan Chapter, a founding chapter of the Paralyzed Veterans of America, is celebrating its 21st annual recognition day at Hines Medical Center:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim November 5, 2003 as PARALYZED VETERANS OF AMERICA RECOGNITION DAY in Illinois, and encourage all citizens to honor those veterans who have courageously served their country.

Issued by the Governor October 23, 2003

Filed by the Secretary of State November 7, 2003

2003-296
Drunk and Drugged Driving Prevention Month

WHEREAS, more violent deaths are attributed to traffic accidents than any other cause of death. In 2002, there were 1,420 traffic fatalities in Illinois alone; and

WHEREAS, approximately 40 percent of fatally injured people whose blood level was tested had alcohol concentration levels above the legal limit; and

WHEREAS, deaths and injuries resulting from impaired driving are preventable as long as all citizens respect and obey the law; and

WHEREAS, the State of Illinois is committed to protecting our citizens from hazards such as impaired drivers; and

WHEREAS, the National Highway Traffic Safety Administration has sponsored the You Drink & Drive. You Lose. national mobilization to combat this social and criminal act:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim December 2003 as DRUNK AND DRUGGED DRIVING PREVENTION MONTH in Illinois, and urge all citizens to support the You Drink & Drive. You Lose. national mobilization and combat impaired driving in your communities.

PROCLAMATIONS

Issued by the Governor November 5, 2003

Filed by the Secretary of State November 6, 2003

2003-297**Illinois Homecare and Hospice Month**

WHEREAS, home health care has grown in scope over the past 43 years and now encompasses a wide variety of services, including skilled nursing, hospice care, physical therapy, speech therapy, occupational therapy, infusion services, private duty, providing durable medical equipment, and traditional bathing and general care; and

WHEREAS, the Illinois Home Care Council is the nation's first homecare association and has been an integral part of the growth and change in home health care since its founding in 1960; and

WHEREAS, representing the needs of nearly 200 providers, the Illinois Home Care Council is dedicated to shaping and supporting the entire spectrum of home health care providers and related services; and

WHEREAS, the services provided by the Illinois Home Care Council and other home health care providers represent tremendous savings to the state, while providing access to care for people who are homebound; and

WHEREAS, throughout the month of November, home care organizations, hospices and family caregivers are all being recognized for the important role they play in administering our nation's health care services:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2003 as ILLINOIS HOMECARE AND HOSPICE MONTH in Illinois, and encourage all citizens to recognize the significant impact this organization has on the state's health care costs and effectiveness.

Issued by the Governor November 5, 2003

Filed by the Secretary of State November 6, 2003

2003-298**Pancreatic Cancer Awareness Month**

WHEREAS, in 2003, there will be an estimated 30,700 new cases of pancreatic cancer in the United States; and

WHEREAS, across the country, an estimated 30,000 people, with an approximation of 1,400 coming from Illinois will die from pancreatic cancer this year; and

WHEREAS, though pancreatic cancer will only account for an estimated two percent of new cancer cases in 2003, it will cause six percent of cancer deaths; and

PROCLAMATIONS

WHEREAS, the five-year survival rate for pancreatic cancer is only four percent. Pancreatic cancer is thus not only a highly lethal form of cancer, but also has the poorest survival rate of all the major malignancies; and

WHEREAS, because pancreatic cancer produces no visible effects during the early course of the disease, the need for a biopsy, the only way to diagnose the disease, may not become apparent until it is too late; and

WHEREAS, at present, researchers are diligently working towards finding new ways to diagnose pancreatic cancer more quickly and effectively, and clinical trials with new agents are being done in an effort to improve the patient's chances of survival:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim November 2003 as PANCREATIC CANCER AWARENESS MONTH in Illinois, and encourage all citizens to be extra cognizant of the symptoms and causes of this disease, so that we can continue to strive toward more effective treatments.

Issued by the Governor November 5, 2003

Filed by the Secretary of State November 6, 2003

2003-299

Reverend Stephen John Thurston Day

WHEREAS, Reverend Stephen John Thurston was born on July 20, 1952 in Chicago, Illinois. He is second child of the late Reverend John and Ruth Hall Thurston, and he is the third generation of Thurstons to preach the gospel and pastor at the same church; and

WHEREAS, Pastor Thurston is a product of the Chicago Public School system. In 1975 he earned his Bachelor's Degree in Religion from Bishop College in Dallas, Texas, and also studied at Wheaton Christian College in Wheaton, Illinois; and

WHEREAS, on Easter Sunday of 1974, Pastor Thurston was ordained and appointed as Assistant Pastor of the New Covenant Missionary Baptist Church, and upon his father's death in 1979, he became Pastor; and

WHEREAS, Pastor Thurston continues to be an active and dedicated preacher, holding three sermons at New Covenant on most Sundays; and

WHEREAS, Pastor Thurston's commitment to the pastorate of New Covenant has led to the expansion of his radio, television and Christian Education ministries. He also operates a Helping Hand Center that gives out food and clothing all year round to underserved individuals; and

WHEREAS, in 1994, Pastor Thurston launched Vision 2000, an inspirational project that will lead to the construction of a new sanctuary, much needed classrooms and a Family Life Center for New Covenant; and

WHEREAS, Pastor Thurston has been bestowed several honors throughout his life and career. Most recently, he has been elected as President of the National Baptist Convention of America, Inc.; and

PROCLAMATIONS

WHEREAS, November 2003 marks Reverend Stephen John Thurston's 25th Anniversary as Pastor of the New Covenant Missionary Baptist Church:

THEREFORE, I, Rod Blagojevich, Governor of the State of Illinois, do hereby proclaim November 14, 2003 as REVEREND STEPHEN JOHN THURSTON DAY in Illinois, and I join in honoring Pastor Thurston on this momentous occasion.

Issued by the Governor November 7, 2003.

Filed by the Secretary of State November 10, 2003.

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