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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

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

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2012

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 27, 2011	January 6, 2012
2	January 3, 2012	January 13, 2012
3	January 9, 2012	January 20, 2012
4	January 17, 2012	January 27, 2012
5	January 23, 2012	February 3, 2012
6	January 30, 2012	February 10, 2012
7	February 6, 2012	February 17, 2012
8	February 14, 2012	February 24, 2012
9	February 21, 2012	March 2, 2012
10	February 27, 2012	March 9, 2012
11	March 5, 2012	March 16, 2012
12	March 12, 2012	March 23, 2012
13	March 19, 2012	March 30, 2012
14	March 26, 2012	April 6, 2012
15	April 2, 2012	April 13, 2012
16	April 9, 2012	April 20, 2012
17	April 16, 2012	April 27, 2012
18	April 23, 2012	May 4, 2012
19	April 30, 2012	May 11, 2012
20	May 7, 2012	May 18, 2012
21	May 14, 2012	May 25, 2012
22	May 21, 2012	June 1, 2012
23	May 29, 2012	June 8, 2012

24	June 4, 2012	June 15, 2012
25	June 11, 2012	June 22, 2012
26	June 18, 2012	June 29, 2012
27	June 25, 2012	July 6, 2012
28	July 2, 2012	July 13, 2012
29	July 9, 2012	July 20, 2012
30	July 16, 2012	July 27, 2012
31	July 23, 2012	August 3, 2012
32	July 30, 2012	August 10, 2012
33	August 6, 2012	August 17, 2012
34	August 13, 2012	August 24, 2012
35	August 20, 2012	August 31, 2012
36	August 27, 2012	September 7, 2012
37	September 4, 2012	September 14, 2012
38	September 10, 2012	September 21, 2012
39	September 17, 2012	September 28, 2012
40	September 24, 2012	October 5, 2012
41	October 1, 2012	October 12, 2012
42	October 9, 2012	October 19, 2012
43	October 15, 2012	October 26, 2012
44	October 22, 2012	November 2, 2012
45	October 29, 2012	November 9, 2012
46	November 5, 2012	November 16, 2012
47	November 13, 2012	November 26, 2012
48	November 19, 2012	November 30, 2012
49	November 26, 2012	December 7, 2012
50	December 3, 2012	December 14, 2012
51	December 10, 2012	December 21, 2012
52	December 17, 2012	December 28, 2012

Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from May 1st to July 2nd, 2012.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Video Gaming (General)
 - 2) Code Citation: 11 Ill. Adm. Code 1800
 - 3)

<u>Section Number:</u> 1800.820	<u>Proposed Action:</u> New Section
------------------------------------	--
 - 4) Statutory Authority: Authorized by the Video Gaming Act [230 ILCS 40], specifically Section 78 (a) (3) of that Act [230 ILCS 40/78 (a) (3)]
 - 5) A Complete Description of the Subjects and Issues Involved: Section 25 (h) of the Video Gaming Act [230 ILCS 40/25 (h)] prohibits the placement of licensed video gaming locations within specified distances of certain other facilities. Specifically, this subsection provides that a licensed location shall not be located within 100 feet of a school or place of worship under the Religious Corporation Act [805 ILCS 110], or within 1,000 feet of either of the following:
 - A facility operated by an organization licensee or an inter-track wagering licensee licensed under the Illinois Horse Racing Act of 1975 [230 ILCS 5]; or
 - The home dock of a riverboat licensed under the Riverboat Gambling Act [230 ILCS 10].
- The Video Gaming Act is silent, however, as to the exact method for measuring distances to ascertain compliance with the above geographical restrictions. The proposed rulemaking adds a new Section 1800.820 (11 Ill. Admin. Code 1800.820), clarifying that measurements are to be taken from the respective closest points on the outside walls of the structure containing the licensed video gaming location and the structure containing the school, place of worship, or racing or riverboat gambling facility.
- 6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None
 - 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
 - 8) Does this rulemaking contain an automatic repeal date? No
 - 9) Does this rulemaking contain incorporations by reference? No

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

- 10) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1800.590	New Section	36 Ill. Reg. 4012, March 16, 2012
1800.1065	New Section	36 Ill. Reg. 4012, March 16, 2012
1800.110	Amendment	36 Ill. Reg. 5935, April 20, 2012
1800.250	Amendment	36 Ill. Reg. 6197, April 27, 2012
1800.270	Amendment	36 Ill. Reg. 6197, April 27, 2012
1800.930	Amendment	36 Ill. Reg. 6197, April 27, 2012

- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate under the State Mandates Act [30 ILCS 805].

- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this Notice in the Illinois Register to:

Lynn J. Carter
Chief Counsel
Illinois Gaming Board
160 North LaSalle Street
Chicago, Illinois 60601

Fax No. 312/814-4143
lynn.carter@igb.illinois.gov

- 13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: The proposed rulemaking will impose no additional requirements.

- 14) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

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

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE D: VIDEO GAMING
CHAPTER I: ILLINOIS GAMING BOARD

PART 1800
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

Section	
1800.110	Definitions
1800.115	Gender
1800.120	Inspection

SUBPART B: DUTIES OF LICENSEES

Section	
1800.210	General Duties of All Video Gaming Licensees
1800.220	Continuing Duty to Report Violations
1800.230	Duties of Licensed Manufacturers
1800.240	Duties of Licensed Distributors
1800.250	Duties of Licensed Video Terminal Operators
1800.260	Duties of Licensed Technicians
1800.270	Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section	
1800.310	Grounds for Disciplinary Actions
1800.320	Minimum Standards for Use Agreements
1800.330	Economic Disassociation

SUBPART D: LICENSING QUALIFICATIONS

Section	
1800.410	Coverage of Subpart
1800.420	Qualifications for Licensure
1800.430	Persons with Significant Influence or Control

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

SUBPART E: LICENSING PROCEDURES

Section

- 1800.510 Coverage of Subpart
- 1800.520 Applications
- 1800.530 Submission of Application
- 1800.540 Application Fees
- 1800.550 Consideration of Applications by the Board
- 1800.555 Withdrawal of Applications
- 1800.560 Issuance of License
- 1800.570 Renewal of License
- 1800.580 Renewal Fees and Dates

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section

- 1800.610 Coverage of Subpart
- 1800.615 Requests for Hearing
- 1800.620 Appearances
- 1800.625 Appointment of Administrative Law Judge
- 1800.630 Discovery
- 1800.635 Subpoenas
- 1800.640 Motions for Summary Judgment
- 1800.650 Proceedings
- 1800.660 Evidence
- 1800.670 Prohibition on Ex Parte Communication
- 1800.680 Sanctions and Penalties
- 1800.690 Transmittal of Record and Recommendation to the Board
- 1800.695 Status of Applicant for Licensure Upon Filing Request for Hearing

SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

Section

- 1800.710 Coverage of Subpart
- 1800.715 Notice of Proposed Disciplinary Action Against Licensees
- 1800.720 Hearings in Disciplinary Actions
- 1800.725 Appearances
- 1800.730 Appointment of Administrative Law Judge
- 1800.735 Discovery

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

1800.740	Subpoenas
1800.745	Motions for Summary Judgment
1800.750	Proceedings
1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN
LICENSED VIDEO GAMING LOCATIONS

Section	
1800.810	Location and Placement of Video Gaming Terminals
<u>1800.820</u>	<u>Measurement of Distances from Locations</u>

SUBPART I: SECURITY INTERESTS

Section	
1800.910	Approvals Required, Applicability, Scope of Approval
1800.920	Notice of Enforcement of a Security Interest
1800.930	Prior Registration

SUBPART J: TRANSPORTATION AND DISTRIBUTION
OF VIDEO GAMING TERMINALS

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1800.1020	Transportation of Video Gaming Terminals into the State
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SUBPART K: STATE-LOCAL RELATIONS

Section	
1800.1110	State-Local Relations

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

AUTHORITY: Implementing and authorized by the Video Gaming Act [230 ILCS 40].

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150 days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. _____, effective _____.

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN
LICENSED VIDEO GAMING LOCATIONS

Section 1800.820 Measurement of Distances from Locations

In computing the distance between a licensed video gaming location and another facility for purposes of compliance with the location restrictions of Section 25(h) of the Act, a measurement shall be taken of the distance between the respective closest points of the outer walls of the structure containing the licensed video gaming location and the structure containing any of the following:

- a) A facility operated by an organization licensee or an inter-track wagering licensee licensed under the Illinois Horse Racing Act of 1975 [230 ILCS 5];
- b) The home dock of a riverboat licensed under the Riverboat Gambling Act [230 ILCS 10];
- c) A school; or
- d) A place of worship under the Religious Corporation Act [805 ILCS 110].

(Source: Added at 36 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Merit and Fitness
- 2) Code Citation: 80 Ill. Adm. Code 302
- 3) Section Number: 302.30 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by the Personnel Code [20 ILCS 415]
- 5) Effective Date of Amendment: June 14, 2012
- 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 Illinois Register: 36 Ill. Reg. 3990; March 16, 2012
- 10) Has JCAR issued a Statement of Objection to the Amendment? No
- 11) Differences between proposal and final version: No changes were made.
- 12) Have all of the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were requested.
- 13) Will this amendment replace any emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: The proposed rulemaking involves a few changes. First, non-substantive renumbering in Section 302.30(b) is intended to increase the readability of this Section. Second, Section 302.30(g) shifts responsibility for obtaining verification of an applicant's entitlement to veteran's preference from the head of the employing agency to the Department of CMS, consistent with 20 ILCS 415/8b.7(j) and (k). Finally, updating language to comply with the Illinois Religious Freedom Protection and Civil Union Act [750 ILCS 75].

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

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

Mary Matheny
Illinois Department of Central Management Services
720 Stratton Office Building
Springfield, Illinois 62706

217/557-5404

The full text of the Adopted Amendment begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
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PART 302
MERIT AND FITNESS

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- 302.175 Appointments
- 302.180 Limitations on Trainee Appointments

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- 302.210 Deductions From Continuous Service
- 302.215 Leave of Absence for Educational Purposes
- 302.220 Veterans Continuous Service
- 302.230 Peace or Job Corps Enrollees Continuous Service
- 302.240 Accrual and Retention of Continuous Service During Certain Leaves
- 302.250 Limitations on Continuous Service

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- 302.270 Performance Evaluation Forms

SUBPART F: PROBATIONARY STATUS

- Section
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- Section
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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302.495	Salary and Other Benefits of Employee
302.496	Appeal by Certified Employee
302.497	Demotion of Other Employees
302.498	Status of Demoted Employees

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302.518	Scheduling of Temporary Layoffs
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

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302.560	Order of Preference in Voluntary Reduction or Lateral Transfer
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

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302.824 No Reallocation to Term Positions
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302.846 Change in Position Factors Affecting Term Appointment Exclusion
302.850 Reconsideration Request
302.860 Renewal Procedure for Incumbents Subject to Public Act 83-1369
302.863 Renewal of Certified or Probationary Incumbents in Exempted Positions

AUTHORITY: Implementing and authorized by the Personnel Code [20 ILCS 415].

SOURCE: Filed May 29, 1975; amended at 2 Ill. Reg. 33, p. 24, effective September 1, 1978; amended at 3 Ill. Reg. 1, p. 63, effective January 1, 1979; amended at 3 Ill. Reg. 22, p. 78, effective June 1, 1979; emergency amendment at 3 Ill. Reg. 48, p. 188, effective January 1, 1980, for a maximum of 150 days; emergency amendment at 4 Ill. Reg. 1, p. 76, effective January 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 11, p. 67, effective March 1, 1980; amended at 4 Ill. Reg. 15, p. 216, effective March 31, 1980; amended at 4 Ill. Reg. 22, p. 227, effective June 1, 1980; amended at 5 Ill. Reg. 8029, effective August 1, 1981; amended at 7 Ill. Reg. 654, effective January 5, 1983; codified at 7 Ill. Reg. 13198; amended at 8 Ill. Reg. 7788, effective May 23, 1984; emergency amendment at 9 Ill. Reg. 241, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 7907, effective May 15, 1985; amended at 10 Ill. Reg. 13940, effective September 1, 1986; amended at 12 Ill. Reg. 5634, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 16214, effective September 23, 1988, for a

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. 3722, effective March 13, 1989; amended at 13 Ill. Reg. 10820, effective June 23, 1989; amended at 13 Ill. Reg. 12970, effective August 1, 1989; amended at 15 Ill. Reg. 17974, effective November 27, 1991; amended at 16 Ill. Reg. 8375, effective May 21, 1992; emergency amendment at 16 Ill. Reg. 11645, effective July 6, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 13489, effective August 19, 1992; amended at 16 Ill. Reg. 17607, effective November 6, 1992; amended at 17 Ill. Reg. 3169, effective March 1, 1993; amended at 18 Ill. Reg. 1892, effective January 25, 1994; amended at 18 Ill. Reg. 17183, effective November 21, 1994; amended at 19 Ill. Reg. 8145, effective June 7, 1995; amended at 20 Ill. Reg. 3507, effective February 13, 1996; amended at 21 Ill. Reg. 15462, effective November 24, 1997; amended at 22 Ill. Reg. 14735, effective August 3, 1998; amended at 26 Ill. Reg. 15285, effective October 15, 2002; amended at 29 Ill. Reg. 11800, effective July 14, 2005; emergency amendment at 30 Ill. Reg. 12366, effective July 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18270, effective November 13, 2006; amended at 31 Ill. Reg. 15069, effective October 26, 2007; emergency amendment at 32 Ill. Reg. 19935, effective December 9, 2008, for a maximum of 150 days; amended at 33 Ill. Reg. 6495, effective April 23, 2009; amended at 33 Ill. Reg. 16560, effective November 13, 2009; amended at 36 Ill. Reg. 9384, effective June 14, 2012.

SUBPART A: APPLICATION AND EXAMINATION

Section 302.30 Veterans Preference

- a) Appropriate preference in entrance examinations shall be granted to qualified persons who have been members of the armed forces of the United States or to qualified persons who, while citizens of the United States, were members of the armed forces of allies of the United States in time of hostilities with a foreign country (as set forth in Section 8b7 of the Personnel Code) and to certain other persons as set forth in this Section.
- b) To be eligible, applicant must have received discharge under honorable conditions and served under one or more of the following conditions:
 - 1) Served, for at least six months, in the armed forces of the United States, the Illinois National Guard, or any reserve component of the armed forces of the United States; ~~or, while a U.S. citizen, must have been a member of the armed forces of an ally of the U.S. in time of hostilities with a foreign country; or~~
 - 2) While a U.S. citizen, been a member of the armed forces of an ally of the

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U.S. in time of hostilities with a foreign country; or

- 32) Discharged on the grounds of hardship; or
- 43) Released from active duty because of a service connected disability; or
- 54) Served for the duration of hostilities regardless of the length of engagement.

c) Preference will be in the form of points added to the final grades of persons who otherwise qualify and are entitled to appear on the list of those eligible for appointments. Preference in entrance examinations will be granted as follows:

- 1) Ten points shall be added to the entrance examination grade for ~~such~~ veteran eligibles currently holding proof of a service connected disability from the ~~U.S. Department of~~United States Veterans ~~Affairs~~Administration or from ~~an~~such allied country for service connected disabilities or if the veteran is a purple heart recipient.
- 2) Five points shall be added to the entrance examination grade for ~~such~~ veteran eligibles who have served during a time of hostilities with a foreign country ~~and;~~ who meet the qualifications set forth in subsection (b);~~;~~ but who do not qualify for 10 points under subsection (c)(1).
- 3) A person not eligible for a preference under subsection (c)(1) or (c)(2) is qualified for a preference of 3 points if the person has served in the armed forces of the United States, the Illinois National Guard, or any reserve component of the armed forces of the United States and the person:
 - A) served for at least 6 months and has been discharged under honorable conditions; or
 - B) has been discharged on the grounds of hardship; or
 - C) was released from active duty because of a service connected disability.
- 4) An active member of the National Guard or a reserve component of the armed forces of the United States is eligible for the preference described in

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subsection (c)(3) if the member meets the service requirements of ~~this~~ subsection (c)(3).

- d) If category ratings are used, the veteran eligibles in each category shall be preferred for appointment before the non-veteran eligibles in the same category.
- e) The following shall be entitled to the same preference to which the veteran would have been entitled under this Section:~~A surviving unremarried spouse of a veteran who suffered a service connected death or the spouse of a veteran who suffered a service connected disability that prevents the veteran from qualifying for civil service employment shall be entitled to the same preference to which the veteran would have been entitled under this Section.~~
- 1) a surviving unremarried spouse or civil union partner, who has not subsequently married or entered into a civil union, of a veteran who suffered a service connected death; or
 - 2) the spouse or civil union partner of a veteran who suffered a service connected disability that prevents the veteran from qualifying for civil service employment.
- f) A preference shall also be given to the following individuals: 10 points for one parent of ~~an unmarried~~ veteran who is not married or in a civil union partnership who suffered a service connected death or a service connected disability that prevents the veteran from qualifying for civil service employment. The first parent to receive a civil service appointment shall be the parent entitled to the preference.
- g) Before a veteran's preference is granted, the Department of Central Management Services must verify the applicant's entitlement to the preference by requiring a certified copy of the applicant's most recent DD-214 (Certificate of Release or Discharge from Active Duty) or other evidence of the applicant's most recent honorable discharge from the Armed Forces of the United States. The Department of Central Management Services shall determine whether the documentation submitted by the applicant is acceptable. To be acceptable, the documentation submitted must be an authentic, official record of the United States Armed Forces evidencing the individual's military service.~~It is the responsibility of each agency head to obtain documentary verification that persons seeking preference under this Section are entitled to such preference. Copies of verifying documents~~

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~~(discharge information such as a DD-214) shall be submitted to the Department of Central Management Services.~~

(Source: Amended at 36 Ill. Reg. 9384, effective June 14, 2012)

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- 1) Heading of the Part: Water Well and Pump Installation Contractor's License Code
- 2) Code Citation: 77 Ill. Adm. Code 915
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
915.5	New
915.6	New
915.10	Amended
915.20	Amended
915.25	New
915.30	Repealed
915.80	Amended
915.110	New
915.130	New
915.140	New
- 4) Statutory Authority: Water Well and Pump Installation Contractor's License Act [225 ILCS 345]
- 5) Effective Date of Rulemaking: June 13, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 6, 2012; 36 Ill. Reg. 139
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: The following changes were made in response to comments received during the first notice or public comment period:

In Section 915.10(c), add "Beginning July 1, 2014," and change the word "An" to "an".

In addition, various typographical, grammatical, and form changes were made in response to the comments from JCAR.

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: New Sections have been added for Definitions and Referenced Materials. The amendment to Section 915.10 specifies the documentation an applicant must provide to verify experience in the actual construction of water wells and the installation of water well pumps. This is consistent with the requirements of other licensing programs in the Division of Environmental Health. In the past, some applicants did not have adequate experience to become licensed water well or pump installation contractors, and documentation must be provided by the applicant to verify experience. A subsection has been added for the qualifications of the applicants. Subsection (c) has been deleted, since a character reference is already required as part of the employer's affidavits in the application.

The amendment to Section 915.20 specifies that to pass an examination, an applicant would have to obtain a grade of not less than 70 in each part of the examination, rather than achieving an average grade of 75 for both parts of each examination. The minimum passing grade requirement of 70 is consistent with most of the other licensing programs in the Division of Environmental Health. A subsection has been amended to clarify the parts of the examination. A subsection has been added for refusal of an applicant to take an examination.

A Section has been added for the expiration, renewal, reinstatement, and restoration of licenses. Section 915.30 is being repealed because it contains information already set forth in the Authority Note.

The amendment to Section 915.80 increases the time period that requests for continuing education sessions must be submitted to the Department from four weeks to 60 days before any training session is presented, to allow more time for both the Department and the Water Well Licensing Board to review and approve any request to present a continuing education session. The amendment also establishes a time period of 30 days for the Department to approve a continuing education session before it is held. Safety hazards associated with the water well and pump installation industry were added as a

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continuing education topic. Language was added to clarify what information is needed in a request submitted for a continuing education session.

Sections have been added for the revocation or suspension of a license, enforcement for the revocation or suspension of a license, administrative hearings, and the names and addresses of licensed water well pump installation contractors.

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

Susan Meister
Divisions of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
e-mail: dph.rules@illinois.gov

217/782-2043

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

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER r: WATER AND SEWAGE

PART 915

~~THE ILLINOIS~~ WATER WELL AND PUMP INSTALLATION
CONTRACTOR'S LICENSE CODE

Section

915.5	Definitions
915.6	Referenced Materials
915.10	Applications
915.20	Examination Requirements
915.25	Expiration, Renewal, Reinstatement and Restoration of Licenses
915.30	Statutory Authority (Repealed)
915.40	Supervision
915.50	Licensed Contractor Responsibility
915.60	Renewal of Expired License
915.70	Continuing Education Requirements for Licensed Water Well Contractors and Licensed Water Well Pump Installation Contractors
915.80	Continuing Education Sessions
915.90	Record of Completion
915.100	Plumbers Licensed as Water Well Pump Installation Contractors
915.110	Revocation or Suspension of a License
915.130	Administrative Hearings
915.140	Names and Addresses of Licensed Contractors

AUTHORITY: Implementing and authorized by the Water Well and Pump Installation Contractor's License Act [225 ILCS 345].

SOURCE: Emergency rules adopted at 2 Ill. Reg. 9, p. 30, effective February 22, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 10, p. 123, effective March 5, 1979; codified at 8 Ill. Reg. 8926; amended at 17 Ill. Reg. 4425, effective March 23, 1993; amended at 22 Ill. Reg. 4111, effective February 10, 1998; amended at 24 Ill. Reg. 12057, effective August 1, 2000; amended at 36 Ill. Reg. 9395, effective June 13, 2012.

[Section 915.5 Definitions](#)

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"Act" means the Water Well and Pump Installation Contractor's License Act [225 ILCS 345].

"Board" means the Water Well and Pump Installation Contractors Licensing Board created by Section 6 of the Act. (Section 2(10) of the Act)

"Department" means the Department of Public Health. (Section 2(8) of the Act)

"Drill" and "Drilling" mean all acts necessary to the construction of a water well, including the sealing of unused water well holes. (Section 2(3) of the Act)

"Person" includes any natural person, partnership, association, trust and public or private corporation. (Section 2(11) of the Act)

"Water well" and "well" mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of such excavation is for the location, diversion, artificial recharge, or acquisition of ground water, but such term does not include an excavation made for the purpose of obtaining or prospecting for oil, natural gas, minerals or products of mining or quarrying or for inserting media to repressure oil or natural gas bearing formation or for storing petroleum, natural gas or other products, or monitoring wells. (Section 2(1) of the Act)

"Water Well Contractor" and "Contractor" mean any person who contracts to drill, alter or repair any water well. (Section 2(4) of the Act)

"Water Well Pump Installation" means the selection of and the procedure employed in the placement and preparation for operation of equipment and materials utilized in withdrawing or obtaining water from a well for any use, including all construction involved in making entrance to the well and establishing such seals and safeguards as may be necessary to protect such water from contamination and all construction involved in connecting such wells and pumping units or pressure tanks in the water supply systems of buildings served by such well, including repair to any existing installation. (Section 2(5) of the Act)

"Water Well Pump Installation Contractor" means any person engaged in the business of installing or repairing pumps and pumping equipment owned by others. (Section 2(6) of the Act)

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(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.6 Referenced Materials

The following materials are referenced in this Part:

- a) Illinois Statutes
 - 1) Water Well and Pump Installation Contractor's License Act [225 ILCS 245]
 - 2) Illinois Plumbing License Law [225 ILCS 320]
- b) Illinois Administrative Rules
 - 1) Illinois Water Well Construction Code (77 Ill. Adm. Code 920)
 - 2) Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)
 - 3) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.10 Applications

- a) An application for examination for registration as a licensed water well contractor ~~or~~ water well pump installation contractor must be received in the office of the Department of Public Health, Springfield, Illinois, at least ~~45~~30 days prior to the date of examination. Applications shall be made on forms provided by the Department and shall include the following information:
 - 1) ~~Name~~ and address of the applicant;
 - 2) ~~Age~~ of the applicant;
 - 3) ~~A~~ statement that the applicant is a citizen of the United States or has declared his ~~or her~~ intention to become a citizen of the United States; and

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- 4) ~~Employment~~employment records, W-2's, copies of paychecks, or other evidence that the applicant has been employed in water well construction or water well pump installation for a minimum of 420 working days in a maximum of two years.
- b) A recent photograph shall ~~be submitted with~~comprise a part of the application form and be made a permanent record.
- e) ~~Affidavits by three responsible persons as to the applicant's moral character, honesty and integrity shall be made a part of the application form and become a permanent record.~~
- ~~c~~d) Affidavits from previous and current licensed contractor employers ~~shall~~must accompany the application, indicating the dates ~~that~~which the applicant was employed and the locations of previous jobs ~~that~~ the applicant performed, and verifying that the applicant was engaged in water well or water pump installation work and that he or she performed this work under the supervision of a licensed contractor. Beginning July 1, 2014, an applicant for a water well contractor license shall submit copies of at least 10 water well construction reports that identify the applicant as the driller. To identify himself or herself as the driller, the applicant, along with the licensed driller performing the supervision, shall sign and date each of the water well construction reports. An applicant for a water well pump installation contractor license shall submit copies of at least 10 water well pump installation reports that identify the applicant as the pump installer. To identify himself or herself as the pump installer, the applicant, along with the licensed pump installer performing supervision, shall sign and date the water well construction report or the water well pump installation report. The names and addresses of previous licensed contractor employers shall be included. These affidavits shall be ~~submitted with~~made a part of the application form and become a permanent record.
- d) Qualifications. The Department will approve an application, provided the applicant has the following qualifications:
- 1) Is at least 18 years of age;
 - 2) Is a citizen of the United States or has declared his or her intention to become a citizen of the United States;

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- 3) Possesses good moral character on the basis of documentation provided by the applicant's employers' affidavits as required in subsection (c) of this Section, and that the applicant has no criminal record as described in Section 915.110(g);
- 4) Has the following experience as documented according to subsections (a)(4) and (d) of this Section:
 - A) An applicant for a water well contractor's license shall have worked two years under the supervision of a licensed water well contractor;
 - B) An applicant for a water well pump installation contractor's license shall have worked two years under the supervision of a licensed water well pump installation contractor;
 - C) An applicant for a water well and pump installation contractor's license shall have worked two years for a licensed water well contractor and pump installation contractor; and
- 5) Has paid the required fee in accordance with Section 13 of the Act. (Section 9 of the Act)

(Source: Amended at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.20 Examination Requirements

- a) Photograph. The applicant shall personally present a~~A~~ recent photograph of himself or herself~~the applicant must be personally presented by the applicant~~ at the time of the examination.
- b) Examination. The examination shall be written and consist of four parts prepared by the Board~~licensing board~~. The four parts shall be the following:
 - 1) Illinois Water Well Construction Code and the Act~~general knowledge of well drilling industry~~;
 - 2) Illinois Water Well Pump Installation Code and the Act~~general knowledge~~

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- ~~of pump installation industry;~~
- 3) Experience in the construction of water wells; and
- 4) Experience in the installation of water well pumps.
- c) **Passing Grade.** Applicants desiring a water well contractor license ~~shall~~will be required to successfully pass parts 1 and 3 as described in subsection (b)~~-above~~. Applicants desiring a water well pump installation contractor license ~~shall~~will be required to successfully pass parts 2 and 4 as described in subsection (b)~~-above~~. Applicants desiring licensure for both ~~shall~~will be required to successfully pass all parts. The examination shall consist of questions with a combined grade value of 100 points in each part. ~~To~~In order to successfully pass the examination, ~~a grade of not less than 75 must be obtained after averaging the results of the questions from each part taken. However,~~ the applicant ~~shall~~must obtain a grade of not less than 70 in each part of the examination.
- d) **Failure to Pass.** An applicant who fails to pass the examination shall be admitted to a subsequent regularly scheduled examination after filing a new application and fee with the Department in accordance with Section 13 of the Act~~Section 915.10~~.
- e) Refusal to Take an Examination. If an applicant neglects, fails or refuses to take an examination for a license under the Act within three years after filing his or her application, the examination fee paid by the applicant shall be forfeited to the Department and the application denied. However, after that time, the applicant may make a new application for examination, accompanied by the required fee.
- fe) **Review of Examinations.** Individuals may not review the examinations once they have been taken.

(Source: Amended at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.25 Expiration, Renewal, Reinstatement and Restoration of Licenses

- a) Expiration. All licenses expire on January 31 following the date of issuance, with the exception that a license issued after October 31 and before January 31 shall expire on the January 31 occurring after the license has been in effect for one year.

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- b) **Renewal.** All license renewals shall be made on forms prescribed by the Department and shall include documentation that the licensed contractor has attended at least one approved continuing education session in the preceding two years. All completed license renewal applications and fees are due December 31. Licenses renewed after December 31 will be assessed a late fee charge.
- c) **Reinstatement.** The Department will reinstate a license that has expired for three or fewer years upon receiving the completed renewal application and required fee.
- d) **Restoration.** A person whose license has been expired for more than three years may have the license restored, provided that a completed application for licensure and the required restoration fee are submitted to the Department according to Section 915.10 and that the applicant successfully passes the examination.
- e) **Fees.** The fee to renew, reinstate or restore a license shall be paid according to Section 13 of the Act.

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.30 Statutory Authority (~~Repealed~~)

~~This Part is promulgated under authority of Section 8 of the Water Well and Pump Installation Contractor's License Act, (Ill. Rev. Stat. 1977, ch. 111, pars. 7101 et seq.).~~

(Source: Repealed at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.80 Continuing Education Sessions

- a) Approval of ~~Continuing Education Sessions~~~~continuing education sessions~~. Each entity that has established or proposes to present a continuing education session under the Act shall request Department approval by submitting its continuing education program to the Department. ~~Requests~~~~These requests~~ shall be submitted to the Department no later than ~~60 days~~~~4 weeks~~ before the date the program begins. ~~Continuing education sessions shall not be presented until at least 30 days after Department approval.~~ A list of approved continuing education sessions ~~will~~~~shall~~ be available from the Department. The Department ~~will~~~~shall~~ approve ~~those~~ sessions that address ~~at least one~~~~all~~ of the following topics:

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- 1) Water well construction and pump installation in general;~~;~~
 - 2) Grouting;~~;~~
 - 3) Water sample collection and sampling;~~;~~
 - 4) Contamination of water supplies and grouting;~~;~~
 - ~~5)~~ Safety hazards associated with the water well construction and pump installation industry; or
 - ~~65)~~ Other relevant information necessary for the continued improvement of knowledge of a water well and pump installation contractor.
- b) Minimum Classroom Hours for Continuing Education Sessions. For a continuing education session to be approved as fulfilling the requirement of continuing education for a licensed water well contractor, the session shall have a minimum of four classroom contact hours of water well topics. For a continuing education session to be approved as fulfilling the requirement of continuing education for a licensed water well pump installation contractor, the session shall have a minimum of four classroom contact hours of water well pump topics.
- ~~cb)~~ Requests for Approval. When requesting approval, the entities shall submit the following information to the Department:
- 1) Title of session;~~;~~
 - 2) Type of audience (water well contractors or water well pump installation contractors);~~;~~
 - 3) Location of session;~~;~~
 - 4) Names and qualifications of instructors or presenters;~~;~~
 - 5) Brief description of each topic, ~~and~~ amount of time for each topic, and type of licensed contractor each topic is intended to educate; and-
 - 6) Total classroom contact hours, excluding breaks (a classroom contact hour

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is 60 minutes).

d) Attendance. The entity shall provide, upon request, the methodology used to verify attendance. Attendance records shall be retained for three years after the continuing education session.

ee) Notification.
Each entity approved to conduct sessions shall be responsible for notifying all licensed contractors of continuing education sessions~~seminar~~ dates and locations.

(Source: Amended at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.110 Revocation or Suspension of a License

The Department may refuse to renew, may suspend or may revoke a license on any one or more of the following grounds:

- a) *Material misstatement in the application for license;*
- b) *Failure to have or retain the qualifications required by Section 9 of the Act;*
- c) *Violation of the Act or this Part or disregard or violation of any law of the State of Illinois or of any Illinois administrative rule relating to water drilling or the installation of water pumps and equipment;*
- d) *Willfully aiding or abetting another in the violation of the Act or this Part;*
- e) *Incompetence in the performance of the work of a water well contractor or of a water well pump installation contractor;*
- f) *Allowing the use of a license by someone other than the person in whose name it was issued;*
- g) *Conviction of any crime an essential element of which is misstatement, fraud or dishonesty; conviction in this or another State of a felony; and*
- h) *Making substantial misrepresentations or false promises of a character likely to influence, persuade or induce in connection with the occupation of a water well*

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contractor or a water well pump installation contractor, based upon documentation. (Section 15 of the Act)

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.130 Administrative Hearings

All administrative hearings shall be conducted in accordance with the Department's Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

Section 915.140 Names and Addresses of Licensed Contractors

The Department will maintain the names and business addresses of licensed water well contractors, water well pump installation contractors, and water well and pump installation contractors on the Department's website, in accordance with Section 7(f) of the Act.

(Source: Added at 36 Ill. Reg. 9395, effective June 13, 2012)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Illinois National Guard (ING) Grant Program
- 2) Code Citation: 23 Ill. Adm. Code 2730
- 3) Section Number: 2730.40 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Section 45 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/45 and 20(f)]
- 5) Effective date of amendment: July 1, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of this 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 Illinois Register: January 13, 2012;36 Ill. Reg. 505
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this amendment replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rulemaking: The amendment to Section 2730.40(g) introduces changes to clarify and separate the requirements for the reconciliation of ING data and ING funds based on recommendations from staff.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Lynn Hynes

ILLINOIS STUDENT ASSISTANCE COMMISSION

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Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

PH: 847/948-8500 ext. 2305

FAX: 847/831-8299

email: lynn.hynes@isac.illinois.gov

The full text of the Adopted Amendment begins on the following page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 2730
ILLINOIS NATIONAL GUARD (ING) GRANT PROGRAM

Section

2730.10	Summary and Purpose
2730.20	Applicant Eligibility
2730.30	Program Procedures
2730.40	Institutional Procedures

AUTHORITY: Implementing Section 45 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/45 and 20(f)].

SOURCE: Adopted at 3 Ill. Reg. 4, p. 38, effective January 26, 1979; rules repealed at 6 Ill. Reg. 8239, effective June 30, 1982; new rules adopted at 6 Ill. Reg. 8413, effective June 30, 1982; codified at 7 Ill. Reg. 10877; amended at 8 Ill. Reg. 17016, effective September 5, 1984; amended at 9 Ill. Reg. 20827, effective January 1, 1986; amended at 11 Ill. Reg. 3202, effective January 29, 1987; amended at 12 Ill. Reg. 11531, effective July 1, 1988; transferred from Chapter IX, 23 Ill. Adm. Code 1730 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2730 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17857; amended at 14 Ill. Reg. 10567, effective July 1, 1990; amended at 16 Ill. Reg. 11254, effective July 1, 1992; amended at 17 Ill. Reg. 10563, effective July 1, 1993; amended at 18 Ill. Reg. 10303, effective July 1, 1994; amended at 20 Ill. Reg. 9187, effective July 1, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11119, effective July 18, 1997; amended at 22 Ill. Reg. 11100, effective July 1, 1998; amended at 24 Ill. Reg. 9148, effective July 1, 2000; amended at 25 Ill. Reg. 8406, effective July 1, 2001; amended at 26 Ill. Reg. 10013, effective July 1, 2002; amended at 27 Ill. Reg. 10338, effective July 1, 2003; amended at 29 Ill. Reg. 9904, effective July 1, 2005; amended at 30 Ill. Reg. 11623, effective July 1, 2006; amended at 32 Ill. Reg. 10305, effective July 1, 2008; amended at 36 Ill. Reg. 9408, effective July 1, 2012.

Section 2730.40 Institutional Procedures

- a) The institution must establish a qualified applicant's initial eligibility before requesting payment from ISAC. A valid Illinois National Guard Grant eligibility letter may be used for this purpose.

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- b) When submitting payment requests, the institution is certifying that the recipient meets the grade point average requirements of Section 2730.20(d).
- c) Institutions must report the total number of hours for which payment is being requested (including credit and noncredit hours) so that ISAC can accurately track the recipient's use of eligibility units.
- d) Payment information will be sent each term to the institution no earlier than the application deadline date for that term. Payment claims must be submitted no later than 30 calendar days after payment information has been sent to the institution by ISAC. Supplemental payment claims must be submitted to ISAC no later than 45 calendar days after the original payment information was sent to the institution with the exception of summer term supplements which must be submitted by the same deadline as the original payment claim for summer term. All payment claims received by ISAC after the designated dates will be paid or prorated during the fiscal lapse period (July 1 through August 31) following the conclusion of the fiscal year. To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests except for summer term must be received by ISAC no later than July 1. Summer term payment requests must be received no later than July 31.
- e) Claims will be paid as follows:
 - 1) first semester and first quarter claims received by the designated deadline date will be paid, or prorated if funding is insufficient to pay all claims in full;
 - 2) if funds remain after first semester and first quarter claims are paid, then second semester and second and third quarter claims received by the designated deadline date will be paid, or prorated if funds remaining are insufficient to pay all such claims in full;
 - 3) if funds still remain after the preceding claims are paid, summer term claims received by the designated deadline date will be paid, or prorated if remaining funds are insufficient to pay all summer claims in full; and
 - 4) in the event that funds are not exhausted by summer term payments, claims received after the designated deadline dates will be paid or

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prorated.

- 5) Timely claims for the difference between in-district/state and out-of-district/state tuition for recipients who do not qualify for chargebacks will be considered for payment at the same time, and in the same priority order, as all other timely claims, in accordance with the provisions of this subsection.
- f) Payments on behalf of a recipient will be made to only one institution per term. For any institution that has a concurrent registration opportunity, the same payment policy will be in effect as that used in the Monetary Award Program. (See: 23 Ill. Adm. Code 2735.40(h).)
- g) Institutions are required to reconcile payments, both payment data and actual funds, received through ING and, as applicable, submit all necessary corrections to student records on a timely basis. Institutions are required to reconcile payments received through this program. Any payments received by the institution that are determined in the reconciliation to be refunds payable to ISAC are to be processed and returned to ISAC no later than 60 days following the end of the academic term. Should the payment arrive after the end of the term, the institution will have 60 days following receipt of payment to complete the reconciliation process and return any refunds to ISAC.
 - 1) Within 30 days after and including the date of receiving payment of any ING funds claimed pursuant to this Section, the institution shall credit the ING funds against the recipients' tuition and eligible fee charges for the appropriate term.
 - 2) Within 30 days after the end of an academic term during which ING funds are credited to recipients' tuition and eligible fee charges, institutions must reconcile data received from ISAC as a result of payment claim processing against the eligibility status throughout that term for each student for whom payment claims were made. In reconciling the data with student eligibility, an institution must determine whether:
 - A) The amount of the claim applied to a student's tuition and eligible fee charges exceeded the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or

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- B) The amount of the claim applied to a student's tuition and eligible fee charges was less than the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
- C) The amount of the claim applied to a student's tuition and eligible fee charges equaled the amount that the student was eligible to receive.
- 3) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory fee charges either exceeded the amount that the student was eligible to receive or was less than that amount must submit an accounting of all such adjustments to ISAC within 30 days following the end of the applicable term.
- 4) For any claims determined to exceed the amount that the student was eligible to receive, the amount in excess paid for the claims shall be remitted to ISAC within 45 days after the end of the applicable term unless the payment is received after the end of the regular school year. If the payment of claims is made after the end of the regular school year, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
- 5) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment made must be submitted to ISAC, and a supplemental request for payment must be processed for the proper recipient.

(Source: Amended at 36 Ill. Reg. 9408, effective July 1, 2012)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Grant Program for Dependents of Correctional Officers
- 2) Code Citation: 23 Ill. Adm. Code 2731
- 3) Section Number: 2731.40 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Section 60 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/60 and 20(f)]
- 5) Effective date of amendment: July 1, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of this 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 Illinois Register: January 13, 2012; 36 Ill. Reg. 511
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rulemaking: The amendment to Section 2731.40(c) introduces changes to clarify and separate the requirements for the reconciliation of data and funds for the Grant Program for Dependents of Correctional Officers based on recommendations from staff.
- 16) Information and questions regarding this adopted amendment shall be directed to:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

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The full text of the Adopted Amendment begins on the following page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2731

GRANT PROGRAM FOR DEPENDENTS OF CORRECTIONAL OFFICERS

Section

2731.10	Summary and Purpose
2731.20	Applicant Eligibility
2731.30	Program Procedures
2731.40	Institutional Procedures

AUTHORITY: Implementing Section 60 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/60 and 20(f)].

SOURCE: Adopted at 9 Ill. Reg. 20780, effective January 1, 1986; transferred from Chapter IX, 23 Ill. Adm. Code 1731 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2731 (Illinois Student Assistance Commission) pursuant to P.A. 86-169, effective July 1, 1989, at 13 Ill. Reg. 17853; amended at 14 Ill. Reg. 10534, effective July 1, 1990; amended at 17 Ill. Reg. 10559, effective July 1, 1993; amended at 18 Ill. Reg. 10299, effective July 1, 1994; amended at 20 Ill. Reg. 10183, effective July 15, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11100, effective July 18, 1997; amended at 30 Ill. Reg. 11632, effective July 1, 2006; amended at 35 Ill. Reg. 12374, effective July 15, 2011; amended at 36 Ill. Reg. 9414, effective July 1, 2012.

Section 2731.40 Institutional Procedures

- a) The institution shall certify the applicant's award amount within the time frame requested by ISAC, which shall be no sooner than 30 days unless a more rapid response is necessary to expend appropriated funds prior to the end of the academic year.
- b) Institutional Packaging of Assistance:
 - 1) If the recipient receives other assistance targeted specifically for tuition and fees, the combined assistance shall not exceed the total tuition and fee expenses incurred by the student; and if it does, the institution shall reduce one of the awards accordingly;

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- 2) notwithstanding the provisions of other ISAC-administered programs, the total amount of a student's gift assistance may not exceed the student's cost of attendance for that institution. Any excess gift assistance is considered an overaward, and the institution is required to notify ISAC to reduce this grant and/or other gift assistance to prevent such an overaward; and
 - 3) if the recipient is eligible for assistance under MAP, the recipient may not be eligible for a full MAP grant because the grant for Dependents of Correctional Officers must be factored into the financial aid package prior to receiving MAP gift assistance. The institution, however, may request a MAP grant to finance tuition and mandatory fee expenses not paid by this program.
- c) Institutional Processing of Payments:
- 1) When submitting payment requests, the institution shall verify that the recipient meets the requirements of Section 2731.20(a)(3) and (4), Applicant Eligibility.
 - 2) Within 30 days after and including the date of receiving payment, the institution shall credit the award toward the recipient's tuition and mandatory fee charges for the appropriate term.
 - 3) Institutions are required to reconcile payments, both payment data and actual funds, received through the Grant Program for Dependents of Correctional Officers and, as applicable, submit all necessary corrections to student records on a timely basis.~~Institutions are required to reconcile payments received through this program. Any payments received by the institution that are determined in the reconciliation to be refunds payable to ISAC are to be processed and returned to ISAC no later than 60 days following the end of the academic term. Should the payment arrive after the end of the term, the institution will have 60 days following receipt of payment to complete the reconciliation process and return any refunds to ISAC.~~
 - 4) Within 30 days after the end of an academic term during which the Grant Program for Dependents of Correctional Officers funds are credited to recipient's tuition and eligible fee charges, institutions must reconcile data

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received from ISAC as a result of payment claim processing against the eligibility status throughout that term for each student for whom payment claims were made. In reconciling the data with student eligibility, an institution must determine whether:

- A) The amount of the claim applied to a student's tuition and eligible fee charges exceeded the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - B) The amount of the claim applied to a student's tuition and eligible fee charges was less than the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - C) The amount of the claim applied to a student's tuition and eligible fee charges equaled the amount that the student was eligible to receive.
- 5) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory fee charges either exceeded the amount that the student was eligible to receive or was less than that amount must submit an accounting of all such adjustments to ISAC within 30 days following the end of the applicable term.
- 6) For any claims determined to exceed the amount that the student was eligible to receive, the amount in excess paid for the claims shall be remitted to ISAC within 45 days after the end of the applicable term unless the payment is received after the end of the applicable term. If the payment of claims is made after the end of the applicable term, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
- 74) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment must be submitted to ISAC and a supplemental request must be made and processed for the proper recipient.
- 85) If the institution does not submit refunds as required, ISAC will deduct

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outstanding refunds from subsequent payments to the institution.

- | 96) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests except for summer term must be received by ISAC no later than July 1. Summer term payment requests must be received no later than July 31.

(Source: Amended at 36 Ill. Reg. 9414, effective July 1, 2012)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Grant Program for Dependents of Police or Fire Officers
- 2) Code Citation: 23 Ill. Adm. Code 2732
- 3) Section Number: 2732.40 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Section 55 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/55 and 20(f)]
- 5) Effective date of amendment: July 1, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of proposal published in Illinois Register: January 13, 2012; 36 Ill. Reg. 517
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposed and final version: The only changes made were technical in nature.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rulemaking: The amendment to Section 2732.40(c) introduces changes to clarify and separate the requirements for the reconciliation of data and funds for the Grant Program for Dependents of Police and Fire Officers based on recommendations from staff.
- 16) Information and questions regarding this adopted amendment shall be directed to:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
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The full text of the Adopted Amendment begins on the following page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2732

GRANT PROGRAM FOR DEPENDENTS OF POLICE OR FIRE OFFICERS

Section

2732.10	Summary and Purpose
2732.20	Applicant Eligibility
2732.30	Program Procedures
2732.40	Institutional Procedures

AUTHORITY: Implementing Section 55 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/55 and 20(f)].

SOURCE: Adopted at 9 Ill. Reg. 20873, effective January 1, 1986; amended at 11 Ill. Reg. 3239, effective January 29, 1987; transferred from Chapter IX, 23 Ill. Adm. Code 1732 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2732 (Illinois Student Assistance Commission) pursuant to P.A. 86-169, effective July 1, 1989, at 13 Ill. Reg. 17866; amended at 14 Ill. Reg. 10585, effective July 1, 1990; amended at 17 Ill. Reg. 10620, effective July 1, 1993; amended at 18 Ill. Reg. 10342, effective July 1, 1994; amended at 20 Ill. Reg. 10191, effective July 15, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11090, effective July 18, 1997; amended at 30 Ill. Reg. 11639, effective July 1, 2006; amended at 35 Ill. Reg. 12378, effective July 15, 2011; amended at 36 Ill. Reg. 9420, effective July 1, 2012.

Section 2732.40 Institutional Procedures

- a) The institution shall certify the applicant's award amount within the time frame requested by ISAC, which shall be no sooner than 30 days unless a more rapid response is necessary to expend appropriated funds prior to the end of the academic year.
- b) Institutional Packaging of Assistance:
 - 1) If the recipient receives other assistance targeted specifically for tuition and fees, the combined assistance shall not exceed the total tuition and fee expenses incurred by the student; if it does, the institution shall reduce one of the awards accordingly;

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- 2) notwithstanding the provisions of other ISAC-administered programs, the total amount of a student's gift assistance may not exceed the student's cost of attendance at that institution. Any excess gift assistance is considered an overaward and the institution is required to notify ISAC to reduce this grant and/or other gift assistance to prevent such an overaward; and
 - 3) if the recipient is eligible for assistance under MAP, the recipient may not be eligible for a full MAP grant because the police or fire officer grant must be factored into the financial aid package prior to receiving MAP gift assistance. The institution, however, may request a MAP grant to finance tuition and mandatory fee expenses not paid by this program.
- c) Institutional Processing of Payments:
- 1) When submitting payment requests, the institution shall verify that the recipient meets the requirements of Section 2732.20(a)(3) and (4), Applicant Eligibility.
 - 2) Within 30 days after and including the date of receiving payment, the institution shall credit the award toward the recipient's tuition and mandatory fee charges for the appropriate term.
 - 3) Institutions are required to reconcile payments, both payment data and actual funds, received through the Grant Program for Dependents of Police or Fire Officers and, as applicable, submit all necessary corrections to student records on a timely basis.~~Institutions are required to reconcile payments received through this program. Any payments received by the institution that are determined in the reconciliation to be refunds payable to ISAC are to be processed and returned to ISAC no later than 60 days following the end of the academic term. Should the payment arrive after the end of the term, the institution will have 60 days following receipt of payment to complete the reconciliation process and return any refunds to ISAC.~~
 - 4) Within 30 days after the end of an academic term during which the Grant for Dependents of Police or Fire Officers funds are credited to recipient's tuition and mandatory fee charges, institutions must reconcile data received from ISAC as a result of payment claim processing against the

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eligibility status throughout that term for each student for whom payment claims were made. In reconciling the data with student eligibility, an institution must determine whether:

- A) The amount of the claim applied to a student's tuition and mandatory fee charges exceeded the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - B) The amount of the claim applied to a student's tuition and mandatory fee charges was less than the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - C) The amount of the claim applied to a student's tuition and mandatory fee charges equaled the amount that the student was eligible to receive.
- 5) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory fee charges either exceeded the amount that the student was eligible to receive or was less than that amount must submit an accounting of all such adjustments to ISAC within 30 days following the end of the applicable term.
- 6) For any claims determined to exceed the amount that the student was eligible to receive, the amount in excess paid for the claims shall be remitted to ISAC within 45 days after the end of the applicable term unless the payment is received after the end of the applicable term. If the payment of claims is made after the end of the applicable term, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
- 74) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment must be submitted to ISAC and a supplemental request must be made and processed for the proper recipient.
- 85) If the institution does not submit refunds as required, ISAC will deduct outstanding refunds from subsequent payments to the institution.

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- | 96) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests except for summer term must be received by ISAC no later than July 1. Summer term payment requests must be received no later than July 31.

(Source: Amended at 36 Ill. Reg. 9420, effective July 1, 2012)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Illinois Veteran Grant (IVG) Program
- 2) Code Citation: 23 Ill. Adm. Code 2733
- 3) Section Number: 2733.40 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Section 40 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/40 and 20(f)]
- 5) Effective date of amendment: July 1, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of this 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 Illinois Register: January 13, 2012; 36 Ill. Reg. 523
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The amendment to Section 2733.40(g) introduces changes to clarify and separate the requirements for the reconciliation of IVG data and IVG funds based on recommendations from staff.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Lynn Hynes

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

847/948-8500 ext. 2305
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The full text of the Adopted Amendment begins on the following page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 2733
ILLINOIS VETERAN GRANT (IVG) PROGRAM

Section	
2733.10	Summary and Purpose
2733.20	Applicant Eligibility
2733.30	Program Procedures
2733.40	Institutional Procedures

AUTHORITY: Implementing Section 40 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/40 and 20(f)].

SOURCE: Emergency rule adopted at 10 Ill. Reg. 14322, effective August 20, 1986 for a maximum of 150 days; emergency expired January 16, 1987; adopted at 11 Ill. Reg. 3207, effective January 29, 1987; amended at 12 Ill. Reg. 11536, effective July 1, 1988; transferred from Chapter IX, 23 Ill. Adm. Code 1733 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2733 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17858; amended at 14 Ill. Reg. 10571, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 15613, effective October 11, 1991, for a maximum of 150 days; emergency expired March 9, 1992; emergency amendment at 15 Ill. Reg. 18778, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 6880, effective April 14, 1992; amended at 16 Ill. Reg. 11261, effective July 1, 1992; amended at 17 Ill. Reg. 10570, effective July 1, 1993; amended at 18 Ill. Reg. 10309, effective July 1, 1994; amended at 20 Ill. Reg. 9200, effective July 1, 1996; old Part repealed and new Part adopted at 21 Ill. Reg. 11139, effective July 18, 1997; amended at 22 Ill. Reg. 11114, effective July 1, 1998; amended at 23 Ill. Reg. 7575, effective July 1, 1999; amended at 24 Ill. Reg. 9166, effective July 1, 2000; amended at 25 Ill. Reg. 8418, effective July 1, 2001; amended at 26 Ill. Reg. 10020, effective July 1, 2002; amended at 27 Ill. Reg. 10342, effective July 1, 2003; emergency amendment at 28 Ill. Reg. 12932, effective September 15, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2462, effective February 1, 2005; amended at 29 Ill. Reg. 9912, effective July 1, 2005; amended at 30 Ill. Reg. 11646, effective July 1, 2006; amended at 32 Ill. Reg. 10313, effective July 1, 2008; amended at 36 Ill. Reg. 9426, effective July 1, 2012.

Section 2733.40 Institutional Procedures

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- a) If a student is eligible for both an IVG and a Monetary Award Program (MAP) grant, the IVG benefits must be used first. A student cannot decline IVG benefits in favor of using MAP.
- b) A notice of eligibility from ISAC must be used by the institution to establish a qualified applicant's initial eligibility.
- c) Institutions shall submit a payment request to ISAC. When submitting payment requests, the institution is certifying that the qualified applicant meets the grade point requirements of Section 2733.20(d).
- d) Institutions must report the total number of hours for which payment is being requested (including credit and noncredit hours) so that ISAC can accurately track the recipient's use of eligibility units.
- e) The deadlines for submission of complete payment requests shall be September 15 for summer terms; January 15 for first term; and May 25 for second semester/second and third quarter. All claims, including supplemental claims, must be received by ISAC no later than July 1.
- f) The reimbursement to institutions for Illinois Veteran Grants is contingent upon available funding. Should General Assembly appropriations be insufficient to pay all claims, institutions will be reimbursed in accordance with this subsection:
 - 1) summer term claims received by the deadline date designated in subsection (e) will be paid, or prorated if funding is insufficient to pay all claims in full;
 - 2) if funds remain after summer term claims are paid, first semester and first quarter claims received by the designated deadline date will be paid, or prorated if funding is insufficient to pay all claims in full;
 - 3) if funds remain after first semester and first quarter claims are paid, then second semester/second and third quarter claims received by the designated deadline date will be paid, or prorated if funds remaining are insufficient to pay all such claims in full;
 - 4) if funds remain after second semester/second and third quarter claims are paid, claims received by ISAC after the designated deadline dates will be

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paid or prorated; and

- 5) timely claims for the difference between in-district/state and out-of-district/state tuition for recipients who do not qualify for chargebacks will be considered for payment at the same time, and in the same priority order, as all other timely claims, in accordance with the provisions of this subsection (f).

- g) Institutions are required to reconcile payments, both payment data and actual funds, received through IVG and, as applicable, submit all necessary corrections to student records on a timely basis.
- 1) Within 30 days after and including the date of receiving payment of any IVG funds claimed pursuant to this Section, the institution shall credit the IVG funds against the recipient's tuition and mandatory fee charges for the appropriate term.
- 2) Within 30 days after the end of an academic term during which IVG funds are credited to recipient's tuition and mandatory fee charges, institutions must reconcile data received from ISAC as a result of payment claim processing against the eligibility status throughout that term for each student for whom payment claims were made. In reconciling the data with student eligibility, an institution must determine whether:
- A) The amount of the claim applied to a student's tuition and mandatory fee charges exceeded the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
- B) The amount of the claim applied to a student's tuition and mandatory fee charges was less than the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
- C) The amount of the claim applied to a student's tuition and mandatory fee charges equaled the amount that the student was eligible to receive.

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- 3) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory fee charges either exceeded the amount that the student was eligible to receive or was less than that amount must submit an accounting of all such adjustments to ISAC within 30 days following the end of the applicable term.
- 4) For any claims determined to exceed the amount that the student was eligible to receive, the amount in excess paid for the claims shall be remitted to ISAC within 45 days after the end of the applicable term unless the payment is received after the end of the applicable term. If the payment of claims is made after the end of the applicable term, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
- 5) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment made must be submitted to ISAC, and a supplemental request for payment must be processed for the proper recipient.

(Source: Amended at 36 Ill. Reg. 9426, effective July 1, 2012)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Monetary Award Program (MAP)
- 2) Code Citation: 23 Ill. Adm. Code 2735
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2735.30	Amendment
2735.40	Amendment
- 4) Statutory Authority: Implementing Section 35 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/35 and 20(f)]
- 5) Effective date of Amendments: July 1, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of these 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: January 13, 2012; 36 Ill. Reg. 529
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of Rulemaking: Section 2735.30(p) is amended to introduce changes to restrict MAP payment for graduate-level coursework based on school practices found during program reviews. Section 2735.30(q) introduces changes to limit the number of times MAP benefits can be used for repeat courses based, in part, on changes to federal regulations (34CFR 668.2). Section 2735.40(m) is amended to

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

introduce changes to clarify and separate the requirements for the reconciliation of MAP data and MAP funds based on recommendations from staff.

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

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

847/948-8500 ext. 2305
FAX: 847/831-8299
email: lynn.hynes@isac.illinois.gov

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

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 2735
MONETARY AWARD PROGRAM (MAP)

Section

2735.10	Summary and Purpose
2735.20	Applicant Eligibility
2735.30	Program Procedures
2735.40	Institutional Procedures
2735.50	Advance Payment Option
2735.60	Contractual Agreement Requirements (Repealed)
2735.APPENDIX A	Advance Payment Formula

AUTHORITY: Implementing Section 35 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/35 and 20(f)].

SOURCE: Adopted at 9 Ill. Reg. 20857, effective January 1, 1986; amended at 11 Ill. Reg. 3225, effective January 29, 1987; amended at 11 Ill. Reg. 14134, effective August 10, 1987; amended at 12 Ill. Reg. 11546, effective July 1, 1988; transferred from Chapter IX, 23 Ill. Adm. Code 1735 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2735 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17864; amended at 14 Ill. Reg. 7242, effective May 1, 1990, amended at 16 Ill. Reg. 11296, effective July 1, 1992; emergency amendment at 16 Ill. Reg. 19237, effective November 23, 1992, for a maximum of 150 days; emergency expired on April 22, 1993; emergency amendment at 17 Ill. Reg. 6672, effective April 15, 1993, for a maximum of 150 days; emergency expired on September 18, 1993; amended at 17 Ill. Reg. 10596, effective July 1, 1993; amended at 17 Ill. Reg. 22576, effective January 1, 1994; amended at 19 Ill. Reg. 8369, effective July 1, 1995; amended at 20 Ill. Reg. 9227, effective July 1, 1996; old Part repealed, new Part adopted at 21 Ill. Reg. 11184, effective July 18, 1997; amended at 22 Ill. Reg. 11149, effective July 1, 1998; amended at 23 Ill. Reg. 7592, effective July 1, 1999; amended at 24 Ill. Reg. 9187, effective July 1, 2000; amended at 25 Ill. Reg. 8424, effective July 1, 2001; amended at 26 Ill. Reg. 10024, effective July 1, 2002; amended at 27 Ill. Reg. 10349, effective July 1, 2003; amended at 28 Ill. Reg. 10043, effective July 15, 2004; amended at 29 Ill. Reg. 9920, effective July 1, 2005; amended at 30 Ill. Reg. 11654, effective July 1, 2006; amended at 36 Ill. Reg. 9432, effective July 1, 2012.

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Section 2735.30 Program Procedures

- a) An application for a MAP grant must be submitted annually. An applicant uses the form which the United States Department of Education (ED) designates as an application form for federal student financial aid. (See Section 483 of the Higher Education Act of 1965, as amended (20 USCA 1070a).)
- b) Applicants, spouses and the parents of applicants are required to submit financial information on the application which will be kept confidential, regarding income, asset value and non-taxable income (e.g., Temporary Assistance for Needy Families, public aid, veterans' or Social Security benefits).
- c) **Priority Consideration Dates**
In order to receive priority consideration for a full year award, an application from a student who had applied for a MAP grant for the previous regular school year must have a FAFSA receipt date of no later than August 15 of, or immediately prior to, the regular school year for which the application is being made. In order to receive priority consideration for a full year award, an application from a student who had not applied for a MAP grant for the previous regular school year must have a FAFSA receipt date of no later than September 30 of the regular school year for which the application is being made.
- d) **Priority Processing Guidelines**
 - 1) Students who file applications will be considered for full or partial year MAP awards based on available funds and the following:
 - A) For applications with a FAFSA receipt date of no later than August 15 of or preceding the regular school year for which assistance is being requested, students who had not applied for a MAP award the previous regular school year and students who did apply for a MAP award the previous regular school year will both be considered for full year awards;
 - B) For applications with a FAFSA receipt date of August 16 or later, but no later than September 30, students who had not applied for MAP awards the previous regular school year will be considered for full year awards; while students who did apply for a MAP award the previous regular school year will be considered for

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second semester or second and third quarter awards only;

- C) For applications with a FAFSA receipt date of October 1 or later, and until the date of final suspension of award announcements for that regular school year, all students will be considered for second semester/second and third quarter awards only.
- 2) During the time periods referenced above, awards will be announced concurrently, both to students who had not applied for a MAP award the previous regular school year and to students who did apply for a MAP award during the previous regular school year. Award announcements will be made concurrently through the date of suspension of award announcements.
- 3) If it becomes necessary to suspend the processing of award announcements in order to remain within appropriated funding levels, the suspension will be applied concurrently to students who had not applied for a MAP award for the previous regular school year and to students who did apply for a MAP award the previous regular school year.
- 4) Corrections to applications received prior to the final suspension of award announcements will be processed and announced up to two months after the final suspension date or until the completion of the processing cycle, whichever comes first.
- e) Students eligible for second semester/second and third quarter awards who have a FAFSA receipt date of August 16 or later and who are graduating mid-year may request that their second semester/second or third quarter award be used for first semester/quarter.
- f) To the extent necessary to administer the program within the limits of the MAP appropriation, the Commission may adjust the priority consideration dates and the priority processing guidelines established by this Section.
- g) When an application is incomplete, a notice will be sent to the applicant. The applicant then has an opportunity to furnish the missing information; however, depending on processing schedules, the applicant may be considered only for subsequent term awards.

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- h) Applicants are informed that they are MAP recipients on the basis of application data supplied to ISAC. ISAC will recalculate awards for those applicants whose applications are not in basic agreement with their financial records, after receipt of corrected data. All announced MAP recipients are subject to verification.
- i) The Commission shall annually establish and publicize guidelines for the release of or increase in MAP awards as additional funds become available.
- j) MAP grants are applicable only toward tuition and mandatory fees. MAP grants may not exceed the:
 - 1) maximum award specified at 110 ILCS 947/35(c); or
 - 2) institution's tuition and mandatory fee charges on file with ISAC.
- k) The maximum MAP grant available to a recipient attending a public community college is limited to the in-district tuition and mandatory fees. It is the recipient's responsibility to make arrangements to pay the additional costs incurred as an out-of-district student.
- l) For each credit hour of MAP benefits paid on behalf of the recipient, the recipient will be assessed one MAP paid credit hour toward his or her maximum usage. For each credit hour used, payment will be made to the school on behalf of the recipient in an amount equal to $\frac{1}{15}$ of the student's calculated term award amount, with a minimum of three hours and a maximum of 15 hours paid per term.
- m) A recipient may receive the equivalent of 135 semester credit hours of MAP benefits paid. Eligibility may be extended for one additional term if the recipient has accumulated fewer than 135 MAP paid credit hours but does not have enough credit hours of payment remaining for the number of hours for which he or she is enrolled for the term.
- n) A recipient may use no more than 75 MAP paid credit hours while enrolled at the freshman or sophomore level. Eligibility may be extended for one additional term at the freshman or sophomore level if the recipient has accumulated fewer than 75 MAP paid credit hours, but does not have enough credit hours of payment remaining for the number of hours for which he or she is enrolled for the term. Upon progressing to the junior level or above, the recipient may use the remaining balance of MAP paid credit hours, up to the 135 credit hour maximum.

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- o) The MAP grant shall not pay for academic programs intended to prepare a student for the General Educational Development (GED) test or for a high school diploma. (See, e.g., 23 Ill. Adm. Code 215.)
- p) The MAP grant shall not pay for audit courses, credit-by-examination and/or life experience, graduate-level courses leading to a degree above the baccalaureate level, or noncredit course offerings (except qualifying remedial courses). Remedial courses shall be eligible for MAP payment provided the student has been accepted into an eligible degree/certificate program and is taking the remedial courses as part of that program. Payment shall not be made for more than the equivalent of one year of remedial course work (i.e., 30 semester hours or 45 quarter hours). ~~Repeat courses shall be eligible for MAP payment.~~
- q) Repeat courses shall be eligible for MAP payment unless the student has previously reenrolled in a course for which a MAP payment is to be made.
- r) If a recipient withdraws from enrollment after the expiration of the tuition refund/withdrawal adjustment period, the recipient shall receive MAP grant payment for tuition and mandatory fee costs incurred up to the term award provided the institution's tuition refund policy indicates the recipient has incurred charges in the amount of the claim.
- s) MAP paid credit hours are assessed to a recipient whenever MAP funds are disbursed on behalf of the recipient.
- t) MAP grant payment is subject to the limits of dollars appropriated to ISAC by the General Assembly.
- u) It is the responsibility of MAP recipients to gain admission to approved Illinois institutions of higher learning. Illinois institutions of higher learning are not obligated to admit MAP recipients. The institution is obligated to provide MAP recipients the same facilities and instruction, on the same terms, as are provided to other students.
- v) If a recipient's academic program involves out-of-state and/or foreign study, enrollment must be in accordance with subsection (j) and the following provisions:

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- 1) The recipient must be enrolled at the ISAC-approved institution of higher learning, and the out-of-state/foreign study must be applicable to the student's degree or certificate program at the student's institution of record.
- 2) The ISAC-approved institution of higher learning must record the course credits on the official academic transcript as institutionally earned credit and not as transfer credit.
- 3) An institution shall not request more than two semesters/three quarters of MAP assistance for any one qualified applicant enrolled on a full-time basis, or four semesters/six quarters of MAP for an applicant-enrolled on a half-time basis.

(Source: Amended at 36 Ill. Reg. 9432, effective July 1, 2012)

Section 2735.40 Institutional Procedures

- a) MAP recipients must report to the institution all additional gift assistance that applies toward tuition and mandatory fees, such as tuition waivers and scholarships.
- b) If a MAP recipient receives other assistance targeted specifically for tuition and fees, the combined assistance shall not exceed the total tuition and fee expenses incurred.
- c) If an applicant is eligible for assistance under the Illinois National Guard (ING) Grant Program or the Illinois Veteran Grant (IVG) Program (23 Ill. Adm. Code 2730 and 2733), the applicant is not eligible for a full MAP grant because ING and IVG must be factored into the financial aid packaging prior to awarding MAP gift assistance. The institution may request payment of a partial MAP grant to finance fee expenses not covered by the above-referenced programs.
- d) If an applicant is eligible to receive tuition or fee benefits through a prepaid or reimbursable tuition plan other than the Illinois Prepaid Tuition Program, ~~College Illinois!~~ (23 Ill. Adm. Code 2775), or through a payment to the institution of higher learning by the applicant's employer, the institution of higher learning shall request MAP payment in accordance with this subsection:
 - 1) A prepaid tuition plan is any program which exempts a student from

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tuition charges because of a payment to the institution at a time prior to the student's enrollment. A reimbursable tuition plan is a program which reimburses a student for tuition costs after satisfactory completion of course work.

- 2) The institution of higher learning shall recalculate the applicant's MAP eligibility by decreasing the applicant's tuition and fee charges by the amount of benefits the applicant is eligible to receive from the sources in subsection (d)(1) of this Section. The institution of higher learning shall report the applicant's reduced grant award on the payment request.
- e) The provisions of this Section shall not apply to benefits derived from the Baccalaureate Savings Act [110 ILCS 920] and 23 Ill. Adm. Code 2771.
- f) Notwithstanding the provisions of other ISAC-administered programs, the total amount of a student's gift assistance may not exceed the cost of attendance used to calculate Title IV aid for that student. Any excess gift assistance is considered an overaward and the institution of higher learning is required to reduce the MAP award and/or other gift assistance to prevent such an overaward. For the purposes of this calculation, federal veterans benefits are not counted as gift assistance.
- g) Institutions of higher learning shall submit payment requests to ISAC. By submitting a payment request, an institution is certifying that the qualified applicants meet the requirements of Section 2735.20, Applicant Eligibility.
- h) For any institution of higher learning which has concurrent registration opportunities, the following policy pertains:
 - 1) The recipient must indicate his/her institution of record on the MAP application.
 - 2) The payment of the term award by ISAC will require the institution of record to receive MAP payment on behalf of any other institutions and the institution of record shall distribute the appropriate share of the award to the other institutions. Payment by ISAC will not be made to more than one institution.
 - 3) The amount paid cannot exceed the maximum term award for students at the institution of record, or the tuition and mandatory fee costs at the

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institution of record if the costs are less than the maximum term award.

- 4) Concurrent registration is limited to ISAC-approved institutions of higher learning.
- 5) The recipient's academic records at the institution of record must document the total number of credit hours for which the student is enrolled.
 - i) If an Illinois institution operates an out-of-state center, residents of Illinois enrolled in classes at the out-of-state center may receive MAP benefits in accordance with Section 2735.30(u).
 - j) If an announced recipient's credit hour enrollment decreases, the institution shall only request payment up to the amount of actual tuition and mandatory fee expenses incurred.
 - k) Upon receipt of a payment request from the institution of record, ISAC remits MAP grant funds to the institution of record on behalf of the recipient. The institution of record shall credit these funds to the recipient's account.
 - l) MAP grants are paid directly to the approved institution of record that certifies to ISAC that the applicant is an eligible recipient.
 - 1) ISAC will annually establish priority claim dates for the submission of payment requests and inform schools of the required priority dates.
 - 2) Late payment requests will result in delayed processing of payments. Payment requests are processed in the sequence of receipt by ISAC and as funds are available.
 - 3) Institutions may submit their payment requests beginning ten days prior to the start of classes for the term for which they are requesting payment.
 - m) Institutional Processing of Payments
 - 1) Within 30 days after and including the date of receiving payment of any MAP funds claimed or advanced pursuant to this Section, the institution shall credit the MAP funds against the recipients' tuition and mandatory

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fee charges for the appropriate term.

- 2) Within 30 days after the end of an academic term during which MAP funds were credited to recipients' tuition and mandatory fee charges, institutions must reconcile data received from ISAC as a result of payment claim processing against the eligibility status throughout that term for each student for whom payment claims were made. In reconciling the data with student eligibility, an institution must determine whether:
- A) The amount of the claim applied to a student's tuition and mandatory fee charges exceeded the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - B) The amount of the claim applied to a student's tuition and mandatory fee charges was less than the amount that the student was eligible to receive for any reason, including as a result of billing errors or retroactive withdrawals; or
 - C) The amount of the claim applied to a student's tuition and mandatory fee charges equaled the amount that the student was eligible to receive. Institutions are required to reconcile payments received through MAP and, as applicable, submit all necessary corrections to student records on a timely basis. Any payments received by the institution that are determined in the reconciliation to be refunds payable to ISAC are to be processed and returned to ISAC no later than 60 days following the end of the academic term unless ISAC has already deducted outstanding refunds from institutional payment requests during the applicable fiscal year. Refunds may be caused by billing errors, retroactive withdrawals and other miscellaneous reasons. Refunds showing as owed to ISAC must be remitted within 30 days after the end of the institution's regular school year. Should the payment arrive after the end of the regular school year, the institution will have 60 days following receipt of payment to complete the reconciliation process and return any refunds due.
- 3) Any institution that determines that the amount of a claim applied to a student's tuition and mandatory fee charges either exceeded the amount

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that the student was eligible to receive or was less than that amount must submit an accounting of all such adjustments to ISAC within 30 days following the end of the applicable term.

- 4) For any claims determined to exceed the amount that the student was eligible to receive, the amount in excess paid for the claims shall be remitted to ISAC within 45 days after the end of the institutions regular school year unless the payment is received after the end of the regular school year. If the payment of claims are made after the end of the regular school year, the institution shall have 60 days following receipt of the payment to complete reconciliation and remit any funds due to ISAC.
- 53) Award payments made in the name of one recipient cannot be applied to another recipient at the same institution. A refund of the payment made must be submitted to ISAC, and a supplemental request for payment must be processed for the proper recipient.
- 64) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests except for summer term must be received by ISAC no later than July 1. Summer term payment requests must be received no later than July 31.
- 75) Payment requests received after August 1 for the prior academic year will be processed as time and available funds permit; however, final action may require institutions to go to the Illinois Court of Claims to obtain payment for approved claims. (See the Court of Claims Act [705 ILCS 505].)

(Source: Amended at 36 Ill. Reg. 9432, effective July 1, 2012)

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- 1) Heading of the Part: Illinois Prepaid Tuition Program
- 2) Code Citation: 23 Ill. Adm. Code 2775
- 3) Section Number: 2775.50 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing the Illinois Prepaid Tuition Act [110 ILCS 979] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)]
- 5) Effective date of amendment: July 1, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of proposal published in Illinois Register: January 13, 2012, 36 Ill. Reg. 550
- 10) Has JCAR issued a Statement of Objections to this amendment? No
- 11) Differences between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rulemaking: The Illinois Prepaid Tuition Program is being amended to include the taxpayer identification number as authorized in Public Act 97-0233. Other revisions which clarify time limits and restrictions for usage of program benefits are being made.
- 16) Information and questions regarding the adopted amendment shall be directed to:

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Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

PH: 847/948-8500, ext. 2305
FAX: 847/831-8299
email: lynn.hynes@isac.illinois.gov

The full text of the Adopted Amendment begins on the following page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 2775
ILLINOIS PREPAID TUITION PROGRAM

Section

2775.10	Summary and Purpose
2775.20	Definitions
2775.30	Participant Eligibility
2775.40	Program Procedures
2775.50	Contract Terms and Conditions
2775.60	Scholarships, Grants or Monetary Assistance
2775.70	Disclosure

AUTHORITY: Implementing the Illinois Prepaid Tuition Act [110 ILCS 979] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].

SOURCE: Adopted by emergency rulemaking at 22 Ill. Reg. 16652, effective September 11, 1998, for a maximum of 150 days; adopted at 23 Ill. Reg. 2591, effective February 1, 1999; amended at 24 Ill. Reg. 9154, effective July 1, 2000; amended at 25 Ill. Reg. 8410, effective July 1, 2001; amended at 26 Ill. Reg. 10043, effective July 1, 2002; amended at 28 Ill. Reg. 9177, effective July 1, 2004; amended at 29 Ill. Reg. 9954, effective July 1, 2005; amended at 32 Ill. Reg. 10349, effective July 1, 2008; amended at 35 Ill. Reg. 3538, effective February 16, 2011; amended at 36 Ill. Reg. 9444, effective July 1, 2012.

Section 2775.50 Contract Terms and Conditions

- a) **Contract Types**

The program shall offer purchasers at least two different types of contracts: a public university plan and a community college plan. Additional contract plans may be offered. All contract types shall cover registration fees.

 - 1) The public university plan specifies that no more than 9 terms, or 135 credit hours, at an Illinois public university may be purchased for the benefit of a qualified beneficiary. Applicants may choose to purchase as little as one term, or 15 credit hours, at a time.

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- 2) The community college plan specifies that no more than 4 terms, or 60 credit hours, at an Illinois community college may be purchased for the benefit of a qualified beneficiary. Applicants may choose to purchase as little as one term, or 15 credit hours, at a time.
 - 3) No more than an aggregate of 135 credit hours of benefits may be purchased on behalf of any qualified beneficiary.
- b) Contract Benefits
- 1) The registration fees contracted for by the purchaser shall be paid directly to the institution at the time of enrollment of the qualified beneficiary. The credit hours purchased may be used during any term of postsecondary undergraduate enrollment. A ~~bona fide~~ social security number or taxpayer identification number must be on file prior to payment of benefits.
 - 2) No contract benefits may be received by a qualified beneficiary of an Illinois prepaid tuition contract earlier than three years from the due date of the first contract payment.
 - 3) No interest in all or any portion of a contract may be used as security for a loan.
- c) Contract Requirements
- 1) Purchasers must name a qualified beneficiary in the application, except as provided in the Master Agreement and Disclosure Statement. Only one qualified beneficiary is allowed per contract. A separate accounting will be provided for each designated beneficiary.
 - 2) In the event duplicate applications for the same qualified beneficiary are processed, the application processed first shall be deemed valid and the remaining application or applications shall be deemed valid, if and only if, they provide for registration fees not already covered by previous applications.
 - 3) The purchaser does not have to designate the postsecondary institution that the qualified beneficiary is expected to attend.

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- 4) The benefits of a contract may be used in advance of the selected matriculation date indicated in the application with no penalty or additional cost. However, to utilize a contract prior to the selected matriculation date, the purchaser must pay the contract in full before changing the matriculation date.
- 5) The qualified beneficiary must enroll in an eligible institution and request disbursement of any benefits within ten years after the projected enrollment date. Benefits may be received for up to a 10-year period after the qualified beneficiary's first enrollment date. This ~~ten~~10-year limitation may be extended at the Commission's sole discretion upon purchaser's application for extension to the Commission ~~and the payment of a renewal fee assessed at that time~~. Any time spent by the qualified beneficiary in active military service shall not count as part of the time period for receiving contract benefits under all contract plans.
- 6) The purchaser and qualified beneficiary are prohibited from directing the investment of any contributions to the program.

d) Contract Exclusions

- ~~1) Prepaid tuition contract plans do not cover payment of registration fees for graduate programs, adult basic programs, adult secondary programs, or postsecondary adult vocational programs.~~
- ~~2) Purchasers may request approval to apply unexpended prepaid tuition credits toward payment of graduate school registration fees, in cases in which other prepaid tuition contract benefits already have been utilized for undergraduate education and an undergraduate degree has been conferred.~~

d)e) Change of Purchaser and Change of Qualified Beneficiary

- 1) The purchaser of a contract may be changed upon written request of the original purchaser and the new purchaser. The new purchaser must meet the requirements of a qualified purchaser contained in the master agreement other than the residency requirement. (See Section 2775.30(a).)
- 2) Upon written request, contract benefits may be transferred by the

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purchaser to a new qualified beneficiary prior to actual use. The new qualified beneficiary must be a member of the family of the original qualified beneficiary but need not meet the residency requirement. (See Section 2775.30(a).)

~~e)†~~ Benefit Portability and Conversion Between Illinois Public Universities and Illinois Community Colleges

- 1) Public university plan benefits may be converted for usage at community colleges and community college plan benefits may be converted for usage at public universities.
- 2) Benefits shall be converted by referencing the relative current average mean-weighted credit hour value of registration fees purchased under the contract. The benefit conversions shall be authorized on a term-by-term basis and no fee shall be assessed for conversion of benefits among in-State public institutions.

~~f)‡~~ Benefit Portability and Conversion to Nonpublic Institutions of Higher Education

- 1) Public university plan and community college plan contract benefits may be converted for payment of registration fees at nonpublic institutions of higher education.
- 2) Benefits shall be converted by referencing the current average mean-weighted credit hour value of registration fees purchased under the contract. Each term, the Commission shall transfer this amount to the nonpublic institution of higher education on behalf of the qualified beneficiary.

(Source: Amended at 36 Ill. Reg. 9444, effective July 1, 2012)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO EMERGENCY RULEMAKING

DEPARTMENT OF AGRICULTURE

Heading of the Part: Motor Fuel and Petroleum Standards Act

Code Citation: 8 Ill. Adm. Code 850

Section Numbers: 850.60

Date Originally Published in the Illinois Register: 5/11/12
36 Ill. Reg. 7330

At its meeting on June 12, 2012, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Department limit its use of emergency rulemaking to emergency situations. The Department of Agriculture used emergency rulemaking to amend its rules titled Motor Fuel and Petroleum Standards Act (8 Ill. Adm. Code 850; 36 Ill. Reg. 7330) to delay enforcement of new ethanol standards. DOA has twice before used emergency rulemaking to delay these standards. The Department could have anticipated that yet a third delay would be required and initiated proposed rulemaking under Section 5-40 of the Illinois Administrative Procedure Act. Any emergency that exists appears to be have been created by the agency's failure to act earlier.

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

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Heading of the Part: Merit and Fitness

Code Citation: 80 Ill. Adm. Code 302

Section Numbers: 302.30

Date Originally Published in the Illinois Register: 3/16/12
36 Ill. Reg. 3990

At its meeting on June 12, 2012, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Department of Central Management Services be more timely in adopting rules reflecting statutory changes. Responsibility for verifying a veteran's preference, reflected in the rulemaking titled Merit and Fitness (80 Ill. Adm. Code 302; 36 Ill. Reg. 3990) was shifted to CMS by PA 91-481 in 2000.

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

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

SECRETARY OF STATE

Heading of the Part: Department of Personnel

Code Citation: 80 Ill. Adm. Code 420

<u>Section Numbers:</u>	420.10	420.430	420.680	420.760
	420.320	420.610	420.705	420.775
	420.340	420.630	420.710	420.830
	420.400	420.645	420.745	420.1020
	420.420	420.650	420.750	

Date Originally Published in the Illinois Register: 3/9/12
36 Ill. Reg. 3625

At its meeting on June 12, 2012, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Secretary of State be more timely in adopting administrative rules to implement changes in policy or Public Acts. In its rulemaking titled Department of Personnel (80 Ill. Adm. Code 420; 36 Ill. Reg. 3625), the Secretary is implementing various types of leave that were authorized by Public Acts in 1993, 2003 and 2006.

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

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO AND
FILING PROHIBITION OF PROPOSED RULEMAKING

ILLINOIS COMMERCE COMMISSION

Heading of the Part: Obligations of Retail Electric Suppliers

Code Citation: 83 Ill. Adm. Code 412

<u>Section Numbers:</u>	412.10	412.120	412.170	412.210	412.300
	412.20	412.130	412.180	412.220	412.310
	412.30	412.140	412.190	412.230	412.320
	412.100	412.150	412.195	412.240	
	412.110	412.160	412.200	412.250	

Date Originally Published in the Illinois Register: 8/12/11
35 Ill. Reg. 12996

At its meeting on June 12, 2012, the Joint Committee on Administrative Rules voted to object to and prohibit the filing of the Illinois Commerce Commission's rulemaking titled Obligations of Retail Electric Suppliers (83 Ill. Adm. Code 412; 35 Ill. Reg. 12996) because unresolved issues remain in the rulemaking that JCAR deems a serious threat to the public interest. JCAR is particularly concerned that ICC has not been able to cite specific statutory authority for various policies established in this proposed rulemaking.

The proposed rulemaking may not be filed with the Secretary of State or enforced by the Illinois Commerce Commission for any reason following receipt of this certification and statement by the Secretary of State for as long as the Filing Prohibition remains in effect.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 12, 2012 through June 18, 2012 and have been scheduled for review by the Committee at its July 10, 2012 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
7/26/12	<u>Office of the Treasurer</u> , Uniform Disposition of Unclaimed Property Act (74 Ill. Adm. Code 760)	4/20/12 36 Ill. Reg. 6008	7/10/12
8/1/12	<u>Illinois Gaming Board</u> , Video Gaming (General) (11 Ill. Adm. Code 1800)	4/20/12 36 Ill. Reg. 5935	7/10/12
8/1/12	<u>Illinois Gaming Board</u> , Riverboat Gambling (86 Ill. Adm. Code 3000)	4/13/12 36 Ill. Reg. 5694	7/10/12
8/1/12	<u>Illinois Gaming Board</u> , Video Gaming (General) (11 Ill. Adm. Code 1800)	4/27/12 36 Ill. Reg. 6197	7/10/12

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- a) Part(s) (Heading and Code Citation): Access to Information (2 Ill. Adm. Code 751)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Amend to reflect the latest modifications to the Freedom of Information Act.
- B) Statutory Authority: 5 ILCS 140
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Mary Matheny
CMS Rules Coordinator
720 Stratton Office Building
Springfield, IL 62706
Telephone: 217-557-5404
Email: mary.matheny@illinois.gov
Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- b) Part(s) (Heading and Code Citation): Service-Disabled and Veteran-Owned Small Businesses' (44 Ill. Adm. Code 20)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:

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Add a new Part to reflect changes pursuant to P.A. 097-0260.

- B) Statutory Authority: 30 ILCS 500
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: Will increase opportunities for small businesses to participate in State contracting.
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

c) Part(s) (Heading and Code Citation): Acquisition, Management and Disposal of Real Property (44 Ill. Adm. Code 5000)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following:

Amend to reflect changes required pursuant to P.A. 96-0795 and the proposed General Services Standard Procurement Rules, as well as general review and updating.

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- B) Statutory Authority: 20 ILCS 5/5-675, 20 ILCS 405/405-215, 405-300, 405-305, 405-310, 405-315, and 30 ILCS 500
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: The proposed changes are to update the rules to reflect current policy. Based on this, we believe that the effect on the above-listed entities, if any, will be minimal.
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

d) Part(s) (Heading and Code Citation): State Vehicles and Garage (44 Ill. Adm. Code 5040)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following:

Amend the rules to outline a Vehicle Usage Program; and

Amend the rules to reflect CMS instead of DCMS and other minor administrative changes.

- B) Statutory Authority: 20 ILCS 405/405-280

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- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

e) Part(s) (Heading and Code Citations): Merit and Fitness (80 Ill. Adm. Code 302)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following sections:

Amend Section 302.90 to address the process for filling of multiple vacancies by simultaneous resort to more than a single method described in Section 302.90;

Amend Sections 302.90 and 302.820 to address the process for appointing employees to term appointments, to address inconsistencies between these two sections, and to address the differences between the 4 year term appointments historically addressed by these sections and 5 year term appointments;

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Amend Section 302.91 to more fully describe the procedures and requirements of the Alternative Employment Program;

Amend Section 302.150 to provide for temporary appointment of retired State employees to work no more than 75 days within a twelve-month period, and further amend Section 302.150 to provide for Provisional Appointment Pending Partial Exemption under Personnel Code Section 4d;

Amend Section 302.550 to clarify that employees who accept a voluntary reduction will be entitled to remain on the appropriate reemployment list;

Amend Section 302.790 to clarify the prohibition on discrimination and retaliation;

Amend Sections 302.800 & 302.810 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes; and

Add a new Section under Subpart L addressing the requirement that certain internal auditor and procurement positions be appointed to five year term appointments.

- B) Statutory Authority: 20 ILCS 415/8, 8b.10, 8b.18, 8b.19, 8c.6, 8e and P.A. 96-0795.
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- f) Part(s) (Heading and Code Citations): Conditions of Employment (80 Ill. Adm. Code 303)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following sections:
- Amend Sections 303.90, 303.112, 303.130, 303.131, & 303.148 to reflect compliance with the Illinois Religious Freedom Protection and Civil Union Act;
- Amend the current Rules relating to Vacation Time and Personal Time, including at least Sections 303.125 and 303.290, to clarify limitations on use and prevent misuse of such time by employees pending their retirement from State employment;
- Amend Section 303.145 to clarify the limitations on temporary disability leave and the process for agencies to require independent medical examinations of employees, and to address the relationship between temporary disability leave and the Alternative Employment Program;
- Amend Section 303.170 to reflect changes to 5 ILCS 325 and to clarify the use of USERRA leave;
- Amend Section 303.190 to clarify which employees receive paid time off for holidays;
- Amend Section 303.250 to correct a typographical error in subsection (d);
- Amend Section 303.270 to clarify that employees on Military Leave shall not lose accrued vacation time, and will be afforded a reasonable amount of time upon their return to use it; and

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Add a new Section to provide for Victims' Economic Security & Safety Act Leave pursuant to 820 ILCS 180/1.

- B) Statutory Authority: 20 ILCS 415/8, 8c, 8c.6, 8e and 9(14).
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

g) Part(s) (Heading and Code Citations): General Provisions (80 Ill. Adm. Code 304)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following sections:

Amend the authority of the Part and Section 304.70 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes;

Amend Section 304.30 to clarify that it is the obligation of the employee to notify their employer of current address and phone number; and

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Amend Section 304.40 to clarify what constitutes personal history and make explicit the historic interpretation that all Rutan-related documentation is confidential & falls under the definition of examination materials.

- B) Statutory Authority: 20 ILCS 415/8, 8e, and 9(14).
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

h) Part(s) (Heading and Code Citations): Back Wage Claim Administration (80 Ill. Adm. Code 331)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following sections:

Amend the authority of the Part;

Amend Section 331.7 to clarify a settlement by administrative trial;

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Amend Section 331.40 to adjust formatting; and

Amend Sections 331.90 & 331.100 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes.

- B) Statutory Authority: 20 ILCS 405/64.1
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

i) Part(s) (Heading and Code Citations): Organ Donor Leave (80 Ill. Adm. Code 332)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following sections:

Amend Sections 332.4 to allow State employees to donate or attempt to donate red blood cells.
- B) Statutory Authority: 5 ILCS 327

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- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- j) Part(s) (Heading and Code Citation): State Employees Group Insurance Program (80 Ill. Adm. Code 2105)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Create rules outlining the functions and requirements of the State Employees Group Insurance Program.
- B) Statutory Authority: 5 ILCS 375
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Summer 2012
- E) Effect on small businesses, small municipalities or not for profit corporations: None

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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F) Agency contact person for information:

Janice L. Bonneville
Bureau of Benefits
801 S. 7th Street, 6 Main
PO Box 19208
Springfield, IL 62794-9208
Telephone: 217-785-8675

G) Related rulemakings and other pertinent information: State Employees' Group Insurance Program Retiree Premium Contributions (80 Ill. Adm. Code 2200); other amendments may be necessary based on emergent issues.k) Part(s) (Heading and Code Citation): Contributions (80 Ill. Adm. Code 2200)1) Rulemaking:A) Description: The Department anticipates rulemaking affecting the following:

Create rules to outline rates to be charged to state retirees, annuitants and survivors for participation in the State Employees Group Insurance Program.

B) Statutory Authority: 5 ILCS 375C) Scheduled meeting/hearing dates: On or before January 1, 2013D) Date agency anticipates First Notice: Summer 2012E) Effect on small businesses, small municipalities or not for profit corporations: NoneF) Agency contact person for information:

Janice L. Bonneville
Bureau of Benefits

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JULY 2012 REGULATORY AGENDA

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- G) Related rulemakings and other pertinent information: State Employees Group Insurance Program (80 Ill. Adm. Code 2105); other amendments may be necessary based on emergent issues.
- l) Part(s) (Heading and Code Citation): Travel (80 Ill. Adm. Code 2800)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Repeal Section 2800.230 as the Program is no longer available; and
- Amend Section 2800.260 to remove a reference to Section 2800.230.
- B) Statutory Authority: 30 ILCS 105/12, 12-1, 12-2 and 12-3 and 80 Ill. Adm. Code 3000
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not yet scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JULY 2012 REGULATORY AGENDA

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- m) Part(s) (Heading and Code Citation): The Travel Regulation Council (80 Ill. Adm. Code 3000)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Amend Section 3000.510 to address changes in the meal allowance rules. This change sets more general terms and allows for adjustments based on alternate work schedules.
- B) Statutory Authority: 30 ILCS 105/12-1, 12-2 and 12-3
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not yet scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- n) Part(s) (Heading and Code Citation): Auto Liability (80 Ill. Adm. Code 3100)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Amend the authority of the Part to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes; and
- Amend the rules to reflect CMS instead of DCMS and other minor administrative changes.
- B) Statutory Authority: 20 ILCS 405/405-105
- C) Scheduled meeting/hearing dates: On or before January 1, 2013
- D) Date agency anticipates First Notice: Not yet scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Mary Matheny
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Telephone: 217-557-5404
Email: mary.matheny@illinois.gov
Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

PROCLAMATIONS

2012-189 (Revised)
Nick Holonyak Day

WHEREAS, science and technology have a profound impact on shaping our world; and

WHEREAS, scientists and inventors are deserving of our respect and praise for their contributions to moving our world forward; and

WHEREAS, Illinois is home to numerous prominent scientists and inventors; and

WHEREAS, fifty years ago, in 1962, Illinois native Dr. Nick Holonyak, Jr. revolutionized the way we light our world by inventing the first practically useful visible light-emitting diode (LED), a more energy efficient, longer lasting, more durable and mercury free source of lighting; and

WHEREAS, Nick Holonyak, Jr. was born in Zeigler, Illinois and earned his BS, MS and PhD in electrical engineering from the University of Illinois at Urbana-Champaign; and

WHEREAS, Dr. Holonyak was the first graduate student of two-time Nobel laureate John Bardeen, an Illinois professor who invented the transistor; and

WHEREAS, as a professor at the University of Illinois at Urbana-Champaign since 1963, Dr. Holonyak and his students have developed the first quantum-well laser, creating a practical laser for fiber-optic communications, compact disc players, medical diagnosis, surgery, ophthalmology and many other applications; and

WHEREAS, few scientists and inventors have done more to transform our lives than Nick Holonyak, Jr., the holder of over 40 patents and inventor of the light-emitting diode (LED), the red-light semiconductor laser (used in CD and DVD players) and the shorted emitter p-n-p-n switch (used in light dimmers and power tools); and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 24, 2012 as **NICK HOLONYAK DAY** in Illinois, to celebrate the 50th Anniversary of the light-emitting diode (LED) and one of our state's greatest innovators, Dr. Nick Holonyak, "the Father of the Visible LED."

Issued by the Governor May 10, 2012

Filed by the Secretary of State June 15, 2012

2012-195 (Revised)
National Safe Boating Week

PROCLAMATIONS

WHEREAS, on average, 700 people die each year in boating-related accidents in the U.S. and nearly 70 percent of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment, and not by the boat, equipment or environmental factors; and

WHEREAS, between 1993 and 2005, the State of Illinois registered 4,521,660 recreational boats. During these years 1,783 boating accidents were reported that resulted in 230 fatalities and 1,117 injuries; and

WHEREAS, a significant number of lives could have been saved if the boaters involved had worn their life jackets; and

WHEREAS, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public; and

WHEREAS, the US Coast Guard has made recreational boating safety one of its primary missions; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19 - 25, 2012 as **NATIONAL SAFE BOATING WEEK** in Illinois, and encourage all citizens to practice safe boating habits, including always wearing a life jacket.

Issued by the Governor May 21, 2012

Filed by the Secretary of State June 15, 2012

2012-196
CPA Day of Service

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and

WHEREAS, many social, artistic and charitable organizations in the State of Illinois depend on the generosity of volunteers in order to thrive, and in doing so provide the public with services and institutions that contribute to our quality of life; and

WHEREAS, the Certified Public Accountant(CPA) profession is dedicated to the highest ethical and financial standards as well as serving the needs of the communities in which they live and work; and

PROCLAMATIONS

WHEREAS, the Illinois CPA Society has recognized the importance of public service and provided avenues for members to make contributions to society based on the unique skills and talents of their profession; and

WHEREAS, many members of the Illinois CPA Society freely give of their time by volunteering in their respective communities; and

WHEREAS, the Illinois CPA Society, the fifth largest in the nation with more than 24,000 members throughout the State of Illinois, has asked of its members to participate in a state-wide effort to consolidate and concentrate its volunteer efforts into one day; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21, 2012 as **CPA DAY OF SERVICE** in Illinois, in recognition of this worthy volunteer effort, and encourage all citizens to find ways to give back to their communities.

Issued by the Governor May 23, 2012

Filed by the Secretary of State June 15, 2012

2012-197**CPR and AED Awareness Week**

WHEREAS, heart disease affects men, women, and children of every age and race in the United States and it continues to be the leading cause of death in the United States; and

WHEREAS, approximately 295,000 emergency medical services treated out-of-hospital that are cardiac arrests occur annually nationwide. Roughly 92 percent of sudden cardiac arrest victims die before arriving at the hospital. Sudden cardiac arrest results from an abnormal heart rhythm in most adults, often ventricular fibrillation. Unfortunately, only 31.4 percent of out-of-hospital cardiac arrest victims receive bystander cardiopulmonary resuscitation (CPR); and

WHEREAS, prompt delivery of CPR more than doubles the victim's chance of survival by helping to maintain vital blood flow to the heart and brain, increasing the amount of time in which an electric shock from a defibrillator can be effective; and

WHEREAS, an automated external defibrillator (AED), even when used by a bystander, is safe, easy to operate, and, if used immediately after the onset of sudden cardiac arrest, highly effective in terminating ventricular fibrillation so the heart can resume a normal, effective rhythm; and

WHEREAS, for every minute without bystander CPR, survival from witnessed cardiac arrest decreases 7-10 percent. The interval between the 911 telephone call and the arrival of

PROCLAMATIONS

Emergency Medical Services personnel is usually longer than five minutes, therefore a cardiac arrest victim's survival is likely to depend on a public trained in CPR and AED use and access to these lifesaving devices; and

WHEREAS, the American Red Cross is preparing a public awareness and training campaign on CPR and AED use to be held during the first week of June; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 1-7, 2012 as **CPR AND AED AWARENESS WEEK** in Illinois, in recognition of the good work of the Chicago Medical Society, American Red Cross, American Heart Association and the National Safety Council, and encourage all Americans to become properly trained in CPR and AED usage.

Issued by the Governor May 24, 2012

Filed by the Secretary of State June 15, 2012

2012-198**Federal Employee of the Year Day**

WHEREAS, the hard work and dedication of public servants across the United States has been instrumental in making our nation strong and prosperous; and

WHEREAS, a special day is set aside each year to recognize the outstanding service of dedicated federal employees; and

WHEREAS, this year the 55th Annual Federal Employee of the Year Awards Luncheon will be held on June 20, 2012 at the UIC Forum. The theme for this year's ceremony is "Pride in Federal Service"; and

WHEREAS, at this prestigious ceremony, the men and women who have dedicated themselves to providing superior service to the American public will be honored; and

WHEREAS, awards will be given to an outstanding employee in each of eleven categories that cover various types of jobs within the federal workforce; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 20, 2012 as **FEDERAL EMPLOYEE OF THE YEAR DAY** in Illinois, and encourage all citizens to join in honoring these hard working public servants, and to recognize the exceptional services they provide for our society.

Issued by the Governor May 25, 2012

PROCLAMATIONS

Filed by the Secretary of State June 15, 2012

2012-199

National Overdose Awareness Day

WHEREAS, Drug Policy Alliance (D.P.A) statistics indicate that accidental drug overdose is the leading cause of injury-related death in the United States for people between the ages of 35-54 and the second leading cause of injury-related death for young people; and

WHEREAS, more than 28,000 people die each year of an overdose from heroin, cocaine, prescription drugs and a wide variety of other narcotics; more than are killed by guns, murders or HIV/AIDS; and

WHEREAS, accidental drug overdose cases have quadrupled since 1990. Between 1999 and 2005, national accidental drug overdose deaths more than doubled with approximately 22,400 people dying from accidental drug overdose in 2005; and

WHEREAS, International Overdose Awareness Day originally began in Australia as an initiative of the Salvation Army in the year 2001; and

WHEREAS, International Overdose Awareness Day provides an opportunity for people around the world to publicly mourn loved ones by honoring and remembering those who have lost their lives to an overdose; and

WHEREAS, numerous participating countries use this occasion to educate policy makers and the public about the growing overdose crisis in the United States and abroad, thereby offering concrete solutions that could possibly save lives; and

WHEREAS, according to the AIDS Foundation of Chicago, Illinois is one of sixteen states that have a higher fatality rate from drug overdose than car accidents; and

WHEREAS, in 2009, Illinois enacted the Overdose Protection Law, which allows trained individuals to administer life-saving drugs in the event of an overdose; this law would further save lives by protecting friends and family who seek medical help for those who overdose from arrest or prosecution for possession of small amounts of drugs; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 31, 2012 as **NATIONAL OVERDOSE AWARENESS DAY** in Illinois, in memory of the people who have either lost loved ones, or live with permanent injuries resulting from drug overdose.

Issued by the Governor May 25, 2012

PROCLAMATIONS

Filed by the Secretary of State June 15, 2012

2012-200**Specialist Samuel T. Watts**

WHEREAS, on Saturday, May 19, United States Army Specialist Samuel T. Watts of Wheaton, Illinois died at age 20 as a result of wounds sustained during combat operations in Kandahar Province, Afghanistan where he was serving in support of Operation Enduring Freedom; and

WHEREAS, Specialist Watts was assigned to B Company, 1st Battalion, 508th Parachute Infantry Regiment, 82nd Airborne Division, Fort Bragg, North Carolina; and

WHEREAS, Specialist Watts played volleyball at Wheaton North High School, was an avid bike rider and attended the fire science and paramedic program; and

WHEREAS, Specialist Watts graduated from Wheaton North High School in May of 2010 and enlisted in the Army in July of 2010; and

WHEREAS, Specialist Watts was injured on April 25th by an improvised explosive device and passed away a month later as a result of his injury at Walter Reed National Military Medical Center in Maryland; and

WHEREAS, a funeral will be held on Wednesday, May 30, 2012 for Specialist Watts who is survived by his parents, a brother and two sisters; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Monday, May 28, 2012 until sunset on Wednesday, May 30, 2012 in honor and remembrance of Specialist Samuel T. Watts, whose selfless service and sacrifice is an inspiration.

Issued by the Governor May 25, 2012

Filed by the Secretary of State June 15, 2012

2012-201**Eaton Corporation Day**

WHEREAS, business development and the manufacturing industry are vital to Illinois' growth and prosperity; and

PROCLAMATIONS

WHEREAS, businesses in Illinois help maintain our communities and are integral to our state's unique economic identity because they create jobs, boost our local economy and preserve our neighborhoods; and

WHEREAS, the health of Illinois' economy depends on our support of businesses owned by our friends and neighbors; and

WHEREAS, founded by inventor Viggo V. Torbensen and entrepreneur J. O. Eaton in 1911, Eaton Corporation has become a leader in the power management industry, while also serving the hydraulics, aerospace and electrical markets; and

WHEREAS, Eaton employs over 600 people between their two Illinois facilities in Glendale Heights and Lincoln, IL; and

WHEREAS, Eaton's Lincoln plant has been manufacturing residential products for over 50 years and recently won the 2010 Assembly Plant of the Year Award by Assembly Magazine and The Boston Consulting Group (BCG); and

WHEREAS, Eaton Corporation has been named by Newsweek Magazine as the Greenest Company among General Industrials and ranked 16th of all large companies; and

WHEREAS, the people of Illinois and of the United States are dependent upon a reliable supply of energy for their homes, their businesses, and their livelihood; and

WHEREAS, it is appropriate that the efficient use of energy should be a priority for citizens, businesses, government, and everyone; and

WHEREAS, Energy efficiency is the quickest, cheapest, cleanest way to extend our world's energy supplies and the future of our economy will depend upon a reliable supply of economically-price energy; and

WHEREAS, it is appropriate that the efficient use of energy should be a priority for citizens, businesses, government, and everyone; and

WHEREAS, on May 30, 2012, Eaton Corporation will present a series of customer seminars and solutions tours on energy efficiency, modernizing the electrical infrastructure, and electrical safety in celebration of their 100th anniversary on the campus of the Illinois Institute of Technology at The Robert W. Galvin Center for Electricity Innovation; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 30, 2012 as **EATON CORPORATION DAY** in Illinois in recognition of their centenary anniversary,

PROCLAMATIONS

their dedication to energy efficiency and their contributions to the economic landscape of Illinois.

Issued by the Governor May 29, 2012

Filed by the Secretary of State June 15, 2012

2012-202**¡Vive Tu Vida! Get Up! Get Moving! Wellness Day**

WHEREAS, Hispanic communities in Illinois and throughout the United States are faced with many challenges every day. One such challenge faced by the Hispanic community, among others, is health and wellness; and,

WHEREAS, with a Hispanic population of nearly 15.8 percent, Illinois recognizes the need to confront the challenges Hispanics face with a proactive strategy that strengthens community alliances and networks; and

WHEREAS, it is also important to ensure that the state's Hispanic community receives culturally proficient and linguistically appropriate health and human services; and

WHEREAS, there are a number of organizations, such as the Chicago Hispanic Health Coalition and the National Alliance for Hispanic Health, working to achieve that goal and to ensure that the perspective and experience of the Hispanic community is brought to the forefront of health care services and policy; and

WHEREAS, the Chicago Hispanic Health Coalition empowers individuals, builds coalitions, and supports organizations, with the goal of promoting healthy behaviors and reducing the risk of illness and injury; and

WHEREAS, to maximize and coordinate efforts among city and state organizations to promote healthy lifestyle awareness in Chicago's Hispanic communities, the Chicago Hispanic Health Coalition, and the Illinois Departments of Human Services and Public Health are joining together with the National Alliance for Hispanic Health to sponsor ¡Vive Tu Vida! Get Up! Get Moving!, the nation's premier annual Hispanic family physical activity and healthy lifestyle event; and

WHEREAS, thousands of people are expected to attend ¡Vive Tu Vida! Get Up! Get Moving! events in cities across the country; and

WHEREAS, these events will feature fun and excitement for the whole family, free health screenings, healthy snacks, and prize drawings, as well as activity stations for soccer, tennis, baseball, basketball, dance, aerobics, yoga and much more; and

PROCLAMATIONS

WHEREAS, this year, Chicago will host a ¡Vive Tu Vida! Get Up! Get Moving! event on June 23; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 23, 2012 as **¡VIVE TU VIDA! GET UP! GET MOVING! WELLNESS DAY** in Illinois, and encourage all residents to recognize the need for increased health awareness in the Hispanic community and to support the efforts of those participating in this important event.

Issued by the Governor May 31, 2012

Filed by the Secretary of State June 15, 2012

2012-203**National Baton Twirling Week**

WHEREAS, the art of baton twirling positively affects the lives of nearly one-half million young Americans; and

WHEREAS, baton twirling can build the confidence of these young girls and boys, and the dedication learned in training for and practicing the sport is beneficial to many situations in life; and

WHEREAS, baton twirling is one of the nation's largest movements that is positive for today's young girls; and

WHEREAS, baton twirling is used in children's hospitals as a unique and effective method of physical therapy; and

WHEREAS, baton twirlers provide inspiration and wholesome entertainment in our communities; and

WHEREAS, baton twirlers from all over the United States will gather at the University of Notre Dame July 16 – 20, 2012, to conduct a colorful pageant entitled "America's Youth on Parade":

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 16 – 20, 2012 as **NATIONAL BATON TWIRLING WEEK** in Illinois, and encourage our citizens to appreciate and support the colorful and beneficial youth movement of baton twirling.

Issued by the Governor June 5, 2012

Filed by the Secretary of State June 15, 2012

PROCLAMATIONS

2012-204**Lance CPL. Witsman**

WHEREAS, on Wednesday, May 30, 2012, U.S. Marine Lance CPL. Joshua E. Witsman of Covington, Indiana died at age 23 while serving in support of Operation Enduring Freedom; and

WHEREAS, Lance CPL. Witsman was assigned to the 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, based at Camp Pendleton, California; and

WHEREAS, Lance CPL. Witsman graduated from Covington High School in Covington, Indiana where he played football, wrestled and ran track; and

WHEREAS, Lance CPL. Witsman enlisted in the Marine Corps in 2009, earning many service medals; and

WHEREAS, a funeral will be held on June 10, 2012 for Lance CPL. Witsman, who is survived by his parents Tom and Kayla Witsman, his wife Stacey Witsman, and his brother Adam Witsman; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on June 8, 2012 until sunset on June 10, 2012 in honor and remembrance of Lance CPL. Witsman, whose selfless service and sacrifice is an inspiration.

Issued by the Governor June 6, 2012

Filed by the Secretary of State June 15, 2012

2012-205**Association Week**

WHEREAS, the Association Forum of Chicagoland represents CEOs and executives from more than 500 associations located throughout Chicago and its surrounding communities; and

WHEREAS, the Association Forum represents more than 500 associations in the Chicagoland area; and

WHEREAS, the associations that the Association Forum serves generate more than 9 billion dollars annually for Chicago's economy; and

WHEREAS, the Chicagoland associations employ more than 47,000 people in various capacities; and

PROCLAMATIONS

WHEREAS, the Association Forum represents institutions such as the American Bar Association, the American Dental Association, the American Medical Association, the Medical Hospital Association, the Healthcare Information and Management Systems Society and the National Association of Realtors, among many others; and

WHEREAS, the Chicago area is home to the second largest concentration of association headquarters in the United States, and ranks first in the number of health care-related organizations; and

WHEREAS, Chicagoland-based associations hold and sponsor more than 30,000 meetings, seminars, conventions and trade shows in the Chicagoland area which attracts more than 2 million attendees; and

WHEREAS, the Association Forum provides educational and experiential resources to its members; and

WHEREAS, the Association Forum will celebrate Association Week 2012 from June 18-22; and

WHEREAS, the contributions of associations and their employees to their communities will be recognized during Association Week by such events as GenNext Meets GenNow, Annual Meeting, All-Star Day, Honors Gala and a Community Service Event:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 18-22, 2012 as **ASSOCIATION WEEK** in Illinois in support of our associations, and encourage all citizens to recognize and celebrate the many contributions that Illinois headquartered associations make to the health, education and overall well-being of the people of the Land of Lincoln.

Issued by the Governor June 11, 2012

Filed by the Secretary of State June 15, 2012

2012-206**Stevens Johnson Syndrome Awareness Month**

WHEREAS, Stevens Johnson Syndrome (SJS) and Toxic Epidermal Necrolysis, another form of SJS, are severe adverse reactions to medication; and,

WHEREAS, almost any medication, including over-the-counter drugs, can cause SJS; and

WHEREAS, SJS affects people of all ages and a large amount of its victims are children; and

PROCLAMATIONS

WHEREAS, according to the New England Journal of Medicine, over 2 million Americans fall ill and are hospitalized every year from taking these recommended drugs; and

WHEREAS, over 140,000 of those admitted victims are never released and early recognition and prompt medical attention of SJS symptoms are the most valuable tools in minimizing the possible long term effects of the syndrome on its victims ; and

WHEREAS, the health and safety of our citizens is of utmost importance and the State of Illinois is committed to raising awareness and supporting all efforts to minimize the effects of life-threatening diseases such as Stevens Johnson Syndrome; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2012 as **STEVENS JOHNSON SYNDROME AWARENESS MONTH** in Illinois.

Issued by the Governor June 11, 2012

Filed by the Secretary of State June 15, 2012

2012-207**Neighborhood Watch Month**

WHEREAS, keeping the homes, neighborhoods, schools, workplaces, and communities of Illinois safe is of upmost importance to all of the residents of our state; and

WHEREAS, the presence of crime in our communities spreads fear and destroys trust and faith in others, threatening our lives, liberty, and general welfare; and

WHEREAS, it is the responsibility of all of us to work together with law enforcement to keep ourselves, our families, and our communities safe from crime, in order to make life enjoyable for all; and

WHEREAS, effective crime prevention programs excel because of partnerships among law enforcement, civic groups, schools, faith communities, businesses, and individuals to work together towards the common goal of increasing public safety; and

WHEREAS, Neighborhood Watch has brought countless communities together, inspiring members, bridging divides, and strengthening bonds through willingness of neighbors to help each other build a better community; and

WHEREAS, the Neighborhood Watch Program makes it possible for neighbors to help their neighbors and to strengthen the partnership between law enforcement and the community; and

PROCLAMATIONS

WHEREAS, Neighborhood Watch encourages individual groups to work directly with local law enforcement agencies to report suspicious activities and be the "eyes and ears," but never intervene, in a law enforcement duty; and

WHEREAS, Neighborhood Watch, along with Crime Watch, Business Watch, and other programs, is a time-honored tradition with over 25,000 programs, 7,000 law enforcement agencies, and 2.5 million participants throughout the United States; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2012 as **NEIGHBORHOOD WATCH MONTH** in Illinois, in recognition of the importance of Neighborhood Watch and similar programs and for their efforts to improve the quality of life and commitment to promote and support crime prevention initiatives.

Issued by the Governor June 11, 2012

Filed by the Secretary of State June 15, 2012

2012-208
Kroc Center Day

WHEREAS, the Salvation Army's Chicago Metropolitan Division is committed to positively transforming lives by treating others with integrity and respect; and

WHEREAS, the Salvation Army's Ray and Joan Kroc Corps Community Center is focused on preventing violence and revitalizing the community, and presents an extraordinary opportunity to dramatically improve the lives of children and teens who need a safe haven and positive alternatives to gangs and drugs; and

WHEREAS, the Kroc Center will bring tremendous resources and act as an economic engine to the surrounding communities; and

WHEREAS, the contributions to the "Give Hope Campaign" combined with the generous gift from Joan Kroc have made this a historic investment in Chicago's Fair South Side; and

WHEREAS, more than 2,000 people are expected to use the Ray and Joan Kroc Corps Community Center every day; and

WHEREAS, the official Grand Opening of The Salvation Army Ray and Joan Kroc Corps Community Center will take place on Saturday, June 16, 2012; and

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 16, 2012 as **KROC CENTER DAY** in Illinois and encourage all citizens to celebrate the grand opening of this community center and its initiative to promote the health, growth and creativity for people of all ages in the City of Chicago.

Issued by the Governor June 12, 2012

Filed by the Secretary of State June 15, 2012

2012-209**Walk to London 2012 at World Sport Chicago Family Sports Festival Day**

WHEREAS, for more than 100 years, the Olympic movement has built a more peaceful and better world by educating young people through amateur athletics, by bringing together athletes from many countries in friendly competition, and by forging new relationships bound by friendship, solidarity, and fair play; and

WHEREAS, the United States Olympians Association Chapters have created this Walk to London 2012 and are dedicated to promoting exercise and healthy lifestyles while showcasing and developing amateur athletic activity in the United States and introducing future Olympians to Olympic Sport; and

WHEREAS, World Sport Chicago, the Olympic and Paralympic bid legacy, increases participation and awareness of sports through events such as the Family Sports Festival supported by Chicago's professional sports teams and more than 50 community sports organizations; and

WHEREAS, the State of Illinois promotes the annual International Olympic Day and supports the Midwest Chapter of U.S. Olympians and Paralympians Walk to London; and

WHEREAS, the State of Illinois promotes and encourages physical fitness and public participation in amateur athletic activities, and the effort to lead a healthy lifestyle; and

WHEREAS, the entire Illinois Community is part of TEAM USA in supporting and encouraging the 2012 Olympic and Paralympic Team; and

WHEREAS, on Saturday, June 16, 2012, Olympians, Paralympians, professional athletes and our community will join together in a community Walk to London 2012 at the World Sport Chicago Family Sports Festival; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 16, 2012 as **WALK TO LONDON 2012 AT WORLD SPORT CHICAGO FAMILY SPORTS**

PROCLAMATIONS

FESTIVAL DAY in Illinois and urge all citizens to observe this date with appropriate ceremonies and activities related to international Olympic Day.

Issued by the Governor June 12, 2012

Filed by the Secretary of State June 15, 2012

2012-210**Congressman Jerry Costello Day**

WHEREAS, Illinois relies heavily upon the talent and commitment of the public servants who are willing to employ their time and resources to help shape state and national policy by tackling challenging issues; and

WHEREAS, day in and day out, these dedicated individuals coordinate and manage the diverse services demanded by the American people of their government with efficiency and integrity; and

WHEREAS, Jerry Francis Costello was born in East Saint Louis, Illinois where he graduated from Assumption High School in 1968; and

WHEREAS, a student of Southwestern Illinois College and Maryville University, Jerry Costello began a career in law enforcement after high school and quickly earned the respect and admiration of his colleagues, eventually serving as Director of Court Services and Probation; and

WHEREAS, Jerry Costello was known throughout the industry for his creative and successful methods directing the region's court services system; and

WHEREAS, as a result of his industrious and dedicated public service, Jerry Costello was easily elected to his first public office as Chairman of the St. Clair County Board in 1980; and

WHEREAS, Jerry Costello served the people of St. Clair County in this role until his succession to Congress in 1988; and

WHEREAS, known by fellow members as a hard working, results-oriented, fair member of Congress, Jerry Costello has greatly improved the quality of life for Illinoisans and Americans through his initiatives in transportation, infrastructure and technology; and

WHEREAS, Jerry Costello, as a senior member of Congress, serves as dean of Illinois' Congressional Delegation in addition to his leadership roles in the Transportation and Infrastructure Committee and the Science, Space and Technology Committee; and

PROCLAMATIONS

WHEREAS, after a long and successful career, Jerry Costello will retire at the conclusion of this session; and

WHEREAS, the work that Jerry Costello has done for the people of Illinois has created a lasting impact, and the mark that he leaves behind will serve as a foundation for the future of our state; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 14, 2012 as **CONGRESSMAN JERRY COSTELLO DAY** in Illinois, and encourage all citizens to recognize the accomplishments and contributions of Jerry Costello, as well as all public servants at all levels – federal, state, county and city.

Issued by the Governor June 12, 2012

Filed by the Secretary of State June 15, 2012

2012-211
Al Green Day

WHEREAS, Al Green is considered a music legend and an American icon whose music and has entertained and inspired Illinoisans for five decades. His industry-recognized, award-winning musical style goes beyond traditional soul, creating a diverse blend including R&B, gospel, smooth soul and blues, into a distinctive musical hybrid, appealing to fans who might not otherwise listen to soul music; and

WHEREAS, Al Green was born in humble beginnings to sharecroppers Robert and Cora Greene in Forrest City, Arkansas, the sixth of ten children; and

WHEREAS, Al Green began performing at age 10 as part of the Greene Brothers quartet, touring throughout the South and eventually Michigan when his family moved to Grand Rapids; and

WHEREAS, Al Green has made remarkable contributions to the recording industry. Since his first album release "Back Up Train" in 1967, he has released 29 albums across many genres; and

WHEREAS, among his recordings, hit singles include ""You Oughta Be With Me", "I'm Still In Love With You", "Love and Happiness", and "Let's Stay Together"; and

WHEREAS, in 1976, Al Green became an ordained pastor of the Full Gospel Tabernacle in Memphis and began to rededicate his energy to God and his church. His musical talents reflected this new focus by concentrating almost exclusively on gospel music; and

PROCLAMATIONS

WHEREAS, Al Green released his first Gospel Album, "The Lord Will Make A Way", which was followed with several more, earning him eight Soul Gospel Performance Grammy Awards. In 2004, Al Green was inducted into the Gospel Music Association's Gospel Music Hall of fame; and

WHEREAS, in addition to his gospel success, Al Green has been ranked No. 65 on Rolling Stone Magazine's "100 Greatest Artists of All Time" and was recognized by Broadcast Music, Inc. (BMI) as a "BMI Icon" in 2004; and

WHEREAS, Al Green received a BET Lifetime Achievement Award and was inducted into the Michigan Rock and Roll Legends Hall of Fame in 2009, venerating his music for future generations; and

WHEREAS, Al Green will join the Chicago Children's Choir for a special performance on June 15 during Chicagoland's historic Ravinia Music Festival; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 15, 2012 as AL GREEN DAY, in recognition of his extraordinary contributions to the global community through the arts, and to soul music, the recording industry and the people of Illinois.

Issued by the Governor June 12, 2012

Filed by the Secretary of State June 15, 2012

2012-212
Juneteenth Day

WHEREAS, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States; and

WHEREAS, it was on June 19, 1865, two-and-a-half years after President Lincoln's Emancipation Proclamation that Union soldiers landed at Galveston, Texas with news that the war had ended and that the enslaved were now free; and

WHEREAS, as freed slaves left plantations and moved to reunite with family members in other states, they encountered a new set of challenges as free men and women; and

WHEREAS, recounting the memories of that great day and its festivities in June of 1865 would serve as relief from the growing pressures encountered in their new homes; and

WHEREAS, the celebration of June 19th was coined "Juneteenth" and as participation grew, it became a time to reassure one another, for praying and for gathering with family; and

PROCLAMATIONS

WHEREAS, a range of activities were provided for entertainment at early Juneteenth celebrations, many of which continue today. Rodeos, fishing, barbecuing and baseball are just a few of the typical activities that may be held as part of Juneteenth celebrations; and

WHEREAS, Juneteenth also focuses on education and self-improvement. Guest speakers are often brought in and the elders are called upon to recount the events of the past. Prayer services are often also a major part of the festivities; and

WHEREAS, over the last few decades, Juneteenth has continued to enjoy a growing and healthy interest from communities and organizations throughout the country - all with the mission to promote and cultivate knowledge and appreciation of African American history and culture; and

WHEREAS, Juneteenth today celebrates African American freedom while encouraging self-development and respect for all cultures; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 19, 2012 as **JUNETEENTH DAY** in Illinois, in remembrance of the important events of June 19, 1865, and encourage all citizens to learn about the important contributions that African Americans have made to our state, and to the nation as a whole.

Issued by the Governor June 12, 2012

Filed by the Secretary of State June 15, 2012

2012-213
Ghanafest Day

WHEREAS, on July 28, 2012, the Ghana National Council of Metropolitan Chicago is sponsoring the 24th Annual Ghanafest; and

WHEREAS, Ghanafest attracts thousands of visitors from all over the world. Last year, the festival attracted over twenty thousand participants; and

WHEREAS, Ghanafest is one of the single largest gatherings of African immigrants in the United States; and

WHEREAS, from traditional African arts and crafts and tribal dress, to extraordinary Ghanaian foods and musical performances, Ghanafest is a great opportunity to experience the rich and diverse culture of Ghana; and

PROCLAMATIONS

WHEREAS, past honored guests at the festival have included His Excellency John Dramani Mahama, Vice President of Ghana, and the Honorable Alexander Asum Ahensa, Ghanaian Minister of Chieftaincy and Culture, and His Excellency Daniel Ohene Agyekum, Ghanaian Ambassador to the United States; and

WHEREAS, Ghanaians and the Ghana National Council are celebrating 24 years of sharing this extraordinary presentation of African culture with all of the people of the Land of Lincoln:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 28, 2012 as **GHANAFEST DAY** in Illinois, and welcome all those attending Ghanafest to celebrate Ghanaian culture and heritage.

Issued by the Governor June 13, 2012

Filed by the Secretary of State June 15, 2012

2012-214
Cooperative Week

WHEREAS, cooperatives are democratically governed businesses that are not run by outside investors, but by their members – the people who use the co-op's services or buy its goods; and

WHEREAS, cooperatives are not motivated by profit, but by producing quality goods or services that meet their members' needs; and

WHEREAS, cooperative enterprises generate significant revenue and employment opportunities in Illinois by creating jobs and enhancing the quality of life for those in our state and throughout our country; and

WHEREAS, over 120 million people are members of the more than 48,000 cooperatives that operate in the United States, making a substantial contribution to the economy; and

WHEREAS, cooperatives go above and beyond their core business functions to serve local communities, along with charitable giving to assist those less fortunate; and

WHEREAS, during the week of October 13-20, 2012, cooperatives from all across America reaffirm their member-service mission, their commitment to community and pledge continued active involvement in the communities in which their members live and work; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 13-20, 2012 as **COOPERATIVE WEEK** in Illinois and encourage all citizens to recognize the

PROCLAMATIONS

importance of cooperatives from all industries that remain actively involved in their communities.

Issued by the Governor June 13, 2012

Filed by the Secretary of State June 15, 2012

2012-215**Conan O'Brien and Team COCO Day**

WHEREAS, Conan Christopher O'Brien, first became familiar with Illinois during the summer of 1988, when he spent the summer in Chicago and proffered an improvisational comedy revue with colleagues Bob Odenkirk and Robert Smigel entitled "Happy Happy Good Show"; and

WHEREAS, as host of "Late Night with Conan O'Brien," Conan returned to Chicago to tape a week of shows May 9th-12th, 2006, at The Chicago Theater; and

WHEREAS, unable to stay away, Conan O'Brien performed two nights of his "Legally Prohibited from Being Funny on Television Tour" concert show May 19th-20th, 2010, at The Chicago Theater; and

WHEREAS, clearly obsessed with the city of Chicago, Conan O'Brien returned to broadcast his TBS show "Conan" June 11th – 14th, 2012, again at The Chicago Theatre; and

WHEREAS, during his 20 years as a late night talk show host, son of Illinois Abraham Lincoln has made over 30 appearances on his show, including one appearance as a time-traveling "Ape Lincoln"; and

WHEREAS, on July 10, 1858, Abraham Lincoln observed that "... we go from these meetings in better humor with ourselves -- we feel more attached the one to the other, and more firmly bound to the country we inhabit. In every way we are better men in the age, and race, and country in which we live for these celebrations..." noting the importance of intelligent humor and wit in society and human consolation; and

THEREFORE, I, Pat Quinn, do hereby proclaim June 14, 2012 as "**CONAN O'BRIEN AND TEAM COCO DAY**" in Illinois, in recognition of his extraordinary contributions to the global community through the art of laughter.

Issued by the Governor June 13, 2012

Filed by the Secretary of State June 15, 2012

2012-216

PROCLAMATIONS

Contemporary Glass Art Day

WHEREAS, 2012 marks the 50th Anniversary of the development of Contemporary Art Glass in the United States, and to celebrate the milestone and recognize the many talented artists, including many in Illinois, more than 500 glass demonstrations, lectures and exhibitions will take place in museums, galleries, art centers, universities, art organizations, festivals and other venues across the United States; and

WHEREAS, the Art Alliance of Contemporary Glass (AACG) is a national non-profit organization with members primarily from the United States, whose mission is to educate the public and to provide grants to further the development and appreciation of art made from glass (Contemporary Glass Art); and

WHEREAS, the Midwest Contemporary Glass Art Group (MCGAG) is an Illinois non-profit organization with over 200 members primarily in Illinois whose mission is to educate the public concerning the development and appreciation of Contemporary Glass Art in the Midwest; and

WHEREAS, AACG and MCGAG inform and educate the public, including collectors, critics and art curators and provide financial support with grants to University Glass Programs, Museums, Art Center Glass Exhibitions and other public glass programs for Contemporary Glass Art; and

WHEREAS, there are glass art education programs at Illinois State University and Southern Illinois University whose students are participating in the recognition of the 50th Anniversary; and

WHEREAS, the Art Institute of Chicago, the Krannert Art Museum in Urbana-Champaign, the Rockford Art Museum and other art venues in Illinois are having exhibitions in 2012 in recognition of the 50th Anniversary of the development of Contemporary Glass Art in the United States; and

WHEREAS, the 50th Anniversary of the development of Contemporary Glass Art in the United States is also being specifically celebrated and recognized on November 3rd, 2012 by over 300 glass collectors, glass artists, curators, and art gallery owners at an event sponsored by AACG on the Spirit of Chicago in connection with the Sculptured Objects & Functional Art International Art Show (SOFA) one of the World's Foremost Fairs of Art and Design Events at the Navy Pier in Chicago from November 1-4, 2012; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby recognize the 50th Anniversary of the development of Contemporary Glass Art in the United States, the accomplishments of MCGAG and AACG as they celebrate the 50th Anniversary in Illinois and

PROCLAMATIONS

the United States and proclaim November 3, 2012 as **CONTEMPORARY GLASS ART DAY** in Illinois, and encourage Illinois residents to attend events and exhibitions in Illinois recognizing the 50th Anniversary of Contemporary Glass Art.

Issued by the Governor June 14, 2012

Filed by the Secretary of State June 15, 2012

2012-217**African/Caribbean International Festival of Life Days**

WHEREAS, the 20th Annual African/Caribbean International Festival of Life will be held on July 4-8, 2012; and

WHEREAS, this year's African/Caribbean International Festival of Life is again dedicated to "Health Awareness"; and

WHEREAS, during the festival, Walgreen's will be conducting a "Health Pavilion", which includes blood pressure screening and information on preventing diabetes, cholesterol and other medical issues; and

WHEREAS, the primary objective of the Festival is to bring together, under one umbrella, people of various nationalities, cultures and ethnic backgrounds; and

WHEREAS, the African/Caribbean International Festival of Life will feature a variety of world beat music, such as: reggae, calypso, gospel, salsa, blues, rhythm & blues, highlife, spoken word and more; and

WHEREAS, exhibitors from various parts of the country and overseas will journey to Chicago to offer a variety of international crafts, cultural clothing and ethnic items along with food from Africa, the Caribbean and other parts of the globe; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 4-8, 2012 as **AFRICAN / CARIBBEAN INTERNATIONAL FESTIVAL OF LIFE DAYS** in Illinois, and encourage all residents to participate in this family event.

Issued by the Governor June 14, 2012

Filed by the Secretary of State June 15, 2012

2012-218**Helping Citizens With Intellectual Disabilities Days**

PROCLAMATIONS

WHEREAS, an intellectual disability is defined as a disorder caused by cerebral palsy, epilepsy, autism, or any other condition which results in impairment of, or lack of, normal development of intellectual capacities. An intellectual disability originates before the age of 18 and is expected to continue indefinitely; and

WHEREAS, approximately 1.5 percent of the U.S. population is afflicted with an intellectual disability. Due to the early onset and debilitating nature of these disorders, many more children are affected than adults; and

WHEREAS, one of the main purposes of the Knights of Columbus, a fraternal order with 1.8 million members around the world, is to support various charitable causes that seek to make our families and communities stronger. It has donated more than \$1.3 billion and volunteered over 640 million hours of service in the past decade; and

WHEREAS, the Illinois State Council of the Knights of Columbus will hold their 43rd Annual Fund Drive on September 21-23, 2012 to benefit programs that serve individuals with intellectual disabilities, distributing the funds they raise to more than 1,200 organizations throughout Illinois:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21-23, 2012 as **HELPING CITIZENS WITH INTELLECTUAL DISABILITIES DAYS** in Illinois, in support of the Illinois State Council of the Knights of Columbus' worthy efforts, and encourage all citizens to do what they can to assist those who are affected by intellectual disabilities.

Issued by the Governor June 14, 2012
Filed by the Secretary of State June 15, 2012

2012-219

Larry "The Flag Man" Eckhardt Day

WHEREAS, throughout our nation's history, America's men and women in uniform have demonstrated bravery and courage in the face of danger; and

WHEREAS, our veterans answered the call to duty with honor, decency and selflessness; and

WHEREAS, as we recall the service of our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, we are reminded that the defense of freedom comes with great loss and sacrifice; and

PROCLAMATIONS

WHEREAS, it is our obligation to ensure the sacrifice of these heroes is never forgotten. Our veterans represent the best of America, and they deserve everything we can give them; and

WHEREAS, Larry Eckhardt of Little York, Illinois has met and surpassed the obligation of honoring the fallen by placing American flags along the funeral procession route of servicemembers who have died in the line of duty; and

WHEREAS, Larry "The Flag Man" Eckhardt began this project in 2006 with 150 flags, and has since coordinated the planting of flags along funeral routes of more than 50 Soldiers, Sailors, Airmen, Marines and Coast Guardsmen; and

WHEREAS, Larry "The Flag Man" Eckhardt, has inspired countless individuals and groups to aid in honoring these heroes. Hundreds of volunteers have lent their support including Boy Scout Troops, American Legion and VFW Posts; and

WHEREAS, it is important that we recognize not only true patriots of freedom, liberty and democracy who serve overseas, but the people who support and honor them back home; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 14, 2012 as LARRY "**THE FLAG MAN**" **ECKHARDT DAY** in Illinois, and encourage all Americans to recognize and honor the sacrifice of our veterans.

Issued by the Governor June 15, 2012

Filed by the Secretary of State June 15, 2012

ILLINOIS ADMINISTRATIVE CODE
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12 - 199 5/25/2012 9473
12 - 200 5/25/2012 9474
12 - 201 5/29/2012 9474
12 - 202 5/31/2012 9476
12 - 203 6/5/2012 9477
12 - 204 6/6/2012 9478
12 - 205 6/11/2012 9478
12 - 206 6/11/2012 9479
12 - 207 6/11/2012 9480
12 - 208 6/12/2012 9481
12 - 209 6/12/2012 9482

12 - 210	6/12/2012	9483
12 - 211	6/12/2012	9484
12 - 212	6/12/2012	9485
12 - 213	6/13/2012	9486
12 - 214	6/13/2012	9487
12 - 215	6/13/2012	9488
12 - 216	6/14/2012	9488
12 - 217	6/14/2012	9490
12 - 218	6/14/2012	9490
12 - 219	6/15/2012	9491

REGULATORY AGENDA

2 - 751	9455
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<input type="checkbox"/> Electronic Version of the Illinois Register (E-mail Address Required) <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
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<input type="checkbox"/> Microfiche sets of the Illinois Register 1977 – 2003 Specify Year(s) _____	\$ 200.00 (per set)
<input type="checkbox"/> Cumulative/Sections Affected Indices 2003 - 2006 Specify Year(s) _____	\$ 5.00 (per set)
(Processing fee for credit cards purchases, if applicable.)	\$ 2.00
TOTAL AMOUNT OF ORDER	\$ _____

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Check Make Checks Payable To: **Secretary of State**

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