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# REGISTER

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OF GOVERNMENTAL  
AGENCIES



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## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Practice and Procedure for Appeals Before the Property Tax Appeal Board
- 2) Code Citation: 86 Ill. Adm. Code 1910
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1910.67	Amended
1910.90	Amended
1910.99	New Section
- 4) Statutory Authority: 35 ILCS 200/Art.7 and 16-180 through 16-195
- 5) A Complete Description of the Subjects and Issues Involved:

Section 1910.67 – Hearings: This Section is amended to add that while Board hearings are open to the public, they may be closed on the same basis and for the same reasons that Illinois courts are empowered to close a hearing pursuant to statute.

Section 1910.90 – Practice Rules: This Section is renamed and amended to strike the last sentence in subsection (b) as duplicative of language in Section 1910.67 (f).

Section 1910.99 – Adoption of Evidence: This new Section is added to allow taxing bodies to adopt evidence that has or will be submitted by the board of review or another taxing body to prevent duplication of documentation and to reduce costs incurred in the defense of an appeal.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporation by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1910.20	Amended	30 Ill. Reg. 5499; 3/24/06
1910.30	Amended	30 Ill. Reg. 5499; 3/24/06
1910.31	New Section	30 Ill. Reg. 2466; 2/24/06
1910.50	Amended	30 Ill. Reg. 1816; 2/10/06
1910.67	Amended	30 Ill. Reg. 1816; 2/10/06

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

1910.88	New Section	30 Ill. Reg. 5499; 3/24/06
1910.91	New Section	30 Ill. Reg. 1816; 2/10/06
1910.94	New Section	30 Ill. Reg. 2466; 2/24/06
1910.96	New Section	30 Ill. Reg. 2466; 2/24/06
1910.98	New Section	30 Ill. Reg. 1816; 2/10/06

- 10) Statement of Statewide Policy Objectives: This rulemaking will not modify or expand a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may comment on this proposed rulemaking by filing such comments in writing, within 45 days after publication of this Notice in the *Illinois Register*, with the Property Tax Appeal Board at its offices in Springfield:

James W. Chipman - Executive Director  
Property Tax Appeal Board  
Rm. 402, Stratton Office Building  
401 S. Spring St.  
Springfield, Illinois 62706

(217) 782-6076  
james.chipman@illinois.gov

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: All small businesses owning taxable real property in Illinois
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2006

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

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 86: REVENUE

## CHAPTER II: PROPERTY TAX APPEAL BOARD

## PART 1910

PRACTICE AND PROCEDURE FOR APPEALS  
BEFORE THE PROPERTY TAX APPEAL BOARD

## Section

1910.5	Construction and Definitions
1910.10	Statement of Policy
1910.11	Rules of Order
1910.20	Correspondence
1910.25	Computing Time Limits
1910.30	Petitions – Application
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1910.78	Consolidation of Appeals
1910.80	Forms
1910.90	<del>Procedural Hearing Practice</del> Rules
1910.92	Rules of Pleading, Practice and Evidence
1910.93	Request for Witnesses
1910.95	Separability (Renumbered)
<u>1910.99</u>	<u>Adoption of Evidence</u>

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## 1910.100 Severability

**AUTHORITY:** Implementing and authorized by Article 7 and Sections 16-180 through 16-195 of the Property Tax Code [35 ILCS 200/Art. 7 and 16-180 through 16-195].

**SOURCE:** Adopted at 4 Ill. Reg. 23, p. 106, effective May 27, 1980; codified at 8 Ill. Reg. 19475; amended at 13 Ill. Reg. 16454, effective January 1, 1990; amended at 21 Ill. Reg. 3706, effective March 6, 1997; amended at 21 Ill. Reg. 11949, effective August 13, 1997; amended at 21 Ill. Reg. 14551, effective October 27, 1997; amended at 22 Ill. Reg. 957, effective December 19, 1997; amended at 22 Ill. Reg. 16533, effective September 2, 1998; amended at 24 Ill. Reg. 1233, effective January 5, 2000; amended at 29 Ill. Reg. 13574, effective August 19, 2005; amended at 29 Ill. Reg. 21046, effective December 16, 2005; amended at 30 Ill. Reg. 1419, effective January 20, 2006; amended at 30 Ill. Reg. 2640, effective February 15, 2006; amended at 30 Ill. Reg. 7965, effective April 14, 2006; amended at 30 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1910.67 Hearings**

- a) The Property Tax Appeal Board may render a decision based upon the evidence, exhibits and briefs submitted to it by all interested parties without holding a hearing.
- b) The Property Tax Appeal Board shall review all appeals filed in compliance with these rules to determine whether a hearing shall be held on any factual or legal issue. Whenever the Board determines that a hearing is not required, the appeal shall be decided based upon the evidence in the record. The Board shall hold a hearing at the request of any party in writing. In the event a hearing is deemed necessary, the Board shall give notice to all parties to the appeal of the time, date, and place of the hearing at least 20 days prior to the hearing, unless the 20 day period is specifically waived by all the parties to the appeal.
- c) A party may request a decision of the Property Tax Appeal Board based upon the evidence in the record by filing a written request with the Board. Any such request shall not be binding on the Board.
- d) Notice of a hearing to all interested taxing bodies by the Property Tax Appeal Board shall be deemed to have been given when served upon the State's Attorney of the county from which the appeal has been taken, unless such interested taxing bodies have specifically been made parties to the appeal proceeding.

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- e) Hearings may be held before less than a majority of the Members of the Board, and the Chairman may assign Members or Hearing Officers to hold hearings. Any hearing may be conducted by the Property Tax Appeal Board at its offices in Springfield or Des Plaines or at any other location in Illinois selected by the Board. The Board may cause its Hearing Officer to conduct such hearing and report his findings for affirmation or rejection by the Board.
- f) Each hearing shall be open to public observation, except for a hearing or part of a hearing that the Board or its designated Hearing Officer states to be closed on the same basis and for the same reasons that an Illinois court is empowered to close a hearing or states to be closed pursuant to a statutory provision that authorizes closure. Each hearing shall be conducted in accordance with the rules of practice and procedure as the Board may make and promulgate. Hearings shall be open to the public and shall be conducted in accordance with such rules of practice and procedure as the Board may make and promulgate.
- g) Every Hearing Officer presiding over a Property Tax Appeal Board hearing must meet the following requirements:
- 1) possess a working knowledge of the English language, including composition and grammar;
  - 2) possess a working knowledge of standard office practices and procedures;
  - 3) possess an ability to effectively communicate technical information both orally and in writing;
  - 4) possess an ability to deal tactfully with the general public, attorneys, and service providers;
  - 5) possess an ability to prepare concise and factual reports on hearing findings for presentation to the Board;
  - 6) possess an ability to conduct hearings and obtain and analyze necessary information;
  - 7) possess a valid Illinois driver's license;
  - 8) be of high integrity and good personal repute;

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 9) be familiar with this Part and the Property Tax Code;
  - 10) be disinterested and impartial; and
  - 11) have no financial or personal interest in the result of the hearing.
- h) Authority of the Board and designated Hearing Officers.
- 1) In connection with any proceeding, the Board, or any of its designated Hearing Officers, shall have full authority over the conduct of a hearing and the responsibility for submission of the matter to the Board for decision. The Board or its designated Hearing Officer shall have those duties and powers necessary to these ends, including:
    - A) To conduct hearings and pre-hearing conferences;
    - B) To admit or exclude testimony or other evidence into the record pursuant to this Part;
    - C) To administer oaths and affirmations and examine all persons appearing at the hearing to testify or to offer evidence;
    - D) To require the production of any book, record, paper or document at any stage of the appeal or of the hearing which is the foundation for any evidence or testimony presented in the appeal;
    - E) To require the submission of briefs on issues of law raised during the hearing within 60 days after the termination of the hearing;
    - F) To call upon any person at any stage of the hearing to produce witnesses or information that is material and relevant to any issue; and
    - G) To ensure that the hearing is conducted in a full, fair and impartial manner, that order is maintained, and that unnecessary delay is avoided in the disposition of the hearing.
  - 2) Any Hearing Officer assigned to conduct a hearing on behalf of the Board shall be empowered to exercise the full authority of the Board with respect to the conduct and control of the proceeding.

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- i) Continuances shall be granted for good cause shown in writing, and then only on an order of a Member of the Property Tax Appeal Board, or a duly authorized Hearing Officer. Good cause shall be the inability to attend the hearing at the date and time set by the Board for a cause beyond the control of the party, such as the unavoidable absence of a party, his attorney or material witness, or the serious illness or death of a witness or party. The Board shall set the hearing of a continued case at the time it sets other hearings of appeals from the county in which the subject of the continued appeal lies, unless the parties request that the Board decide the appeal based upon the evidence in the record without a formal hearing.
- j) At the hearing, the contesting party shall first introduce his case into evidence, followed by the evidence of other parties to the appeal, in the order directed by the Property Tax Appeal Board or Hearing Officer. All parties are entitled to a rebuttal after all evidence of all parties has been introduced. Evidence submitted to the Board in documentary form may be made a part of the record without the document being read into the record if the Board or Hearing Officer so orders.
- k) In no case shall any written or documentary evidence be accepted into the appeal record at the hearing unless:
  - 1) Such evidence has been submitted to the Property Tax Appeal Board prior to the hearing pursuant to this Part;
  - 2) The filing requirement is specifically waived by the Board; or
  - 3) The submission of the written or documentary evidence is specifically ordered by the Board or by a Hearing Officer.
- l) Appraisal testimony offered to prove the valuation asserted by any party shall not be accepted at the hearing unless a documented appraisal has been timely submitted by that party pursuant to this Part. Appraisal testimony offered to prove the valuation asserted may only be given by a preparer of the documented appraisal whose signature appears thereon.
- m) All testimony taken at the hearing shall be under oath or affirmation.
- n) In all cases where the contesting party is seeking a change of \$100,000 or more in assessed valuation, the contesting party must provide a court reporter at his own

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

expense. The original certified transcript of such hearing shall be forwarded to the Property Tax Appeal Board and shall become part of the Board's official record of the proceedings on appeal. The court reporter's certified transcript should be forwarded as soon as possible but no later than within 60 days after the hearing.

(Source: Amended at 30 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 1910.90 Procedural Hearing ~~Practiee~~ Rules**

- a) The provisions of this Section are promulgated pursuant to Section 16-180 of the Code and shall apply to all appeals before the Property Tax Appeal Board. Nothing contained in this Section shall in any way negate, limit, modify or otherwise affect any of the powers, duties or authority of the Board under the Code.
- b) Appeals filed with the Property Tax Appeal Board shall be set for hearing pursuant to Section 1910.67 of this Part. All hearings once commenced shall continue on successive work days until completed unless any Member or designated Hearing Officer orders a continuance of the hearing pursuant to subsection (d) of this Section. ~~All hearings shall be open to the public.~~
- c) The sequence to be followed for all hearings before the Property Tax Appeal Board shall be as follows:
  - 1) Preliminary matters – motions or objections, or attempts to narrow issues or limit evidence shall be heard first;
  - 2) Opening statements – the contesting party shall proceed first, followed by the board of review and intervenors, if any; opening statements may be waived or may be reserved and presented prior to the commencement of a party's case in chief;
  - 3) Case in chief – the evidence and witnesses presented to prove the position of the contesting party shall be heard first, followed by those of the board of review and intervenors, if any; as witnesses complete their testimony, they are subject to cross-examination by the Hearing Officer and the other parties to the appeal; witnesses may be questioned under redirect examination where necessary;

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 4) Rebuttal – the evidence and witnesses presented to rebut the evidence offered in opposition to the contesting party's position shall be heard after the completion of the cases in chief of all parties, followed by the rebuttal evidence and witnesses of the board of review and intervenors, if any;
  - 5) Closing statements – the closing argument of the contesting party shall be heard first, followed by the closing arguments of the board of review and intervenors, if any; the contesting party shall be permitted a brief rebuttal at the end of the closing arguments of the other parties.
- d) Continuances of appeals set for hearing shall be granted pursuant to Section 1910.67(i) of this Part; a hearing which has commenced may be continued by order of the Hearing Officer to permit further testimony or argument only if the time allotted for the hearing has expired.
  - e) All witnesses appearing before the Property Tax Appeal Board shall testify under oath or affirmation.
  - f) Any party may object to the admissibility of evidence or testimony, and such objections must clearly state the specific ground or rule of law which is the basis for the objection.
    - 1) When an objection is made to the admissibility of evidence prior to the hearing of the appeal, the objection must be made in writing. A copy of the objection shall be transmitted to all other parties to the appeal, and the Property Tax Appeal Board shall solicit responses thereto from all other parties. The Board shall issue its ruling on such objection in writing prior to the hearing of the appeal.
    - 2) When an objection is made to the admissibility of evidence or testimony during the hearing, the Hearing Officer may either sustain or overrule the objection if it is based on the provisions of this Part, or may reserve the ruling and permit the testimony and/or evidence into the record subject to the ruling of the Property Tax Appeal Board on the objection in its decision for the appeal.
    - 3) Any party offering evidence which is ruled inadmissible shall be permitted to make an offer of proof upon motion made at the hearing.
  - g) The Property Tax Appeal Board or its designated Hearing Officer may exclude

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

inadmissible evidence upon its own motion.

- h) Writings, documents and all copies thereof submitted to the Property Tax Appeal Board shall be legible, and exhibits shall be plainly marked and identified. All exhibits and documentation discussed during the hearing shall be marked for identification by the Hearing Officer.
- i) The Property Tax Appeal Board may take official notice of decisions it has rendered, matters within its specialized knowledge and expertise, and all matters of which the Circuit Courts of this State may take judicial notice.
- j) Any party or his witness may be called by any other party as an adverse witness and examined as if under cross-examination in the same manner and under the same circumstances as provided in Section 2-1102 of the Code of Civil Procedure [735 ILCS 5/2-1102]. Upon a showing that a witness was called in good faith and that the party calling him is surprised by his testimony, examination of the witness may proceed as if under cross-examination, and the testimony of the witness may be impeached by prior statements or otherwise.
- k) The Hearing Officer presiding over or scheduled to preside over a Property Tax Appeal Board hearing may be disqualified from the hearing as follows:
  - 1) Any interested party may move for the disqualification of a Hearing Officer based on bias or a conflict of interest. The motion must be in writing and must state specific facts establishing that bias or a conflict of interest exists. Adverse rulings in pending or prior appeals shall not be sufficient to establish bias or a conflict of interest.
  - 2) A motion for disqualification shall be made promptly after the moving party learns the identity of the Hearing Officer or after learning facts that establish grounds for disqualification. The motion shall be presented to the Chairman of the Board or the Executive Director. If bias or a conflict of interest is found to exist, another Hearing Officer shall be appointed as soon as possible.
  - 3) The Hearing Officer may at any time voluntarily disqualify himself or herself.
- l) Decisions of the Property Tax Appeal Board shall dispose of contested matters upon the merits and shall set forth the Board's findings of fact and conclusions of

## PROPERTY TAX APPEAL BOARD

## NOTICE OF PROPOSED AMENDMENTS

law, and shall be served by mail on the persons and parties affected thereby as provided in Section 16-185 of the Code. Decisions of the Board shall be based on the evidence contained in the administrative record.

(Source: Amended at 30 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 1910.99 Adoption of Evidence**

- a) Any taxing body that has a revenue interest in an appeal before the Property Tax Appeal Board and has requested intervention and filed the appropriate documentation in accordance with Section 1910.60 of this Part may be allowed to adopt the evidence of either the board of review or any other intervenor that has been added as a party to the appeal; however, if the taxing body adopts the evidence of another party, the taxing body shall be precluded from withholding its authorization for settlement of an appeal if the party with whom it adopted evidence reaches an agreement in the pending appeal. The taxing body shall be bound by the terms of the stipulation or agreement.
- b) If the taxing body chooses to adopt the evidence of another party, it shall be precluded from subsequently filing evidence, motions, and requests for continuances. The taxing body may appear at pre-hearing conferences and the hearing of the appeal; however, the taxing body shall be prohibited from presenting a case-in-chief at the hearing but shall reserve the right to present rebuttal evidence and cross-examine witnesses.

(Source: Added at 30 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Illinois Safety Responsibility Law
- 2) Code Citation: 92 Ill. Adm. Code 1070
- 3) Section Number: 1070.20                      Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Safety and Family Financial Responsibility Law [625 ILCS 5/Ch. 7].
- 5) A Complete Description of the Subjects and Issues Involved: On March 8, 2006, the Illinois Department of Financial and Professional Regulation, Division of Insurance, issued an Order to Cease and Desist to Safe Auto Insurance Company, demanding that Safe Auto immediately stop its practice of sending notices to the Secretary of State requesting the suspension of clients' driving privileges for failure to pay insurance premiums when, in fact, the clients were not delinquent in any premium payment due and owing at the time the request for suspension was sent. This practice by Safe Auto has resulted in numerous, unwarranted suspensions of driving privileges of Safe Auto clients. The rulemaking will make the policies of the Secretary of State's office consistent with those of the Division of Insurance, and will further guarantee that wrongful suspensions are not being entered on driving records.
- 6) Will this rulemaking replace an emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: The proposed amendments do not require expenditures by units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Texts of the proposed amendments are posted on Secretary of State's web site, [www.sos.state.il.us/departments/index/home](http://www.sos.state.il.us/departments/index/home) as part of the *Illinois Register*. Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:

Secretary of State

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

Nathan Maddox, Senior Legal Advisor  
298 Howlett Building  
Springfield IL 62701

217-785-3094

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

The full text of this Emergency Amendment is identical to that of this Proposed Amendment and can be found in this issue of the *Illinois Register* on page 7974.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Adopted Action:</u>
310.50	Amendment
310.80	Amendment
310.90	Amendment
310.100	Amendment
310.230	Amendment
310.240	Amendment
310.260	Amendment
310.280	Amendment
310.290	Amendment
310.460	Amendment
310.470	Amendment
310.480	Amendment
310.490	Amendment
310.500	Amendment
310.APPENDIX A TABLE L	Amendment
310.APPENDIX A TABLE T	Amendment
310.APPENDIX A TABLE U	Amendment
310.APPENDIX B	Amendment
310.APPENDIX C	Amendment
310.APPENDIX D	Amendment
310.APPENDIX G	Amendment
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a]
- 5) Effective Date of Amendments: April 17, 2006
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Copies of all Pay Plan amendments, and any material incorporated by reference, and collective bargaining contracts are available upon request from the Division of Technical Services.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 9) Notices of Proposed Published in the Illinois Register: January 13, 2006; 30 Ill. Reg. 231
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: Changes in the main Source Note are based on other adopted rulemakings in this Part. Those Source Note changes are: the peremptory amendments published at 30 Ill. Reg. 1382, effective January 13, 2006; the proposed amendments adopted at 30 Ill. Reg. 2289, effective February 6, 2006; the peremptory amendments published at 30 Ill. Reg. 4157, effective February 22, 2006; the peremptory amendments published at 30 Ill. Reg. 5687, effective March 7, 2006; and the peremptory amendments published at 30 Ill. Reg. 6409, effective March 30, 2006.

In Section 310.50, the changes are that two words in the first sentence of the introductory paragraph; the effective date of January 1, 2002 in the definition for Salary Range; and the reference to the Department of Central Management Services rules in the definition of Work Year are removed. These changes were made based on the proposed amendments adopted at 30 Ill. Reg. 2289, effective February 6, 2006.

In Section 310.100, the opening heading to subsection (c)(2)(A) has a space removed and (d)(1) was changed, including space removal, through adoption. Subsection (d)(3) has a space removed from its heading for consistency with other opening headings. In subsection (g), the last sentence before the Agency Note has " of this Part" stricken, as the words are unnecessary, and subsection (h) citations are added to clarify where the leave definitions can be located in the Personnel Rules. Subsection (h) was also amended to include Administrative Leave. In subsections (k)(1) and (2), and (l), effective dates are removed. These changes were made based on the proposed amendments adopted at 30 Ill. Reg. 2289, effective February 6, 2006.

In Section 310.230, the table's column headings, Conservation/Historic Preservation Worker title and its rates are reinstated. This deletion was not intended.

In Section 310.260, in the first sentence, the "Trainee classes" language is reinstated. CMS capitalizes words in the classification titles. Clarity is added to the information on the adjustment that is effective December 2, 2005 to ensure that the adjustment based on the completion of 12 months of State service occurs only through, and including, December 1, 2006.

In Section 310.290, the subsections are reduced by one and subsection headings are added for easier reference to each subsection, but the text is unchanged. Subsections are correctly referred to throughout the Section. Clarity is added concerning which

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

employees are subject to this Section and to the currency exchange rate adjustment by specifying the base salary is adjustment's starting point. That adjustment's information is moved to the subsection on adjustments. Clarity is added to the information on the adjustment effective December 2, 2005 to ensure that the adjustment based on the completion of 12 months of State service occurs only through, and including, December 1, 2006.

Also, in Section 310.290, the Revenue Auditor Trainee position classification title and its out-of-state rate ranges are removed. These changes were made based on the peremptory amendments published at 30 Ill. Reg. 5687, effective March 7, 2006.

In Section 310.490, capitalizations of letters in subsection (b) and (b)(1) are made, and the changes in subsections (b)(1)(A), (2), and (3); (c) and (c)(2)(A); (d)(1), (2)(A) and (3); (e); (g); (h); (i); (m); and (n) are no longer needed or words are changed to those in the adoption. These are based on the proposed amendments adopted at 30 Ill. Reg. 2289, effective February 6, 2006. Some changes to subsection (h) are made for consistency with the Personnel Rules.

In Section 310.500, words at the end of the definitions of "Adjustment in Salary" and "Work Year" are removed, and the definition of reclassification has ", and" added before "approved by the Civil Service Commission." to make the language consistent with the definition in 310.50.

In Section 310.Appendix A Table L, the Northern region rate, effective January 1, 2006, is changed to the rate adopted in the peremptory amendments published at 30 Ill. Reg. 4157, effective February 22, 2006.

In Section 310.Appendix B, clarity is added to the information on the adjustment, effective December 2, 2005 to ensure that the adjustment based on the completion of 12 months of State service occurs only through, and including, December 1, 2006.

In Section 310.Appendix C, clarity is added to the information on the adjustment, effective December 2, 2005, to ensure that the adjustment based on the completion of 12 months of State service occurs only through, and including, December 1, 2006.

In Section 310.Appendix D, the MC-20 rates, effective September 15, 2005 and December 2, 2005, are added. The September 15, 2005 rates are based on the adopted amendments at 30 Ill. Reg. 2289 and the December 2, 2005 rates are based on the September 15, 2005 rulemaking adding the 4% adjustment increase. Clarity is added to the information on the adjustment, effective December 2, 2005, to ensure that the

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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adjustment based on the completion of 12 months of State service occurs only through, and including, December 1, 2006.

In Section 310.Appendix G, clarity is added to the information on the adjustment, effective December 2, 2005, to ensure that the adjustment based on the completion of 12 months of State service occurs only through, and including, December 1, 2006.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace any emergency rulemaking currently in effect? Yes. Some of the amendments to Sections 310.80, 310.290, 310.470, and Appendices B, C, D, and G are companion, but not identical, proposed amendments to emergency amendments published at 29 Ill. Reg. 20554. (With the amendments proposed for Sections 310.230 and 240, reference to the December 2, 2005 adjustment for daily and hourly rates is unnecessary.)
- 14) Are there any amendments pending on this Part? Yes.

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.280	Amendment	30 Ill. Reg. 1937, 2/17/06
310.490	Amendment	30 Ill. Reg. 1937, 2/17/06
310.APPENDIX A TABLE D	Amendment	30 Ill. Reg. 1937, 2/17/06
310.APPENDIX A TABLE E	Amendment	30 Ill. Reg. 1937, 2/17/06
310.APPENDIX A TABLE F	Amendment	30 Ill. Reg. 1937, 2/17/06
310.APPENDIX A TABLE W	Amendment	30 Ill. Reg. 1937, 2/17/06
310.APPENDIX A TABLE AA	Amendment	30 Ill. Reg. 1937, 2/17/06
310.100	Amendment	30 Ill. Reg. 6024, 4/7/06
310.280	Amendment	30 Ill. Reg. 6024, 4/7/06
310.470	Amendment	30 Ill. Reg. 6024, 4/7/06
310.490	Amendment	30 Ill. Reg. 6024, 4/7/06
310.495	Amendment	30 Ill. Reg. 6024, 4/7/06
310.30	Amendment	30 Ill. Reg. 6444; 4/21/06
310.45	New Section	30 Ill. Reg. 6444; 4/21/06
310.50	Amendment	30 Ill. Reg. 6444; 4/21/06
310.80	Amendment	30 Ill. Reg. 6444; 4/21/06
310.100	Amendment	30 Ill. Reg. 6444; 4/21/06
310.110	Amendment	30 Ill. Reg. 6444; 4/21/06
310.130	Amendment	30 Ill. Reg. 6444; 4/21/06
310.220	Amendment	30 Ill. Reg. 6444; 4/21/06

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310.280	Amendment	30 Ill. Reg. 6444; 4/21/06
310.290	Amendment	30 Ill. Reg. 6444; 4/21/06
310.530	Amendment	30 Ill. Reg. 6444; 4/21/06
310.540	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE D	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE E	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE F	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE G	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE H	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE I	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE J	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE K	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE L	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE M	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE N	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE O	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE P	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE Q	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE R	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE T	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE U	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE V	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE W	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE X	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE Y	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE Z	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX A TABLE AA	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX B	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX C	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX D	Amendment	30 Ill. Reg. 6444; 4/21/06
310.APPENDIX G	Amendment	30 Ill. Reg. 6444; 4/21/06

- 15) Summary and Purpose of Amendments: In the Table of Contents, the heading for Section 310.240 is amended.

In Section 310.50 Definitions, bilingual pay and reclassification are defined, and the Pay Plan Code N is clarified to specifically name the Illinois School for the Deaf.

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In Section 310.80 Increases in Pay, subsection (e)(4) is added to explain how to implement a pay increase following a reclassification, and (f) is amended to reflect that the effective date for the 4% adjustment increase is December 2, 2005.

Section 310.90 Decreases in Pay is amended to reflect pay grade as defined in Section 310.50, and (f) is amended to reflect how to implement a pay decrease following a reclassification.

In Section 310.100 Other Pay Provisions, subsection (d)(1) is amended replacing the period with a dash and removing a space for consistency. In the same Section, (h) is amended to reflect the pay treatment of the Disaster Leave with Pay and the Family Responsibility Leave and to reorder the placement of Educational Leave. In the same Section, (l) is amended to reflect the definition of bilingual pay.

Section 310.230 Part-Time Daily or Hourly Special Services Rate is amended to clarify the explanation of the part-time rates and their calculation. With that, the titles with rates calculated in the manner described in Section 310.240 are removed, leaving the title's rates not calculated from an assigned monthly rate.

Section 310.240 Hourly Rate is amended to reflect the new Section heading, to include the conversion to daily rates, and to clarify that the basis of the conversions is the monthly salary.

Section 310.260 Trainee Rate is amended to include the location of the definition of Trainee Program in the Personnel Rules, that some trainee rates are negotiated, that trainee rates for merit compensation system Trainee Programs are recommended by the agency head where the Trainee Program is established, that increases were suspended for non-union positions and employees, and that the non-bargaining-unit rates will be adjusted by a 4% increase that became effective December 2, 2005, and the 4% adjustment increases will be made to non-bargaining-unit employees' base salaries effective December 2, 2005.

Section 310.280 Designated Rate is amended to reflect the request by the Department of Commerce and Economic Opportunity to increase the designated rate for the Private Secretary II, position number 34202-42-00-000-01-02, to \$62,400. The same Section is amended to remove the abolished Medical Administrator V position, position number 26406-10-76-000-00-01, which had been assigned the \$186,000 designated rate within the Department of Human Services.

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Section 310.290 Out-of-State or Foreign Service Rate is amended to clarify the reason the rates are required, to add the residency requirement, to include the 4% adjustment increases to employees' base salaries effective December 2, 2005, to specify the calculation of the rates for the differing states, and to state that the listed foreign service rates are adjusted monthly. In the same Section, the table is amended to include the July 1, 2005 and December 2, 2005 effective dates; the minimum and maximum column headings; and the December 2, 2005 minimum and maximum.

In Section 310.460 Other Pay Increases, dashes are included in each subsection, the subsection paragraphs are moved up to the subsection heading, and (e) is added to explain how to implement a pay increase following a reclassification.

Section 310.470 Adjustment is amended to reflect that the 4% adjustment increase effective December 2, 2005 does not affect employees' creditable service date.

In Section 310.480 Decreases in Pay, spaces around the dash are included in each subsection, and (f) is amended to reflect how to implement a pay decrease following a reclassification.

Section 310.490 Other Pay Provisions, subsections (c)(2)(A) and (B)(d)(1), (2) and (3) are amended so that the headings are followed by the dash for consistency. In the same Section, (h) is amended to reflect the pay treatment of the Disaster Leave with Pay and the Family Responsibility Leave and to reorder the placement of Educational Leave. In the same Section, (i) has a comma added for clarity. In the same Section, (m) is amended to reflect the definition of bilingual pay.

In Section 310.500 Definitions, bilingual pay and reclassification are defined.

Section 310.Appendix A Table L RC-008 (Boilermakers) is amended to include the January 1, 2006 rates in the Northern and Central regions. Effective January 1, 2006, the Boiler Safety Specialist title is paid an additional 4.00% above the prevailing rate of wages for the employees on the standard pension formula based on the Agreement between the Department of Central Management Services and the International Brotherhood of Boiler Makers – Iron Shipbuilders, Blacksmiths, Forgers, and Helpers that was signed December 6, 2004.

Section 310.Appendix A Table T HR-010 (Teachers of Deaf, IFT) is amended to include the Title, Title Code, Bargaining Unit, and Pay Plan Code; to remove the Note between the tables; and to better explain the implementation of bilingual pay.

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Section 310.Appendix A Table U HR-010 (Teachers of Deaf, Extracurricular Paid Activities) is amended to include the Title, Title Code, Bargaining Unit, and Pay Plan Code.

Section 310.Appendix B Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2006 is amended to include the July 1, 2005 effective date to the existing table; the salary grade steps table effective December 2, 2005; and the 4% adjustment increases to employees' base salaries effective December 2, 2005.

Section 310.Appendix C Medical Administrator Rates for Fiscal Year 2006 is amended to include the July 1, 2005 effective date to the existing table; the titles' salaries table effective December 2, 2005; and the 4% adjustment increases to employees' base salaries effective December 2, 2005.

Section 310.Appendix D Merit Compensation System Salary Schedule for Fiscal Year 2006 is amended to include the July 1, 2005 effective date to the existing table; the salary ranges' salaries table effective December 2, 2005; and the 4% adjustment increases to employees' base salaries effective December 2, 2005.

Section 310.Appendix G Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2006 is amended to include the July 1, 2005 effective date to the existing table; the titles' salaries table effective December 2, 2005; and the 4% adjustment increases to employees' base salaries effective December 2, 2005.

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

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

Telephone: (217) 782-7964  
Fax: (217) 524-4570

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

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NOTICE OF ADOPTED AMENDMENTS

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

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
POSITION CLASSIFICATIONS  
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICESPART 310  
PAY PLAN

## SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2006
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

## SUBPART B: SCHEDULE OF RATES

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

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

## SUBPART C: MERIT COMPENSATION SYSTEM

## Section

- 310.410 Jurisdiction  
 310.420 Objectives  
 310.430 Responsibilities  
 310.440 Merit Compensation Salary Schedule  
 310.450 Procedures for Determining Annual Merit Increases  
 310.455 Intermittent Merit Increase  
 310.456 Merit Zone (Repealed)  
 310.460 Other Pay Increases  
 310.470 Adjustment  
 310.480 Decreases in Pay  
 310.490 Other Pay Provisions  
 310.495 Broad-Band Pay Range Classes  
 310.500 Definitions  
 310.510 Conversion of Base Salary to Pay Period Units (Repealed)  
 310.520 Conversion of Base Salary to Daily or Hourly Equivalents  
 310.530 Implementation  
 310.540 Annual Merit Increase Guidechart for Fiscal Year 2006  
 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

## 310.APPENDIX A Negotiated Rates of Pay

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

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310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
310.TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers) (Repealed)
310.APPENDIX B	Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2006
310.APPENDIX C	Medical Administrator Rates for Fiscal Year 2006
310.APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2006
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2006

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

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

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

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

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

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

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2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 13, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective

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August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006.

## SUBPART A: NARRATIVE

**Section 310.50 Definitions**

The following definitions of terms are for purposes of clarification only. They affect the Schedule of Rates (Subpart B), Negotiated Rates of Pay (Appendix A), and the Schedule of Salary Grades (Appendix B). Section 310.500 contains definitions of terms applying specifically to the Merit Compensation System.

"Adjustment in Salary" – A change in salary rate occasioned by a previously committed error or oversight, or required in the best interest of the State as defined in Sections 310.80 and 310.90.

"Base Salary" – A dollar amount of pay specifically designated in the Schedule of Salary Grades (Appendix B) or Schedule of Rates (Subpart B). Base salary does not include overtime pay or shift differential pay or deductions for time not worked.

["Bilingual Pay" – The dollar amount per month, or percentage of the employee's monthly base salary, paid in addition to the employee's base salary when the individual position held by the employee has a job description that requires the use of sign language, Braille, or another second language \(e.g., Spanish\), or that requires the employee to be bilingual.](#)

"Comparable Classes" – Two or more classes that are in the same pay grade.

"Creditable Service" – All service in full or regularly scheduled part-time pay status beginning with the date of initial employment or the effective date of the last salary increase that was at least equivalent to a full step. A new creditable

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service date will follow an increase of a step or more except for the following actions:

Superior performance increase.

A reevaluation resulting in a salary increase less than a step in the former pay grade.

Reallocation resulting in a salary increase less than a step increase in the former pay grade.

Adjustments as provided for in Section 310.80(f) that are approved to correct errors or oversights. (A new creditable service date will follow Section 310.80(f) adjustments in the best interest of the agency, unless the Director of Central Management Services determines the change in creditable service date to be inequitable.)

"Demotion" – The assignment for cause of an employee to a vacant position in a class in a lower pay grade than the former class.

"Differential" – The additional compensation added to the base salary of an employee resulting from conditions of employment imposed on him/her during normal schedule of work.

"Entrance Salary" – The initial base salary assigned to an employee on entering State service.

"Hourly Pay Grade" – The designation for hourly negotiated pay rates is "H".

"In Between Pay Grade" – The designation for negotiated pay rates in between pay grades is ".5".

"In-hiring Rate" – An in-hiring rate is a minimum rate/step for a class that is above the normal minimum of the range, as approved by the Director of Central Management Services after a review of competitive market starting rates for similar classes.

"Pay Grade" – The numeric designation used for an established set of steps or salary range.

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"Pay Plan Code" – The designation used in assigning a specific salary rate based on a variety of factors associated with the position. Pay Plan Codes used in the Pay Plan are:

- 7 = Salary Grade regular pension formula rate
- 8 = Salary Grade alternative pension formula rate
- 9 = Salary Grade maximum-security institution rate
- B = Negotiated regular pension formula rate for the State of Illinois
- E = Educator title AFSCME negotiated 12-month regular pension formula rate for the State of Illinois
- J = Negotiated regular pension formula rate for states other than Illinois, California or New Jersey
- L = Educator title AFSCME negotiated 12-month alternative pension formula rate for the State of Illinois
- M = Educator title AFSCME negotiated 9-month regular pension formula rate at the Illinois School for the Visually Impaired
- N = Educator title Illinois Federation of Teachers negotiated 9-month regular pension formula rate for the [Illinois School for the Deaf State of Illinois](#)
- O = Educator title AFSCME negotiated 9-month regular pension formula rate at the Illinois Center for Rehabilitation and Education-Roosevelt
- P = Educator title AFSCME negotiated 12-month maximum-security institution rate for the State of Illinois
- Q = Negotiated alternative pension formula rate for the State of Illinois
- S = Negotiated maximum-security institution rate for the State of Illinois
- U = Negotiated regular pension formula rate for the state of California or New Jersey

"Promotion" – The appointment of an employee, with the approval of the agency and the Department of Central Management Services, to a vacant position in a class in a higher pay grade than the former class.

"Reallocation" – The change in the classification of an existing position resulting from significant changes in assigned duties and responsibilities.

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"Reclassification" – The assignment of a position or positions to a different classification based on creation of a new classification or the revision of existing class specification, and approved by the Civil Service Commission.

"Reevaluation" – The assignment of a different pay grade to a class based upon change in relation to other classes or to the labor market.

"Salary Grade" – The system of pay practices applied to specific positions or employees not represented by a bargaining unit, and not in the Merit Compensation System, which includes Broad-Band positions.

"Salary Range" – The dollar value represented by Steps 1c through 8 of a pay grade assigned to a class title.

"Satisfactory Performance Increase" – An upward revision in the base salary from one designated step to the next higher step in the pay grade for that class as a result of having served the required amount of time at the former rate with not less than a satisfactory level of competence. (Satisfactory level of competence shall mean work, the level of which, in the opinion of the agency head, is above that typified by the marginal employee.)

"Superior Performance" – Performance characterized by work results substantially above a satisfactory level.

"Transfer" – The assignment of an employee to a vacant position having the same pay grade.

"Work Year" – That period of time determined by the agency and filed with the Department of Central Management Services in accordance with 80 Ill. Adm. Code 303.300.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.80 Increases in Pay**

Except as otherwise provided for in this Section, for employees occupying positions in classes that are paid in conformance with the Schedule of Negotiated Rates (Appendix A) and the Schedule of Salary Grades (Appendix B), increases shall be granted as follows and will become effective the first day of the pay period following the date of approval:

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- a) Satisfactory Performance Increase –
- 1) Each employee who has not attained Step 8 of the relevant pay grade, and whose level of performance has been at a satisfactory level of competence, shall be successively advanced in pay to the next higher step in the pay grade after one year of creditable service in the same class. (Effective July 1, 2003, step increases are suspended for non-union positions and employees.)
  - 2) A satisfactory performance increase shall become effective on the first day of the month within which the required period of creditable service is reached.
  - 3) No satisfactory performance increase may be given after the effective date of separation.
- b) Withholding Satisfactory Performance Increase – As an inducement toward attainment of satisfactory level of competence, satisfactory performance increases may be withheld from the employee who has not achieved a satisfactory level of performance. Such action must be supported by:
- 1) A performance record showing less than satisfactory performance. This must be prepared by the appropriate supervisor, discussed with the employee and approved by the agency head prior to the date the increase would otherwise become effective. The performance record will not be invalidated by refusal of an employee to sign. In such cases, an explanatory comment shall be made on the record by the supervisor. This record will be preserved by the agency.
  - 2) Notice of withholding of satisfactory performance increases to the Department of Central Management Services – It shall be reported upon completion of action required by subsection (b)(1), but not later than the submission of the payroll reflecting the denial of the increase.
- c) Redetermination – A satisfactory performance increase previously withheld shall be granted when the cause for withholding has been eliminated. Redetermination must be made at least annually. In such cases the increases will be effective the first day of the month following date of approval and will be preceded by the preparation and filing of a Performance Record within the agency indicating the

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attainment of satisfactory level of competence.

- d) Superior Performance Increase –
- 1) The head of an agency may grant a superior performance increase to an employee who characteristically carries out his/her work activities in such a way that the results are substantially above a satisfactory level of performance.
  - 2) An employee shall be eligible for a superior performance increase after six months continuous service. A minimum of 18 months must elapse between superior performance increases. A superior performance increase shall be for one step in the relevant pay grade. (Effective July 1, 2003, step increases are suspended for non-union and union positions and employees.)
  - 3) A superior performance increase does not affect the creditable service anniversary date. A performance record supporting a superior performance increase award shall be retained by each agency head, and shall be available to the Director of Central Management Services upon request.
  - 4) During the fiscal year, the number of superior performance increases in an agency should not exceed one out of five employees.
- e) Other Pay Increases –
- 1) Promotion and Reallocation –
    - A) Normally, upon promotion or reallocation, an employee shall be advanced to the lowest step in the new grade that represents at least a full step increase in the former grade. When an employee is promoted from Step 8 after February 15, 2002, the employee shall be paid at the lowest step rate in the new range that results in an increase equal to at least 3%. To compute this, add 3% to the employee's current rate at Step 8 (then include longevity if the employee is receiving an increased rate based on longevity). Then place the employee on the lowest step in the new range that is at least equivalent to that amount.

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- B) Any deviation requires prior written approval of the Director of Central Management Services. In determining the appropriateness of a request for a special salary treatment by an employing agency, the Director of Central Management Services will consider whether the need for the special salary treatment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request.
- 2) Reevaluation – If a higher pay grade is assigned to a class, the employee occupying the position in the class shall be advanced to the lowest step in the new grade that represents an increase in pay. If an employee becomes eligible for a satisfactory performance increase as a result of the reevaluation, a one-step increase will be granted immediately.
- 3) Separation and Subsequent Appointment – Upon separation from a position of a given class and appointment within four calendar days to a position in a higher pay grade, an increase shall be given under the conditions and requirements applicable to promotions.
- 4) Reclassification – If the class to which the position is being moved has a higher pay grade, the employee's base salary is advanced to the salary in the new pay grade that represents the least increase in pay. If this new salary is less than the difference between Step 7 and Step 8 in the previous pay grade and the employee has been paid the base salary in Step 8 of the previous pay grade for longer than one year, the new salary is advanced one step from the salary in the new pay grade representing the least increase.
- f) Adjustment – An employee may receive an upward adjustment in his/her base salary for the purpose of correcting a previous error, oversight or when the best interest of the agency and the State of Illinois will be served. Adjustments must have the prior approval of the Director of Central Management Services. In determining the appropriateness of a request for a salary adjustment by an employing agency, the Director of Central Management Services will consider whether the need for the adjustment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request. The effective date for the 4% adjustment increase effective December 2, 2005 is as stated.

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(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.90 Decreases in Pay**

Employees other than those whose base salaries are determined by the Schedule of Rates (Subpart B) shall have their salaries reduced only as specified below and shall become effective the first day of the pay period following date of approval:

- a) Demotion for Cause to a Lower Class – Upon demotion, the employee's base salary will be reduced to Step 8 of the [paysalary](#) grade for the lower class if the current base salary is in excess thereof, or to the step in the lower [paysalary](#) grade which provides the salary nearest in amount, but less than, the current base salary, except that an employee demoted during a probationary period following promotion will have his/her salary reduced to the step in the lower [paysalary](#) grade which represents the salary had the employee not been promoted, and his/her previous creditable service date will be restored.
- b) Position Reallocated to a Lower Class – The employee's base salary will be reduced to Step 8 of the lower [paysalary](#) grade, if in excess thereof, or to the step in the lower [paysalary](#) grade nearest in amount to, but in no case more than, the current base salary. However, as provided in Section 8(a) of the Personnel Code, the pay for an employee whose position is reallocated because of loss of duties and responsibilities after his/her appointment to such position, shall not be required to be lowered to an exact step for a period of one year. Where the base salary is identical to an exact step in the lower range, he/she shall be placed on this step with no further reduction required. An employee's creditable service date will not be affected.
- c) Voluntary Reduction to a Lower Class – Upon the voluntary reduction of an employee to a vacant position in a class having a lower [paysalary](#) grade than the class from which the reduction was made, the employee's base salary will be reduced to Step 8 of the lower [paysalary](#) grade if in excess thereof, or to the step in the lower [paysalary](#) grade which provides the base salary nearest in amount, but less than, the current base salary, except that an employee who voluntarily requests a reduction to a lower class during a probationary period following promotion will have his/her salary reduced to the step in the [paysalary](#) grade ~~that~~[which](#) represents the salary had the employee not been promoted, and his/her previous creditable service date will be restored.
- d) Assignment of a Lower [PaySalary](#) Grade to a Class – Upon assignment, an

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employee's base salary will be that step in the new [paysalary](#) grade nearest to, but not greater in amount than, ~~the~~[that](#) step being vacated in the former [paysalary](#) grade.

- e) Adjustment – An employee may receive a downward adjustment in his/her base salary for the purpose of correcting a previous error or oversight or when the best interest of the agency and the State of Illinois will be served. Adjustments must have the prior approval of the Director of Central Management Services in writing. In determining the appropriateness of a request for a salary adjustment by an employing agency, the Director of Central Management Services will consider whether the need for the adjustment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request.
- f) [Reclassification – If the class to which the position is being moved has a lower pay grade, the employee's base salary will be the salary in the new pay grade nearest to, but not greater than, the employee's former salary. As provided in Section 8\(a\) of the Personnel Code, the pay for an employee whose position is reclassified shall not be lowered for a period of one year. If the base salary is identical to an exact step in the lower range, he/she shall be placed on this step with no further reduction required. An employee's creditable service date will not be affected.](#)

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.100 Other Pay Provisions**

- a) Transfer – Upon the assignment of an employee to a vacant position in a class with the same pay grade as the class for the position being vacated, the employee's base salary will not be changed. Upon separation from a position in a given class and subsequent appointment to a position in the same pay grade, no increase in salary will be given.
- b) Entrance Salary – Normally, upon original entry to State service, an employee's base salary will be at Step 1c of the pay grade.
- 1) Qualifications Above Minimum Requirements –
- A) If a candidate possesses directly related training and experience in excess of the minimum requirements of the class specification, the

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entrance salary may be up to Step 3 as determined by the employing agency. The salary offered should not provide more than a 10% increase over the candidate's current salary.

- B) Qualifications above the minimum requirements shall be documented to support an entrance salary higher than Step 1c. An entrance salary higher than Step 3 must have prior approval from the Director of Central Management Services.
- 2) Area Differential – For positions where additional compensation is required because of dissimilar economic or other conditions in the geographical area in which the positions are established, a higher entrance step may be authorized by the Director of Central Management Services. Present employees receiving less than the new rate shall be advanced to the new rate.
  - 3) Upon geographical transfer from or to an area for which additional compensation has been authorized, an employee will receive an adjustment to the appropriate salary level for the new geographical area of assignment effective the first day of the month following date of approval.
- c) Differential and Overtime Pay – An eligible employee may have an amount added to his/her base salary for a given pay period for work performed in excess of the normal requirements for the position and work schedule, as follows:
    - 1) Shift Differential Pay – An employee may be paid an amount in addition to his/her base salary for work performed on a regularly scheduled second or third shift. The additional compensation will be at a rate and in a manner approved by the Department of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.
    - 2) Overtime Pay –
      - A) Eligibility – The Director of Central Management Services will maintain a list of titles and their overtime eligibility as determined by labor contracts, Federal Fair Labor Standards Act, or State law or regulations. Overtime shall be paid in accordance with the labor

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contracts, Federal Fair Labor Standards Act, and State law or regulations.

- B) Compensatory Time – Employees who are eligible for compensatory time may request such time, which may be granted by the agency at its discretion, considering, among other things, its operating needs. Compensatory time shall be taken within the fiscal year it was earned at a time convenient to the employee and consistent with the operating needs of the agency. Compensatory time shall be accrued at the rate in which it is earned (straight time or time and a half), but shall not exceed 120 hours in any fiscal year. Compensatory time approved for non-union employees will be earned after 40 actual work hours in a workweek. Compensatory time not used by the end of the fiscal year in which it was earned shall be liquidated and paid in cash at the rate it was earned. Time spent in travel outside the normal work schedule shall not be accrued as compensatory time except as provided by labor contracts and the Federal Fair Labor Standards Act. At no time are overtime hours or compensatory time to be transferred from one agency to another agency.
- 3) Incentive Pay – An employee may be paid an amount in addition to his/her base salary for work performed in excess of the normal work standard as determined by agency management. The additional compensation shall be at a wage rate and in a manner approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.
- 4) Extra Duty Pay – An employee may be paid an amount in addition to his/her base salary for service in addition to the regular work schedule on a special work assignment. Additional compensation will be at a rate and in a manner approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

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- d) Equivalent Earned Time –
- 1) Eligibility – Employees who are non-union, exempt under the Federal Fair Labor Standards Act, and in positions not eligible for overtime compensation may receive equivalent earned time for hours worked in excess of 40 actual work hours in a work week.
  - 2) Accrual –
    - A) Employees who are eligible for equivalent earned time shall request that time before working in excess of 40 actual work hours in a work week. Requests for equivalent earned time may be granted by the agency at its discretion, considering its operating needs. Equivalent earned time shall be accrued at straight time only to a maximum of 120 hours in any fiscal year.
    - B) Equivalent earned time will accrue in no less than one-half hour increments. Time spent in travel outside the normal work schedule shall not be counted toward accrual of equivalent earned time.
  - 3) Compensation – Any approved equivalent earned time shall be taken at a time convenient to the employee and consistent with the operating needs of the agency. This time may not be carried over from one fiscal year to another fiscal year. At no time is equivalent earned time to be converted into cash payment or transferred from one agency to another agency.
- e) Part-Time Work – Part-time employees whose base salary is other than an hourly or daily basis shall be paid on a daily basis computed by dividing the annual rate of salary by the total number of work days in the year.
- f) Out-of-State Assignment – Employees who are assigned to work out-of-state on a temporary basis may receive an appropriate differential during the period of the assignment, as approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.
- g) Lump Sum Payment – Lump sum payment shall be provided for accrued vacation, sick leave and unused compensatory overtime at the current base rate to

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those employees separated from employment under the Personnel Code. Leaves of absence and temporary layoff (per 80 Ill. Adm. Code 302.510) are not separations and therefore lump sum cannot be given in these transactions. Method of computation is explained in Section 310.70(a).

AGENCY NOTE – The method to be used in computing the lump sum payment for accrued vacation, sick leave and unused compensatory overtime payment for an incumbent entitled to shift differential during his/her regular work hours will be to use his/her current base salary plus the shift differential pay. Sick leave earned prior to January 1, 1984 and after December 31, 1997 is not compensable. Sick leave earned and not used between January 1, 1984 and December 31, 1997 will be compensable at the current base daily rate times one-half of the total number of compensable sick days.

- h) Salary Treatment Upon Return From Leave – An employee returning from Administrative Leave (80 Ill. Adm. Code 302.795), Military Leave (80 Ill. Adm. Code 302.220 and 303.170), Peace Corps Leave (80 Ill. Adm. Code 302.230), Service-Connected Disability Leave (80 Ill. Adm. Code 303.135), [Educational Leave \(80 Ill. Adm. Code 302.215\)](#), [Disaster Service Leave with Pay \(80 Ill. Adm. Code 303.175\)](#), [Family Responsibility Leave \(80 Ill. Adm. Code 303.148\)](#), Leave to accept a temporary, emergency, provisional, exempt (80 Ill. Adm. Code 303.155) or trainee position, ~~Educational Leave (80 Ill. Adm. Code 302.215)~~, or Leave to serve in domestic peace or job corps (80 Ill. Adm. Code 302.230) will be placed on the step that reflects satisfactory performance increases to which he/she would have been entitled during his/her period of leave. Creditable service date will be maintained. An employee returning to his/her former pay grade from any other leave of over 14 days will be placed at the step on which he/she was situated prior to his/her leave, and his/her creditable service date will be extended by the duration of the leave.
- i) Salary Treatment Upon Reemployment –
- 1) Upon the reemployment of an employee in a class with the same pay grade as the class for the position held before layoff, the employee will be placed at the same salary step as held at the time of the layoff, and his/her creditable service date will be adjusted to reflect that time on layoff does not count as creditable service time.
  - 2) Upon the reemployment of an employee in a class at a lower salary range than the range of the class for the position held before layoff, the

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employee will be placed at the step in the lower pay grade that provides the base salary nearest in amount to, but less than, the current value of the step held at the time of layoff, and his/her creditable service date will be adjusted to reflect that time on layoff does not count as creditable service time.

- j) Reinstatement – The salary upon reinstatement of an employee will be as determined by the employing agency and approved by the Director of Central Management Services. This salary should not provide more than a 10% increase over the candidate's current salary or exceed the current value of the salary step held in the position where previously certified. In no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the salary range.
- k) Extended Service Payment –
  - 1) The Step 8 rate shall be increased by \$25 per month for those employees who have attained 10 years of service and have three years of creditable service on Step 8 in the same pay grade. (Effective July 1, 2003, this increase is suspended for non-union positions and employees.)
  - 2) The Step 8 rate shall be increased by \$50 per month for those employees who have attained 15 years of service and have three years of creditable service on Step 8 in the same pay grade. (Effective July 1, 2003, this increase is suspended for non-union positions and employees.)
- l) Bi-lingual Pay – Individual positions whose job descriptions require the use of sign language, ~~a second language or~~ Braille, or another second language (e.g., Spanish) shall receive 5% or \$100 per month, whichever is greater, in addition to the employee's base rate.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

## SUBPART B: SCHEDULE OF RATES

**Section 310.230 Part-Time Daily or Hourly Special Services Rate**

The rate of pay as approved by the Director of Central Management Services for persons employed on a ~~consultative or~~ part-time basis requiring irregular hours of work and not listed below shall be calculated using the conversion method in Section 310.240~~shall be as listed~~

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~~below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the pay grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220 or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System (Subpart C).~~

<u>Position</u>	<u>Rates</u>
<del>Account Technician II</del>	<del>14.10 to 19.49 (hourly) 106 to 146 (daily)</del>
<del>Building/Grounds Laborer</del>	<del>6.50 (hourly)</del>
<del>Building/Grounds Lead I</del>	<del>6.50 to 7.00 (hourly)</del>
<del>Building/Grounds Lead II</del>	<del>6.50 to 8.00 (hourly)</del>
<del>Building/Grounds Maintenance Worker</del>	<del>6.50 (hourly)</del>
<del>Chaplain I</del>	<del>49 to 70 (daily)</del>
<del>Chemist I</del>	<del>49 (daily)</del>
<del>Conservation/Historic Preservation Worker</del>	<del>6.50 to 9.00 (hourly)</del>
<del>Conservation/Historic Preservation Worker (2nd season— site interpretation)</del>	<del>6.50 to 9.00 (hourly)</del>
<del>Conservation/Historic Preservation Worker (3rd season— site interpretation)</del>	<del>6.50 to 9.00 (hourly)</del>
<del>Dentist I</del>	<del>70 to 150 (daily)</del>
<del>Dentist II</del>	<del>100 to 185 (daily)</del>
<del>Educator</del>	<del>49 to 85 (daily)</del>
<del>Educator Aide</del>	<del>49 (daily)</del>
<del>Guard II</del>	<del>67 to 84 (daily)</del>
<del>Guard III</del>	<del>75 to 96 (daily)</del>
<del>Hearing and Speech Advanced Specialist</del>	<del>15 to 30 (hourly)</del>
<del>Hearings Referee</del>	<del>75 to 200 (daily)</del>
<del>Janitor I</del>	<del>6.50 (hourly)</del>
<del>Labor Maintenance Lead Worker</del>	<del>6.50 (hourly)</del>
<del>Laborer (Maintenance)</del>	<del>7.05 to 8.00 (hourly)</del>
<del>Maintenance Worker</del>	<del>6.50 (hourly)</del>
<del>Occupational Therapist Program Coordinator</del>	<del>49 to 160 (daily)</del>
<del>Office Aide</del>	<del>10.45 to 13.46 (hourly) 78 to 101 (daily)</del>
<del>Office Assistant</del>	<del>12.18 to 16.04 (hourly) 91 to 120 (daily)</del>
<del>Office Associate</del>	<del>12.24 to 16.42 (hourly)</del>

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<del>Office Clerk</del>	<del>92 to 123 (daily)</del> <del>11.55 to 15.08 (hourly)</del>
<del>Optometrist</del>	<del>87 to 113 (daily)</del> <del>15 to 35 (hourly)</del> <del>50 to 160 (daily)</del>
<del>Physician</del>	<del>100 to 300 (daily)</del>
<del>Physician Specialist (A)</del>	<del>20 to 60 (hourly)</del> <del>100 to 325 (daily)</del>
<del>Physician Specialist (B)</del>	<del>20 to 70 (hourly)</del> <del>100 to 350 (daily)</del>
<del>Physician Specialist (C)</del>	<del>20 to 105 (hourly)</del> <del>100 to 360 (daily)</del>
<del>Physician Specialist (D)</del>	<del>20 to 115 (hourly)</del> <del>100 to 370 (daily)</del>
<del>Podiatrist</del>	<del>50 to 125 (daily)</del>
<del>Psychologist I</del>	<del>49 to 80 (daily)</del>
<del>Psychologist II</del>	<del>49 to 125 (daily)</del>
<del>Psychologist III</del>	<del>49 to 150 (daily)</del>
<del>Recreation Worker I</del>	<del>6.50 (hourly)</del> <del>49 (daily)</del>
<del>Registered Nurse I</del>	<del>49 to 54 (daily)</del>
<del>Registered Nurse I (2nd or 3rd shift)</del>	<del>49 to 56 (daily)</del>
<del>Registered Nurse I (Cook County)</del>	<del>49 to 58 (daily)</del>
<del>Registered Nurse I (Cook County—2nd or 3rd shift)</del>	<del>49 to 59 (daily)</del>
<del>Registered Nurse II</del>	<del>49 to 58 (daily)</del>
<del>Registered Nurse II (2nd or 3rd shift)</del>	<del>49 to 59 (daily)</del>
<del>Registered Nurse II (Cook County)</del>	<del>49 to 60 (daily)</del>
<del>Registered Nurse II (Cook County—2nd or 3rd shift)</del>	<del>49 to 62 (daily)</del>
<del>Revenue Tax Specialist I</del>	<del>14.10 to 19.49 (hourly)</del> <del>106 to 146 (daily)</del>
<del>Social Worker II</del>	<del>49 to 75 (daily)</del>
<del>Social Worker III</del>	<del>49 to 80 (daily)</del>
<del>Student Intern</del>	<del>6.50 to 13.04 (hourly)</del>
<del>Student Worker</del>	<del>6.50 to 10.28 (hourly)</del>
<del>Technical Advisor II</del>	<del>32 to 35 (hourly)</del>
<del>Technical Advisor III</del>	<del>32 to 60 (hourly)</del>
<del>Veterinarian II</del>	<del>95 to 130 (daily)</del>

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

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**Section 310.240 Daily or Hourly Rate Conversion**

Rates of pay for employees whose work is of an irregular nature and whose compensation is based on a daily or an hourly rate shall be computed as follows:

~~For classes having salary ranges consisting of steps—~~

- a) Daily Rate Conversion – Conversion of the applicable monthly salary to an annual amount and dividing the result by the number of working days in a year according to the normal work schedule of that class for the agency.
- b) Hourly Rate Conversion – Conversion of the applicable monthly salary ~~step~~ to an annual amount and dividing the result by the number of working hours in a year according to the normal work schedule of that class for the agency.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.260 Trainee Rate**

Rates of pay for employees working in Trainee classes or in other classes pursuant to a Trainee Program (80 Ill. Adm. Code 302.170) shall conform to those set forth in the applicable Trainee Program, ~~or~~ to salary grade pay grades approved for or pay grades negotiated for such training classes. Merit compensation system Trainee Program rates, which are recommended by the agency head where the Trainee Program is established, will normally be less than the entrance rate for the class for which training is being conducted unless otherwise approved by the Director of Central Management Services. (Effective July 1, 2003, increases are suspended for non-union positions and employees.) Effective December 2, 2005, non-bargaining-unit trainee rates receive a 4% adjustment increase and the base salary for each non-bargaining-unit employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in the employee's creditable service date.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.280 Designated Rate**

The rate of pay for a specific position or class of positions excluded from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Commerce & Economic Opportunity

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Private Secretary II (Pos. No. 34202-42-00-000-01-02)	<u>Annual Salary</u> <u>62,400</u> <del>60,000</del>
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Department of Healthcare and Family Services

Senior Public Service Administrator (Pos. No. 40070-33-20-000-00-61)	<u>Annual Salary</u> 123,060
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Department of Human Services

Administrative Assistant I (Pos. No. 00501-10-68-010-80-21)	<u>Annual Salary</u> 55,200
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<del>Medical Administrator V (Pos. No. 26406-10-76-000-00-01)</del>	<u>Annual Salary</u> <del>186,000</del>
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Department of Public Health

Senior Public Service Administrator (Pos. No. 40070-20-80-000-00-81)	<u>Annual Salary</u> 134,004
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(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.290 Out-of-State or Foreign Service Rate**

- a) Requirements – The out-of-state or foreign service rate is the rate of pay for employees not subject to Section 310.220 but occupying positions in the classification titles listed in subsection (d) that require payment in accordance with the economic conditions ~~and social legislation~~ of another state or foreign country. The employee shall reside in the state or foreign country where the position is assigned. An adjustment shall be made once a month to the salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate.
- b) Adjustments – The Director of Central Management Services will, before approving an adjustment, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances. Effective December 2, 2005, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment

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increase without change in the employee's creditable service date. For foreign service rates listed in subsection (d), an adjustment shall be made once a month to the base salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate. (Effective July 1, 2003, adjustments, except those based on the currency exchange rate or those effective December 2, 2005, are suspended for non-union positions and employees.)

- c) Out-Of-State Rate Calculation – For out-of-state rates, ranges assigned to states other than California and New Jersey are 15% above the ranges assigned to in-state positions and are listed in subsection (d). Ranges assigned to California and New Jersey are 30% above the ranges assigned to in-state positions and are listed in subsection (d).
- d) Minimum and Maximum Out-of-State or Foreign Service Rates in Ranges by Classification Title –

<u>Title</u>	<u>Ranges</u>			
	<u>July 1, 2005</u>		<u>December 2, 2005</u>	
	<u>minimum</u>	<u>maximum</u>	<u>minimum</u>	<u>maximum</u>
<u>Executive II</u>				
<u>(States Other Than California and New Jersey)</u>	<u>3269</u>	<u>5894</u>	<u>3401</u>	<u>6130</u>
<u>(CA, NJ)</u>	<u>3696</u>	<u>6663</u>	<u>3844</u>	<u>6929</u>
<u>Foreign Service Economic Development Executive I</u>	<u>3848</u>	<u>7082</u>	<u>4002</u>	<u>7365</u>
<u>Foreign Service Economic Development Executive II</u>	<u>4929</u>	<u>9283</u>	<u>5126</u>	<u>9654</u>
<u>Foreign Service Economic Development Representative</u>	<u>3269</u>	<u>5894</u>	<u>3400</u>	<u>6130</u>
<u>Office Administrator IV</u>				
<u>(States Other Than California and New Jersey)</u>	<u>2570</u>	<u>4452</u>	<u>2673</u>	<u>4630</u>
<u>(CA, NJ)</u>	<u>2906</u>	<u>5032</u>	<u>3021</u>	<u>5234</u>
<u>Office Assistant (Foreign Service)</u>	<u>2169</u>	<u>2862</u>	<u>2256</u>	<u>2976</u>

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Office Associate

<u>(States Other Than California and New Jersey)</u>	<u>2295</u>	<u>3081</u>	<u>2387</u>	<u>3204</u>
<u>(CA, NJ)</u>	<u>2595</u>	<u>3483</u>	<u>2699</u>	<u>3622</u>

Office Coordinator

<u>(States Other Than California and New Jersey)</u>	<u>2370</u>	<u>3199</u>	<u>2465</u>	<u>3327</u>
<u>(CA, NJ)</u>	<u>2679</u>	<u>3617</u>	<u>2786</u>	<u>3761</u>

Public Service Administrator

<u>(States Other Than California and New Jersey)</u>	<u>3445</u>	<u>7542</u>	<u>3583</u>	<u>7843</u>
<u>(CA, NJ)</u>	<u>3895</u>	<u>8525</u>	<u>4051</u>	<u>8866</u>

Revenue Tax Specialist I

<u>(States Other Than California and New Jersey)</u>	<u>2645</u>	<u>3657</u>	<u>2751</u>	<u>3803</u>
<u>(CA, NJ)</u>	<u>2990</u>	<u>4134</u>	<u>3110</u>	<u>4299</u>

Revenue Tax Specialist II

<u>(States Other Than California and New Jersey)</u>	<u>2861</u>	<u>4047</u>	<u>2976</u>	<u>4209</u>
<u>(CA, NJ)</u>	<u>3234</u>	<u>4575</u>	<u>3364</u>	<u>4758</u>

Revenue Tax Specialist Trainee

<u>(States Other Than California and New Jersey)</u>	<u>2448</u>	<u>3335</u>	<u>2546</u>	<u>3468</u>
<u>(CA, NJ)</u>	<u>2768</u>	<u>3770</u>	<u>2878</u>	<u>3921</u>

Senior Public Service Administrator

<u>(States Other Than California and New Jersey)</u>	<u>4750</u>	<u>11161</u>	<u>4939</u>	<u>11607</u>
<u>(CA, NJ)</u>	<u>5369</u>	<u>12617</u>	<u>5584</u>	<u>13121</u>

TitleRangeExecutive II

<u>(States Other Than California and New Jersey)</u>	<u>3269-5894</u>
<u>(CA, NJ)</u>	<u>3696-6663</u>

Foreign Service Economic Development Executive I3848-7082

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<del>Foreign Service Economic Development Executive II</del>	<del>4929-9283</del>
<del>Foreign Service Economic Development Representative</del>	<del>3269-5894</del>
<del>Office Administrator IV</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>2570-4452</del>
<del>—— (CA, NJ)</del>	<del>2906-5032</del>
<del>Office Assistant (Foreign Service)</del>	<del>2169-2862</del>
<del>Office Associate</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>2295-3081</del>
<del>—— (CA, NJ)</del>	<del>2595-3483</del>
<del>Office Coordinator</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>2370-3199</del>
<del>—— (CA, NJ)</del>	<del>2679-3617</del>
<del>Public Service Administrator</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>3445-7542</del>
<del>—— (CA, NJ)</del>	<del>3895-8525</del>
<del>Revenue Tax Specialist I</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>2645-3657</del>
<del>—— (CA, NJ)</del>	<del>2990-4134</del>
<del>Revenue Tax Specialist II</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>2861-4047</del>
<del>—— (CA, NJ)</del>	<del>3234-4575</del>
<del>Revenue Tax Specialist Trainee</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>2448-3335</del>
<del>—— (CA, NJ)</del>	<del>2768-3770</del>
<del>Senior Public Service Administrator</del>	
<del>—— (States Other Than California and New Jersey)</del>	<del>4750-11161</del>
<del>—— (CA, NJ)</del>	<del>5369-12617</del>

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

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## SUBPART C: MERIT COMPENSATION SYSTEM

**Section 310.460 Other Pay Increases**

- a) Promotion – Normally upon promotion an employee shall be advanced in salary by an amount equivalent to between 8 and 15 percent of the current base salary. In no event is the resulting salary to be lower than the minimum rate of the salary range to which the employee is being promoted or greater than the maximum of the new salary range. Upon promotion the employee shall receive a new creditable service date.
- b) Reallocation – Upon reallocation, an employee shall be advanced in salary to a rate of pay that is the equivalent of 5 percent above the current base salary. However, in no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the new salary range. A reallocation will not affect the creditable service date of the employee, unless an increase of 10% or greater is provided to move the employee to the minimum salary of the new title.
- c) Reevaluation – If a higher salary range is assigned to a class, the employee occupying a position in the class normally shall be advanced the equivalent of 5 percent of the current base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of the new salary range. The creditable service date of an employee will not be changed due to the reevaluation of the class the employee occupies, unless an increase of 10% or greater is provided to move the employee to the minimum salary of the new range.
- d) Separation and Subsequent Appointment – Upon separation from a position of a given class and appointment within four calendar days to a position in a higher salary range, an increase shall be given under the conditions and requirements applicable to promotions; ~~(see subsection paragraph (a) above.~~
- e) Reclassification – If the class to which the position is being moved has a higher salary range, the employee occupying the position shall be advanced the equivalent of 5 percent of the current base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of the new salary range. The creditable service date of the employee will not be changed due to the reclassification of the position the employee occupies, unless

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[an increase of 10% or greater is provided to move the employee to the minimum salary of the new range.](#)

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.470 Adjustment**

An employee may receive an upward adjustment in base salary for the purpose of correcting a previous error or oversight or, when the best interests of the agency and the State of Illinois will be served. Such adjustments must have the prior approval of the Director of Central Management Services. In determining the appropriateness of a request for a salary adjustment by an employing agency, the Director of Central Management Services will consider whether the need for the adjustment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request. A salary adjustment of over 3% (unless [the adjustment is effective December 2, 2005, or other adjustments result that results](#) in \$175 per month or less) will create a new creditable service date and require approval of the Governor's Office.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.480 Decreases in Pay**

Employees subject to this Part shall have their salaries reduced only as specified below. Any reduction in salary shall become effective on the first day of the month following approval of the reduction.

- a) Demotion for Cause to a Lower Class – If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if in excess thereof. An employee demoted during a probationary period following promotion will have the base salary reduced to the same salary the employee received before being promoted and the previous creditable service date will be restored.
- b) Position Reallocated to a Lower Class – If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if it excess thereof. However, as provided in Section 8(a) of the Personnel Code, the pay of an employee whose position is reallocated because of duties and responsibilities after appointment to such position shall not be required to be lowered to a salary within the range for a period of one year.

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- c) Voluntary Reduction to a Lower Class – If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if in excess thereof. However, an employee who voluntarily requests a reduction during a probationary period following a promotion will have the base salary reduced to the same salary in the lower salary range from which the employee was promoted and the previous creditable service date will be restored.
- d) Assignment of a Lower Salary Range to a Class – If the employee's current base salary is within the lower salary range, it shall be retained without change, but shall be reduced to the maximum of the lower salary range if in excess thereof.
- e) Adjustment – An employee may receive a downward adjustment in base salary for the purpose of correcting a previous error or oversight or when the best interest of the agency or the State of Illinois will be served. Adjustments must have the prior approval of the Director of Central Management Services in writing. In determining the appropriateness of a request for a salary adjustment by an employing agency, the Director of Central Management Services will consider whether the need for the adjustment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request.
- f) Reclassification – If the employee's current base salary is within the lower salary range, it shall be retained without change. If the employee's current base salary is higher than the maximum of the lower salary range, the base salary shall be reduced to the maximum of the lower salary range. As provided in Section 8(a) of the Personnel Code, the base salary shall not be lowered to a salary within the range for a period of one year.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.490 Other Pay Provisions**

- a) Transfer – Upon assignment of an employee to a vacant position in a class with the same salary range as the class for the position being vacated, the employee's base salary will not be changed. Upon separation and subsequent appointment to a position in the same salary range, no increase in salary will be given.
- b) Entrance Salary – Normally upon entry to State service, an employee's base salary

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will be at the minimum salary of the salary range.

- 1) Qualifications Above Minimum Requirements –
    - A) If a candidate possesses directly related training and experience in excess of the minimum requirements of the class specification, the employing agency may grant an entrance salary up to the midpoint of the first half of the salary range; however, this shall not provide more than a 10% increase over the candidate's current salary. Qualifications above the minimum requirements shall be documented to support an entrance salary higher than the minimum.
    - B) An entrance salary above the middle of the first half of the salary range must have prior approval of the Director of Central Management Services. This approval will be based on consideration of the candidate's training and experience exceeding the requirements of the class, prior salary history, particular staffing requirements of an agency, and labor market influence on recruitment needs.
  - 2) Area Differential – For positions where additional compensation is required because of dissimilar economic or other conditions in the geographical area in which the positions are established, a higher entrance salary may be authorized by the Director of Central Management Services. Present employees receiving less than the new rate of pay shall be advanced to the new rate.
  - 3) Upon geographical transfer from or to an area for which additional compensation has been authorized, an employee will receive an adjustment to the appropriate salary level for the new geographical area of assignment, effective the first day of the month following the date of assignment.
- c) Differential and Overtime Pay – An eligible employee may have an amount added to the base salary for a given pay period for work performed in excess of the normal requirements for the position and work schedule, as follows:
- 1) Shift Differential Pay – An employee may be paid an amount in addition to the base salary for work performed on a regularly scheduled second or

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third shift. The additional compensation will be at a rate and in a manner approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

## 2) Overtime Pay –

- A) Eligibility – The Director of Central Management Services shall maintain a listing of classes of positions subject to the provisions of the Merit Compensation System that are eligible for overtime compensation. Classes in salary ranges MC 6 and below are eligible for straight-time overtime unless exceptions are determined by the Director of Central Management Services or federal guidelines. Employees in these classes of positions who are assigned and perform work in excess of the normal work schedule as established by the agency shall be compensated at a straight-time rate on either a cash or compensatory time-off basis for all hours worked in excess of a normal work week. Overtime in less than one-half hour increments per day shall not be accrued. Classes in MC 7 and above are not eligible for overtime unless required by federal regulation or approved by the Director of Central Management Services. Exceptions must be requested by the employing agency and will be determined on the basis of the special nature of the situation, a substantial need to provide overtime compensation and a significant number of hours worked beyond the normal work schedule, and will be granted only for a specified time period for which the special situation is expected to exist.
- B) Compensatory Time – Employees who are eligible for compensatory time may request such time, which may be granted by the agency at its discretion, considering, among other things, its operating needs. Compensatory time shall be taken within the fiscal year it was earned at a time convenient to the employee and consistent with the operating needs of the agency. Compensatory time shall be accrued at the rate in which it is earned (straight time or time and a half), but shall not exceed 120 hours in any fiscal year. Compensatory time approved for non-union employees will

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be earned after 40 actual work hours in a workweek.

Compensatory time not used by the end of the fiscal year in which it was earned shall be liquidated and paid in cash at the rate it was earned. Time spent in travel outside the normal work schedule shall not be accrued as compensatory time except as provided by labor contracts and the Federal Fair Labor Standards Act. At no time are overtime hours or compensatory time to be transferred from one agency to another agency.

- d) Equivalent Earned Time –
  - 1) Eligibility – Employees who are non-union, exempt under the Federal Fair Labor Standards Act, and in positions not eligible for overtime compensation may receive equivalent earned time for hours worked in excess of 40 actual work hours in a work week.
  - 2) Accrual –
    - A) Employees who are eligible for equivalent earned time shall request that time before working in excess of 40 actual work hours in a work week. Requests for equivalent earned time may be granted by the agency at its discretion, considering its operating needs. Equivalent earned time shall be accrued at straight time only to a maximum of 120 hours in any fiscal year.
    - B) Equivalent earned time will accrue in no less than one-half hour increments. Time spent in travel outside the normal work schedule shall not be counted toward accrual of equivalent earned time.
  - 3) Compensation – Any approved equivalent earned time shall be taken at a time convenient to the employee and consistent with the operating needs of the agency. This time may not be carried over from one fiscal year to another fiscal year. At no time is equivalent earned time to be converted into cash payment or transferred from one agency to another agency.
- e) Part-Time Work – Part-time employees whose base salary is other than an hourly or daily basis shall be paid on a daily rate basis computed by dividing the annual rate of salary by the total number of work days in the year.
- f) Out-of-State Assignment – Employees who are assigned to work out-of-state on a

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temporary basis may receive an appropriate differential during the period of the assignment, as approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance.

- g) Lump Sum Payment – Lump sum payment shall be provided for accrued vacation, sick leave and unused compensatory overtime at the current base rate to those employees separated from employment under the Personnel Code. Leaves of absence and temporary layoff (per 80 Ill. Adm. Code 302.510) are not separations and therefore lump sum payments cannot be given in these transactions. Methods of computation are explained in Section 310.520(a). AGENCY NOTE: The method to be used in computing lump sum payment for accrued vacation, sick leave and unused compensatory overtime for an incumbent entitled to shift differential during the regular work hours will be to use the current base salary plus the shift differential pay. Sick leave earned prior to January 1, 1984 and after December 31, 1997 is not compensable. Sick leave earned and not used between January 1, 1984 and December 31, 1997 will be compensable at the current base daily rate times one-half of the total number of compensable sick days.
- h) Salary Treatment upon Return from Leave – An employee returning from Military Leave, Peace Corps Leave, Service-Connected Disability Leave, [Educational Leave, Disaster Service Leave with Pay, Family Responsibility Leave](#), Administrative Leave, Leave to accept a Temporary, Emergency, Provisional, Exempt or Trainee position, ~~Education Leave~~, or Leave to serve in domestic peace or job corps will have his/her salary established as determined appropriate by the employing agency and approved by the Director of Central Management Services. However, in no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the salary range. Creditable service date will be maintained. An employee returning to his/her former salary range from any other leave of over 14 days will be placed at the salary which the employee received prior to the leave and the creditable service date will be extended by the duration of the leave.
- i) Employees in classes that are made subject to the Merit Compensation System after July 1, 1979 will retain their current salary, except that in no event is the resultant salary to be lower than the minimum rate or higher than the maximum rate of the new salary range.

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

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required in the performance of assigned duties. The amount will be determined by the Director of the employing agency, and will require approval of the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

**Section 310.500 Definitions**

The following are definitions of certain terms and are for purposes of clarification as they affect the Merit Compensation System only.

"Adjustment in Salary" – A change in salary occasioned by previously committed error or oversight, or required in the best interest of the agency or the state as defined in Sections 310.470 and 310.480 ~~of this Subpart~~.

"Base Salary" – The dollar amount of pay of an employee as determined under the provisions of the Merit Compensation System. Base salary does not include overtime pay or shift differential pay or deductions for time not worked.

"Bilingual Pay" – The dollar amount per month, or percentage of the employee's monthly base salary, paid in addition to the employee's base salary when the individual position held by the employee has a job description that requires the use of sign language, Braille, or another second language (e.g., Spanish), or that requires the employee to be bilingual.

"Creditable Service" – All service in full or regularly scheduled part-time pay status beginning with the date of initial employment or the effective date of the last in-grade or promotional salary increase. Reevaluations and reallocations will not affect the creditable service date. Adjustments (Section 310.470) "for the purpose of correcting a previous error or oversight" shall not result in a change in the creditable service date; however, adjustments in "the best interests of the agency" shall result in a new creditable service date unless the Director of ~~the Department of~~ Central Management Services determines such changes to be inequitable.

"Comparable Classes" – Two or more classes that are in the same ~~salary~~ Salary Range.

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"Demotion" – The assignment for cause of an employee to a vacant position in a class in a lower salary range than the former class.

"Differential" – The additional compensation added to the base salary of an employee resulting from conditions of employment imposed during the normal schedule of work.

"Entrance Salary" – The initial base salary assigned to an employee upon entering State service.

"Intermittent Merit Increase" – An ~~intermittent merit increase~~~~Intermittent Merit Increase~~ is an increase in monthly base salary, other than the annual merit increase awarded to a merit compensation employee based on performance.

"Maximum Rate of Pay" – The highest rate of pay for a given salary range.

"Midpoint Salary" – The rate of pay that divides the rate range of a salary range into two equal parts.

"Minimum Rate of Pay" – The lowest rate of pay for a given salary range. Normally the minimum rate of pay represents the salary to be paid a qualified employee who is appointed to a position in a class assigned to a given salary range.

"Performance Review" – The required review of an employee's on-the-job performance as measured by a specific set of criteria.

"Performance Review Date" – The date on which the annual merit increase must be made effective if a performance review indicates it is appropriate. Actual performance review procedures are to be completed prior to the effective date of any recommendation to allow sufficient time for the records to be processed by the originating agency.

"Promotion" – The appointment of an employee, with the approval of the agency and the Department of Central Management Services, to a vacant position in a class in a higher salary range than the former class.

"Reallocation" – The change in the classification of a position resulting from significant changes in assigned duties and responsibilities.

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"Reclassification" – The assignment of a position or positions to a different classification based on creation of a new classification or the revision of existing class specification, and approved by the Civil Service Commission.

"Reevaluation" – The assignment of a different salary range to a class of positions based upon a change in relation to other classes or to the labor market.

"Salary Range" – The dollar values encompassed by the minimum and maximum rates of pay of a salary range assigned to a class title.

"Transfer" – The assignment of an employee to a vacant position in a class having the same salary range.

"Work Year" – That period of time determined by the agency and filed with the Department of Central Management Services in accordance with 80 Ill. Adm. Code 303.300 ~~of the Department of Central Management Services.~~

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

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**Section 310.APPENDIX A Negotiated Rates of Pay****Section 310.TABLE L RC-008 (Boilermakers)**

Effective January 1, 2005

Title	Title Code	Region	Monthly Salary
Boiler Safety Specialist	04910	Northern	6535.44
Boiler Safety Specialist	04910	Central	5141.70
Boiler Safety Specialist	04910	Southern	4791.96

Effective September 2, 2005

Title	Title Code	Region	Monthly Salary
Boiler Safety Specialist	04910	Southern	4925.94

Effective January 1, 2006

Title	Title Code	Region	Monthly Salary
Boiler Safety Specialist	04910	Northern	6822.54
<a href="#">Boiler Safety Specialist</a>	<a href="#">04910</a>	<a href="#">Central</a>	<a href="#">5242.62</a>
Boiler Safety Specialist	04910	Southern	5021.64

Northern Region: Boone, Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, Will, and Winnebago Counties.

Central Region: Bureau, Carroll, Champaign, DeWitt, Ford, Fulton, Hancock, Henderson, Henry, Iroquois, JoDaviess, Knox, LaSalle, Lee, Livingston, Logan, Marshall, Mason, McDonough, McLean, Mercer, Ogle, Peoria, Putman, Rock Island, Schuyler, Stark, Stephenson, Tazewell, Vermilion, Warren, Whiteside, and Woodford Counties.

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Southern Region: Adams, Alexander, Bond, Brown, Calhoun, Cass, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macon, Macoupin, Madison, Marion, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Scott, Shelby, Union, Wabash, Washington, Wayne, White, and Williamson Counties.

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

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**Section 310.APPENDIX A Negotiated Rates of Pay**

**Section 310.TABLE T HR-010 (Teachers of Deaf, IFT)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
<u>Educator</u>	<u>13100</u>	<u>HR-010</u>	<u>N</u>

Effective August 16, 2005

Lane Educational Level		S T E P							
		1	2	3	4	5	6	7	8
1	BA	2505	2643	2786	2926	3076	3219	3531	3637
2	BA + 8 Hours	2584	2723	2873	3022	3178	3328	3647	3756
3	BA + 16 Hours	2651	2807	2964	3119	3269	3433	3765	3878
4	BA + 24 Hours	2725	2890	3052	3214	3380	3541	3886	4002
5	MA	2809	2972	3139	3310	3481	3645	4001	4121
6	MA + 16 Hours	2875	3041	3209	3379	3552	3717	4078	4201
7	MA + 32 Hours	2963	3128	3298	3470	3644	3811	4178	4303

~~NOTE: Effective the first day of the 1997 school year, the salary schedule will be adjusted by either \$100 per month or 5% of the monthly salary, whichever is greater, for positions whose job descriptions require the use of sign language, or which require the employee to be bilingual.~~

~~Bilingual pay will be paid on a percentage scale based on the sign communication proficiency interview (SCPI) test. An employee would be paid the following percentage of the bilingual pay supplement based on the skill level on the SCPI test:~~

- ~~20% — Survival~~
- ~~40% — Survival Plus~~
- ~~60% — Intermediate~~
- ~~80% — Intermediate Plus~~
- ~~100% — Advanced~~

Effective January 1, 2006

Lane Educational Level		S T E P							
		1	2	3	4	5	6	7	8

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1	BA	2580	2722	2870	3014	3168	3316	3637	3746
2	BA + 8 Hours	2662	2805	2959	3113	3273	3428	3756	3869
3	BA + 16 Hours	2731	2891	3053	3213	3367	3536	3878	3994
4	BA + 24 Hours	2807	2977	3144	3310	3481	3647	4003	4122
5	MA	2893	3061	3233	3409	3585	3754	4121	4245
6	MA + 16 Hours	2961	3132	3305	3480	3659	3829	4200	4327
7	MA + 32 Hours	3052	3222	3397	3574	3753	3925	4303	4432

NOTE: Bilingual Pay – For positions for which job descriptions require the use of sign language, or which require the employee to be bilingual, bilingual pay is paid on a percentage scale based on the sign communication proficiency interview (SCPI) test. An employee is paid the following percentage of the employee's monthly base salary depending on the skill level that the employee achieved on the SCPI test and paid monthly as bilingual pay in addition to the base salary:

<u>1%</u>	<u>Survival</u>
<u>2%</u>	<u>Survival Plus</u>
<u>3%</u>	<u>Intermediate</u>
<u>4%</u>	<u>Intermediate Plus</u>
<u>5%</u>	<u>Advanced</u>

~~Effective the first day of the 1997 school year, the salary schedule will be adjusted by either \$100 per month or 5% of the monthly salary, whichever is greater, for positions whose job descriptions require the use of sign language, or which require the employee to be bilingual.~~

~~Bilingual pay will be paid on a percentage scale based on the SCPI test. An employee would be paid the following percentage of the bilingual pay supplement based on the skill level on the SCPI test:~~

<del>20%</del>	<del>Survival</del>
<del>40%</del>	<del>Survival Plus</del>
<del>60%</del>	<del>Intermediate</del>
<del>80%</del>	<del>Intermediate Plus</del>
<del>100%</del>	<del>Advanced</del>

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

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**Section 310.APPENDIX A Negotiated Rates of Pay****Section 310.TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
<u>Educator</u>	<u>13100</u>	<u>HR-010</u>	<u>N</u>

Extracurricular Activities Pay Schedule  
Effective August 16, 2005

<b>Classification I</b>	<b>Per Year</b>
<b>High School Head Coaches:</b>	
Basketball – Boys	2907
Basketball – Girls	2907
Football	2907
Track – Boys	2907
Track – Girls	2907
Volleyball	2907
Wrestling	2907
<b>Other Activities:</b>	
Junior Class Sponsors	2907
Senior Class Sponsors	2907
<b>Classification II</b>	<b>Per Year</b>
<b>High School Assistant Coaches:</b>	
Basketball – Boys	1835
Basketball – Girls	1835
Football	1835
Track – Boys	1835
Track – Girls	1835
Volleyball	1835
Wrestling	1835
<b>Junior High School Head Coaches:</b>	
7 <sup>th</sup> Grade Basketball – Boys	1835
8 <sup>th</sup> Grade Basketball – Boys	1835

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7 <sup>th</sup> Grade Basketball – Girls	1835
8 <sup>th</sup> Grade Basketball – Girls	1835
Track – Boys	1835
Track – Girls	1835
Volleyball	1835
Wrestling	1835
Football	1835
<b>Cheerleading Sponsor:</b>	
High School Basketball	1835

**Classification III** **Per Year****High School Assistant Coaches:**

Track – Boys	1156
Track – Girls	1156

**Junior High School Assistant Coaches:**

Track – Boys	1156
Track – Girls	1156
Volleyball	1156
Wrestling	1156

**Cheerleading Sponsors:**

Football Cheerleading Sponsor	1156
Jr. High School Cheerleading Sponsor	1156

**Other Activities:**

High School Lunchroom Supervisors	1156
Jr. High School Lunchroom Supervisors	1156

**Classification V** **Per Year****Special Olympics Coaches:**

Volleyball	677
Basketball	677
Student Body Government	677

**Scorekeepers and Timers** **Per Event**

Basketball Scorer	40
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Basketball Timer	40
Football Scorer	40
Football Timer	40
Wrestling Scorer	40
Wrestling Timer	40
Volleyball Scorer	34
Volleyball Timer	34
Ticket Sellers	29
Football Chain Crew	24

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

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**Section 310.APPENDIX B Schedule of Salary Grades – Monthly Rates of Pay for Fiscal Year 2006**Effective July 1, 2005

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
1	7	1663	1704	1746	1789	1835	1877	1922	1974	2018	2098	2140
1	8	1704	1746	1789	1834	1881	1924	1971	2024	2070	2152	2195
1	9	1755	1798	1841	1885	1933	1976	2022	2076	2121	2203	2247
2	7	1705	1747	1790	1835	1877	1922	1976	2024	2072	2153	2196
2	8	1747	1790	1835	1881	1924	1971	2026	2076	2125	2209	2253
2	9	1799	1842	1886	1933	1976	2022	2078	2127	2177	2260	2305
3	7	1743	1786	1831	1877	1922	1977	2027	2076	2127	2221	2265
3	8	1786	1831	1877	1924	1971	2027	2079	2129	2182	2279	2325
3	9	1838	1882	1928	1976	2022	2079	2130	2181	2233	2330	2377
4	7	1784	1829	1875	1922	1977	2031	2080	2141	2190	2288	2334
4	8	1829	1875	1922	1971	2027	2083	2133	2196	2247	2348	2395
4	9	1880	1926	1974	2022	2079	2134	2185	2248	2298	2399	2447
5	7	1835	1881	1928	1977	2033	2091	2148	2202	2258	2358	2402
5	8	1881	1928	1977	2027	2085	2145	2203	2259	2317	2417	2465
5	9	1933	1980	2028	2079	2136	2196	2255	2311	2368	2468	2517
6	7	1886	1934	1983	2033	2092	2150	2214	2273	2337	2440	2489
6	8	1934	1983	2033	2085	2146	2206	2271	2332	2398	2405	2554
6	9	1985	2035	2085	2136	2197	2257	2323	2384	2450	2556	2607
7	7	1940	1989	2040	2092	2153	2219	2284	2349	2417	2530	2581
7	8	1989	2040	2092	2146	2209	2277	2344	2410	2481	2597	2649
7	9	2041	2091	2144	2197	2260	2328	2395	2462	2532	2648	2701
8	7	1996	2047	2099	2153	2224	2293	2369	2435	2508	2626	2679
8	8	2047	2099	2153	2209	2282	2353	2431	2499	2574	2696	2750
8	9	2098	2151	2204	2260	2333	2404	2483	2551	2626	2747	2802

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9	7	2061	2114	2168	2224	2296	2374	2449	2529	2605	2727	2782
9	8	2114	2168	2224	2282	2356	2436	2513	2596	2674	2801	2857
9	9	2165	2220	2276	2333	2407	2488	2565	2647	2726	2854	2911
10	7	2129	2184	2241	2299	2386	2461	2543	2623	2706	2843	2900
10	8	2184	2241	2299	2359	2449	2526	2610	2693	2778	2924	2982
10	9	2235	2292	2351	2410	2500	2577	2662	2744	2832	2980	3040
11	7	2210	2267	2326	2387	2473	2554	2645	2733	2817	2966	3025
11	8	2267	2326	2387	2450	2538	2622	2715	2807	2896	3052	3113
11	9	2319	2378	2438	2501	2590	2673	2767	2860	2952	3107	3169
12	7	2300	2360	2422	2486	2578	2664	2763	2854	2959	3118	3180
12	8	2360	2422	2486	2552	2646	2735	2840	2936	3044	3209	3273
12	9	2412	2473	2537	2603	2698	2787	2894	2991	3100	3266	3331
13	7	2387	2450	2515	2581	2676	2778	2883	2988	3099	3272	3337
13	8	2450	2515	2581	2649	2747	2855	2966	3074	3188	3370	3437
13	9	2501	2566	2633	2701	2800	2910	3022	3130	3246	3428	3497
14	7	2488	2554	2622	2692	2795	2904	3031	3141	3261	3450	3519
14	8	2554	2622	2692	2764	2873	2988	3118	3235	3359	3554	3625
14	9	2605	2673	2743	2817	2928	3043	3174	3291	3415	3611	3683
15	7	2585	2654	2725	2799	2921	3042	3162	3291	3413	3618	3690
15	8	2654	2725	2799	2877	3005	3130	3256	3391	3515	3726	3801
15	9	2705	2776	2852	2932	3061	3185	3314	3447	3572	3784	3860
16	7	2700	2772	2849	2930	3062	3196	3330	3468	3607	3820	3896
16	8	2772	2849	2930	3015	3150	3292	3431	3571	3715	3935	4014
16	9	2826	2904	2986	3070	3207	3350	3488	3629	3773	3991	4071
17	7	2819	2899	2983	3069	3212	3360	3502	3643	3791	4017	4097
17	8	2899	2983	3069	3158	3308	3461	3606	3753	3905	4138	4221
17	9	2954	3038	3125	3214	3366	3519	3664	3811	3962	4196	4280
18	7	2963	3049	3137	3230	3387	3544	3705	3857	4012	4251	4336
18	8	3049	3137	3230	3327	3490	3651	3817	3974	4132	4378	4466

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

18	9	3104	3192	3288	3383	3547	3709	3874	4031	4190	4435	4524
19	7	3119	3210	3305	3405	3579	3747	3922	4086	4257	4514	4604
19	8	3210	3305	3405	3507	3686	3858	4040	4209	4386	4650	4743
19	9	3267	3364	3463	3564	3744	3916	4097	4267	4443	4707	4801
20	7	3293	3393	3494	3598	3780	3956	4143	4323	4501	4776	4872
20	8	3393	3494	3598	3706	3893	4075	4268	4452	4637	4920	5018
20	9	3449	3552	3656	3763	3950	4132	4325	4510	4694	4976	5076
21	7	3477	3582	3689	3798	3993	4187	4383	4583	4773	5070	5171
21	8	3582	3689	3798	3912	4114	4312	4514	4719	4916	5223	5327
21	9	3639	3747	3856	3971	4171	4369	4572	4777	4973	5280	5386
22	7	3675	3786	3900	4016	4225	4432	4641	4856	5059	5372	5479
22	8	3786	3900	4016	4137	4352	4565	4780	5001	5211	5534	5645
22	9	3843	3956	4074	4195	4408	4623	4836	5058	5269	5591	5703
23	7	3900	4016	4137	4260	4486	4715	4939	5167	5392	5730	5845
23	8	4016	4137	4260	4389	4621	4858	5087	5321	5553	5901	6019
23	9	4074	4195	4318	4446	4678	4914	5144	5379	5611	5959	6078
24	7	4149	4273	4401	4534	4775	5024	5265	5509	5758	6118	6240
24	8	4273	4401	4534	4671	4919	5174	5424	5674	5930	6303	6429
24	9	4331	4459	4591	4729	4975	5231	5481	5732	5988	6360	6487
25	7	4422	4555	4691	4832	5097	5365	5633	5901	6169	6565	6696
25	8	4555	4691	4832	4976	5250	5525	5802	6079	6354	6762	6897
25	9	4613	4748	4890	5034	5308	5582	5859	6136	6411	6819	6955

Effective December 2, 2005, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in the employee's creditable service date.

Effective December 2, 2005

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>STEPS</u>										
		<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>1</u>	<u>7</u>	<u>1730</u>	<u>1772</u>	<u>1816</u>	<u>1861</u>	<u>1908</u>	<u>1952</u>	<u>1999</u>	<u>2053</u>	<u>2099</u>	<u>2182</u>	<u>2226</u>

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

<u>1</u>	<u>8</u>	<u>1772</u>	<u>1816</u>	<u>1861</u>	<u>1907</u>	<u>1956</u>	<u>2001</u>	<u>2050</u>	<u>2105</u>	<u>2153</u>	<u>2238</u>	<u>2283</u>
<u>1</u>	<u>9</u>	<u>1825</u>	<u>1870</u>	<u>1915</u>	<u>1960</u>	<u>2010</u>	<u>2055</u>	<u>2103</u>	<u>2159</u>	<u>2206</u>	<u>2291</u>	<u>2337</u>
<u>2</u>	<u>7</u>	<u>1773</u>	<u>1817</u>	<u>1862</u>	<u>1908</u>	<u>1952</u>	<u>1999</u>	<u>2055</u>	<u>2105</u>	<u>2155</u>	<u>2239</u>	<u>2284</u>
<u>2</u>	<u>8</u>	<u>1817</u>	<u>1862</u>	<u>1908</u>	<u>1956</u>	<u>2001</u>	<u>2050</u>	<u>2107</u>	<u>2159</u>	<u>2210</u>	<u>2297</u>	<u>2343</u>
<u>2</u>	<u>9</u>	<u>1871</u>	<u>1916</u>	<u>1961</u>	<u>2010</u>	<u>2055</u>	<u>2103</u>	<u>2161</u>	<u>2212</u>	<u>2264</u>	<u>2350</u>	<u>2397</u>
<u>3</u>	<u>7</u>	<u>1813</u>	<u>1857</u>	<u>1904</u>	<u>1952</u>	<u>1999</u>	<u>2056</u>	<u>2108</u>	<u>2159</u>	<u>2212</u>	<u>2310</u>	<u>2356</u>
<u>3</u>	<u>8</u>	<u>1857</u>	<u>1904</u>	<u>1952</u>	<u>2001</u>	<u>2050</u>	<u>2108</u>	<u>2162</u>	<u>2214</u>	<u>2269</u>	<u>2370</u>	<u>2418</u>
<u>3</u>	<u>9</u>	<u>1912</u>	<u>1957</u>	<u>2005</u>	<u>2055</u>	<u>2103</u>	<u>2162</u>	<u>2215</u>	<u>2268</u>	<u>2322</u>	<u>2423</u>	<u>2472</u>
<u>4</u>	<u>7</u>	<u>1855</u>	<u>1902</u>	<u>1950</u>	<u>1999</u>	<u>2056</u>	<u>2112</u>	<u>2163</u>	<u>2227</u>	<u>2278</u>	<u>2380</u>	<u>2427</u>
<u>4</u>	<u>8</u>	<u>1902</u>	<u>1950</u>	<u>1999</u>	<u>2050</u>	<u>2108</u>	<u>2166</u>	<u>2218</u>	<u>2284</u>	<u>2337</u>	<u>2442</u>	<u>2491</u>
<u>4</u>	<u>9</u>	<u>1955</u>	<u>2003</u>	<u>2053</u>	<u>2103</u>	<u>2162</u>	<u>2219</u>	<u>2272</u>	<u>2338</u>	<u>2390</u>	<u>2495</u>	<u>2545</u>
<u>5</u>	<u>7</u>	<u>1908</u>	<u>1956</u>	<u>2005</u>	<u>2056</u>	<u>2114</u>	<u>2175</u>	<u>2234</u>	<u>2290</u>	<u>2348</u>	<u>2452</u>	<u>2498</u>
<u>5</u>	<u>8</u>	<u>1956</u>	<u>2005</u>	<u>2056</u>	<u>2108</u>	<u>2168</u>	<u>2231</u>	<u>2291</u>	<u>2349</u>	<u>2410</u>	<u>2514</u>	<u>2564</u>
<u>5</u>	<u>9</u>	<u>2010</u>	<u>2059</u>	<u>2109</u>	<u>2162</u>	<u>2221</u>	<u>2284</u>	<u>2345</u>	<u>2403</u>	<u>2463</u>	<u>2567</u>	<u>2618</u>
<u>6</u>	<u>7</u>	<u>1961</u>	<u>2011</u>	<u>2062</u>	<u>2114</u>	<u>2176</u>	<u>2236</u>	<u>2303</u>	<u>2364</u>	<u>2430</u>	<u>2538</u>	<u>2589</u>
<u>6</u>	<u>8</u>	<u>2011</u>	<u>2062</u>	<u>2114</u>	<u>2168</u>	<u>2232</u>	<u>2294</u>	<u>2362</u>	<u>2425</u>	<u>2494</u>	<u>2501</u>	<u>2656</u>
<u>6</u>	<u>9</u>	<u>2064</u>	<u>2116</u>	<u>2168</u>	<u>2221</u>	<u>2285</u>	<u>2347</u>	<u>2416</u>	<u>2479</u>	<u>2548</u>	<u>2658</u>	<u>2711</u>
<u>7</u>	<u>7</u>	<u>2018</u>	<u>2069</u>	<u>2122</u>	<u>2176</u>	<u>2239</u>	<u>2308</u>	<u>2375</u>	<u>2443</u>	<u>2514</u>	<u>2631</u>	<u>2684</u>
<u>7</u>	<u>8</u>	<u>2069</u>	<u>2122</u>	<u>2176</u>	<u>2232</u>	<u>2297</u>	<u>2368</u>	<u>2438</u>	<u>2506</u>	<u>2580</u>	<u>2701</u>	<u>2755</u>
<u>7</u>	<u>9</u>	<u>2123</u>	<u>2175</u>	<u>2230</u>	<u>2285</u>	<u>2350</u>	<u>2421</u>	<u>2491</u>	<u>2560</u>	<u>2633</u>	<u>2754</u>	<u>2809</u>
<u>8</u>	<u>7</u>	<u>2076</u>	<u>2129</u>	<u>2183</u>	<u>2239</u>	<u>2313</u>	<u>2385</u>	<u>2464</u>	<u>2532</u>	<u>2608</u>	<u>2731</u>	<u>2786</u>
<u>8</u>	<u>8</u>	<u>2129</u>	<u>2183</u>	<u>2239</u>	<u>2297</u>	<u>2373</u>	<u>2447</u>	<u>2528</u>	<u>2599</u>	<u>2677</u>	<u>2804</u>	<u>2860</u>
<u>8</u>	<u>9</u>	<u>2182</u>	<u>2237</u>	<u>2292</u>	<u>2350</u>	<u>2426</u>	<u>2500</u>	<u>2582</u>	<u>2653</u>	<u>2731</u>	<u>2857</u>	<u>2914</u>
<u>9</u>	<u>7</u>	<u>2143</u>	<u>2199</u>	<u>2255</u>	<u>2313</u>	<u>2388</u>	<u>2469</u>	<u>2547</u>	<u>2630</u>	<u>2709</u>	<u>2836</u>	<u>2893</u>
<u>9</u>	<u>8</u>	<u>2199</u>	<u>2255</u>	<u>2313</u>	<u>2373</u>	<u>2450</u>	<u>2533</u>	<u>2614</u>	<u>2700</u>	<u>2781</u>	<u>2913</u>	<u>2971</u>
<u>9</u>	<u>9</u>	<u>2252</u>	<u>2309</u>	<u>2367</u>	<u>2426</u>	<u>2503</u>	<u>2588</u>	<u>2668</u>	<u>2753</u>	<u>2835</u>	<u>2968</u>	<u>3027</u>

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

<u>10</u>	<u>7</u>	<u>2214</u>	<u>2271</u>	<u>2331</u>	<u>2391</u>	<u>2481</u>	<u>2559</u>	<u>2645</u>	<u>2728</u>	<u>2814</u>	<u>2957</u>	<u>3016</u>
<u>10</u>	<u>8</u>	<u>2271</u>	<u>2331</u>	<u>2391</u>	<u>2453</u>	<u>2547</u>	<u>2627</u>	<u>2714</u>	<u>2801</u>	<u>2889</u>	<u>3041</u>	<u>3101</u>
<u>10</u>	<u>9</u>	<u>2324</u>	<u>2384</u>	<u>2445</u>	<u>2506</u>	<u>2600</u>	<u>2680</u>	<u>2768</u>	<u>2854</u>	<u>2945</u>	<u>3099</u>	<u>3162</u>
<u>11</u>	<u>7</u>	<u>2298</u>	<u>2358</u>	<u>2419</u>	<u>2482</u>	<u>2572</u>	<u>2656</u>	<u>2751</u>	<u>2842</u>	<u>2930</u>	<u>3085</u>	<u>3146</u>
<u>11</u>	<u>8</u>	<u>2358</u>	<u>2419</u>	<u>2482</u>	<u>2548</u>	<u>2640</u>	<u>2727</u>	<u>2824</u>	<u>2919</u>	<u>3012</u>	<u>3174</u>	<u>3238</u>
<u>11</u>	<u>9</u>	<u>2412</u>	<u>2473</u>	<u>2536</u>	<u>2601</u>	<u>2694</u>	<u>2780</u>	<u>2878</u>	<u>2974</u>	<u>3070</u>	<u>3231</u>	<u>3296</u>
<u>12</u>	<u>7</u>	<u>2392</u>	<u>2454</u>	<u>2519</u>	<u>2585</u>	<u>2681</u>	<u>2771</u>	<u>2874</u>	<u>2968</u>	<u>3077</u>	<u>3243</u>	<u>3307</u>
<u>12</u>	<u>8</u>	<u>2454</u>	<u>2519</u>	<u>2585</u>	<u>2654</u>	<u>2752</u>	<u>2844</u>	<u>2954</u>	<u>3053</u>	<u>3166</u>	<u>3337</u>	<u>3404</u>
<u>12</u>	<u>9</u>	<u>2508</u>	<u>2572</u>	<u>2638</u>	<u>2707</u>	<u>2806</u>	<u>2898</u>	<u>3010</u>	<u>3111</u>	<u>3224</u>	<u>3397</u>	<u>3464</u>
<u>13</u>	<u>7</u>	<u>2482</u>	<u>2548</u>	<u>2616</u>	<u>2684</u>	<u>2783</u>	<u>2889</u>	<u>2998</u>	<u>3108</u>	<u>3223</u>	<u>3403</u>	<u>3470</u>
<u>13</u>	<u>8</u>	<u>2548</u>	<u>2616</u>	<u>2684</u>	<u>2755</u>	<u>2857</u>	<u>2969</u>	<u>3085</u>	<u>3197</u>	<u>3316</u>	<u>3505</u>	<u>3574</u>
<u>13</u>	<u>9</u>	<u>2601</u>	<u>2669</u>	<u>2738</u>	<u>2809</u>	<u>2912</u>	<u>3026</u>	<u>3143</u>	<u>3255</u>	<u>3376</u>	<u>3565</u>	<u>3637</u>
<u>14</u>	<u>7</u>	<u>2588</u>	<u>2656</u>	<u>2727</u>	<u>2800</u>	<u>2907</u>	<u>3020</u>	<u>3152</u>	<u>3267</u>	<u>3391</u>	<u>3588</u>	<u>3660</u>
<u>14</u>	<u>8</u>	<u>2656</u>	<u>2727</u>	<u>2800</u>	<u>2875</u>	<u>2988</u>	<u>3108</u>	<u>3243</u>	<u>3364</u>	<u>3493</u>	<u>3696</u>	<u>3770</u>
<u>14</u>	<u>9</u>	<u>2709</u>	<u>2780</u>	<u>2853</u>	<u>2930</u>	<u>3045</u>	<u>3165</u>	<u>3301</u>	<u>3423</u>	<u>3552</u>	<u>3755</u>	<u>3830</u>
<u>15</u>	<u>7</u>	<u>2688</u>	<u>2760</u>	<u>2834</u>	<u>2911</u>	<u>3038</u>	<u>3164</u>	<u>3288</u>	<u>3423</u>	<u>3550</u>	<u>3763</u>	<u>3838</u>
<u>15</u>	<u>8</u>	<u>2760</u>	<u>2834</u>	<u>2911</u>	<u>2992</u>	<u>3125</u>	<u>3255</u>	<u>3386</u>	<u>3527</u>	<u>3656</u>	<u>3875</u>	<u>3953</u>
<u>15</u>	<u>9</u>	<u>2813</u>	<u>2887</u>	<u>2966</u>	<u>3049</u>	<u>3183</u>	<u>3312</u>	<u>3447</u>	<u>3585</u>	<u>3715</u>	<u>3935</u>	<u>4014</u>
<u>16</u>	<u>7</u>	<u>2808</u>	<u>2883</u>	<u>2963</u>	<u>3047</u>	<u>3184</u>	<u>3324</u>	<u>3463</u>	<u>3607</u>	<u>3751</u>	<u>3973</u>	<u>4052</u>
<u>16</u>	<u>8</u>	<u>2883</u>	<u>2963</u>	<u>3047</u>	<u>3136</u>	<u>3276</u>	<u>3424</u>	<u>3568</u>	<u>3714</u>	<u>3864</u>	<u>4092</u>	<u>4175</u>
<u>16</u>	<u>9</u>	<u>2939</u>	<u>3020</u>	<u>3105</u>	<u>3193</u>	<u>3335</u>	<u>3484</u>	<u>3628</u>	<u>3774</u>	<u>3924</u>	<u>4151</u>	<u>4234</u>
<u>17</u>	<u>7</u>	<u>2932</u>	<u>3015</u>	<u>3102</u>	<u>3192</u>	<u>3340</u>	<u>3494</u>	<u>3642</u>	<u>3789</u>	<u>3943</u>	<u>4178</u>	<u>4261</u>
<u>17</u>	<u>8</u>	<u>3015</u>	<u>3102</u>	<u>3192</u>	<u>3284</u>	<u>3440</u>	<u>3599</u>	<u>3750</u>	<u>3903</u>	<u>4061</u>	<u>4304</u>	<u>4390</u>
<u>17</u>	<u>9</u>	<u>3072</u>	<u>3160</u>	<u>3250</u>	<u>3343</u>	<u>3501</u>	<u>3660</u>	<u>3811</u>	<u>3963</u>	<u>4120</u>	<u>4364</u>	<u>4451</u>
<u>18</u>	<u>7</u>	<u>3082</u>	<u>3171</u>	<u>3262</u>	<u>3359</u>	<u>3522</u>	<u>3686</u>	<u>3853</u>	<u>4011</u>	<u>4172</u>	<u>4421</u>	<u>4509</u>
<u>18</u>	<u>8</u>	<u>3171</u>	<u>3262</u>	<u>3359</u>	<u>3460</u>	<u>3630</u>	<u>3797</u>	<u>3970</u>	<u>4133</u>	<u>4297</u>	<u>4553</u>	<u>4645</u>
<u>18</u>	<u>9</u>	<u>3228</u>	<u>3320</u>	<u>3420</u>	<u>3518</u>	<u>3689</u>	<u>3857</u>	<u>4029</u>	<u>4192</u>	<u>4358</u>	<u>4612</u>	<u>4705</u>

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

<u>19</u>	<u>7</u>	<u>3244</u>	<u>3338</u>	<u>3437</u>	<u>3541</u>	<u>3722</u>	<u>3897</u>	<u>4079</u>	<u>4249</u>	<u>4427</u>	<u>4695</u>	<u>4788</u>
<u>19</u>	<u>8</u>	<u>3338</u>	<u>3437</u>	<u>3541</u>	<u>3647</u>	<u>3833</u>	<u>4012</u>	<u>4202</u>	<u>4377</u>	<u>4561</u>	<u>4836</u>	<u>4933</u>
<u>19</u>	<u>9</u>	<u>3398</u>	<u>3499</u>	<u>3602</u>	<u>3707</u>	<u>3894</u>	<u>4073</u>	<u>4261</u>	<u>4438</u>	<u>4621</u>	<u>4895</u>	<u>4993</u>
<u>20</u>	<u>7</u>	<u>3425</u>	<u>3529</u>	<u>3634</u>	<u>3742</u>	<u>3931</u>	<u>4114</u>	<u>4309</u>	<u>4496</u>	<u>4681</u>	<u>4967</u>	<u>5067</u>
<u>20</u>	<u>8</u>	<u>3529</u>	<u>3634</u>	<u>3742</u>	<u>3854</u>	<u>4049</u>	<u>4238</u>	<u>4439</u>	<u>4630</u>	<u>4822</u>	<u>5117</u>	<u>5219</u>
<u>20</u>	<u>9</u>	<u>3587</u>	<u>3694</u>	<u>3802</u>	<u>3914</u>	<u>4108</u>	<u>4297</u>	<u>4498</u>	<u>4690</u>	<u>4882</u>	<u>5175</u>	<u>5279</u>
<u>21</u>	<u>7</u>	<u>3616</u>	<u>3725</u>	<u>3837</u>	<u>3950</u>	<u>4153</u>	<u>4354</u>	<u>4558</u>	<u>4766</u>	<u>4964</u>	<u>5273</u>	<u>5378</u>
<u>21</u>	<u>8</u>	<u>3725</u>	<u>3837</u>	<u>3950</u>	<u>4068</u>	<u>4279</u>	<u>4484</u>	<u>4695</u>	<u>4908</u>	<u>5113</u>	<u>5432</u>	<u>5540</u>
<u>21</u>	<u>9</u>	<u>3785</u>	<u>3897</u>	<u>4010</u>	<u>4130</u>	<u>4338</u>	<u>4544</u>	<u>4755</u>	<u>4968</u>	<u>5172</u>	<u>5491</u>	<u>5601</u>
<u>22</u>	<u>7</u>	<u>3822</u>	<u>3937</u>	<u>4056</u>	<u>4177</u>	<u>4394</u>	<u>4609</u>	<u>4827</u>	<u>5050</u>	<u>5261</u>	<u>5587</u>	<u>5698</u>
<u>22</u>	<u>8</u>	<u>3937</u>	<u>4056</u>	<u>4177</u>	<u>4302</u>	<u>4526</u>	<u>4748</u>	<u>4971</u>	<u>5201</u>	<u>5419</u>	<u>5755</u>	<u>5871</u>
<u>22</u>	<u>9</u>	<u>3997</u>	<u>4114</u>	<u>4237</u>	<u>4363</u>	<u>4584</u>	<u>4808</u>	<u>5029</u>	<u>5260</u>	<u>5480</u>	<u>5815</u>	<u>5931</u>
<u>23</u>	<u>7</u>	<u>4056</u>	<u>4177</u>	<u>4302</u>	<u>4430</u>	<u>4665</u>	<u>4904</u>	<u>5137</u>	<u>5374</u>	<u>5608</u>	<u>5959</u>	<u>6079</u>
<u>23</u>	<u>8</u>	<u>4177</u>	<u>4302</u>	<u>4430</u>	<u>4565</u>	<u>4806</u>	<u>5052</u>	<u>5290</u>	<u>5534</u>	<u>5775</u>	<u>6137</u>	<u>6260</u>
<u>23</u>	<u>9</u>	<u>4237</u>	<u>4363</u>	<u>4491</u>	<u>4624</u>	<u>4865</u>	<u>5111</u>	<u>5350</u>	<u>5594</u>	<u>5835</u>	<u>6197</u>	<u>6321</u>
<u>24</u>	<u>7</u>	<u>4315</u>	<u>4444</u>	<u>4577</u>	<u>4715</u>	<u>4966</u>	<u>5225</u>	<u>5476</u>	<u>5729</u>	<u>5988</u>	<u>6363</u>	<u>6490</u>
<u>24</u>	<u>8</u>	<u>4444</u>	<u>4577</u>	<u>4715</u>	<u>4858</u>	<u>5116</u>	<u>5381</u>	<u>5641</u>	<u>5901</u>	<u>6167</u>	<u>6555</u>	<u>6686</u>
<u>24</u>	<u>9</u>	<u>4504</u>	<u>4637</u>	<u>4775</u>	<u>4918</u>	<u>5174</u>	<u>5440</u>	<u>5700</u>	<u>5961</u>	<u>6228</u>	<u>6614</u>	<u>6746</u>
<u>25</u>	<u>7</u>	<u>4599</u>	<u>4737</u>	<u>4879</u>	<u>5025</u>	<u>5301</u>	<u>5580</u>	<u>5858</u>	<u>6137</u>	<u>6416</u>	<u>6828</u>	<u>6964</u>
<u>25</u>	<u>8</u>	<u>4737</u>	<u>4879</u>	<u>5025</u>	<u>5175</u>	<u>5460</u>	<u>5746</u>	<u>6034</u>	<u>6322</u>	<u>6608</u>	<u>7032</u>	<u>7173</u>
<u>25</u>	<u>9</u>	<u>4798</u>	<u>4938</u>	<u>5086</u>	<u>5235</u>	<u>5520</u>	<u>5805</u>	<u>6093</u>	<u>6381</u>	<u>6667</u>	<u>7092</u>	<u>7233</u>

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

**Section 310.APPENDIX C Medical Administrator Rates for Fiscal Year 2006**Effective July 1, 2005

<u>Title</u>	<u>Minimum Salary</u>	<u>Midpoint Salary</u>	<u>Maximum Salary</u>
Medical Administrator I, Option C	8090	9843	11596
Medical Administrator I, Option D	9035	10837	12639
Medical Administrator II, Option C	8743	10528	12313
Medical Administrator II, Option D	10039	11903	13767
Medical Administrator III	10396	12438	14480
Medical Administrator IV	10564	12606	14648
Medical Administrator V	10734	12778	14822

Effective December 2, 2005, the minimum, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in creditable service date.

Effective December 2, 2005

<u>Title</u>	<u>Minimum Salary</u>	<u>Midpoint Salary</u>	<u>Maximum Salary</u>
<u>Medical Administrator I, Option C</u>	<u>8414</u>	<u>10237</u>	<u>12060</u>
<u>Medical Administrator I, Option D</u>	<u>9396</u>	<u>11271</u>	<u>13145</u>
<u>Medical Administrator II, Option C</u>	<u>9093</u>	<u>10950</u>	<u>12806</u>

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

<a href="#"><u>Medical Administrator II, Option D</u></a>	<a href="#"><u>10441</u></a>	<a href="#"><u>12380</u></a>	<a href="#"><u>14318</u></a>
<a href="#"><u>Medical Administrator III</u></a>	<a href="#"><u>10812</u></a>	<a href="#"><u>12936</u></a>	<a href="#"><u>15059</u></a>
<a href="#"><u>Medical Administrator IV</u></a>	<a href="#"><u>10987</u></a>	<a href="#"><u>13111</u></a>	<a href="#"><u>15234</u></a>
<a href="#"><u>Medical Administrator V</u></a>	<a href="#"><u>11163</u></a>	<a href="#"><u>13289</u></a>	<a href="#"><u>15415</u></a>

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

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

**Section 310.APPENDIX D Merit Compensation System Salary Schedule for Fiscal Year 2006**Effective July 1, 2005

<u>Salary Range</u>	<u>Minimum Salary</u>	<u>Midpoint Salary</u>	<u>Maximum Salary</u>
MC 01	2142	2904	3666
MC 02	2235	3053	3871
MC 03	2343	3230	4117
MC 04	2449	3381	4313
MC 05	2571	3581	4591
MC 06	2702	3759	4816
MC 07	2843	3984	5125
MC 08	2996	4227	5458
MC 09	3167	4463	5759
MC 10	3346	4752	6158
MC 11	3534	5046	6558
MC 12	3753	5384	7015
MC 13	4008	5755	7502
MC 14	4286	6179	8072
MC 15	4600	6624	8648
MC 16	4925	7116	9307
MC 17	5314	7681	10048
MC 18	5728	8015	10302
MC 19	6187	8364	10541

Effective September 15, 2005

<u>Salary</u>	<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>
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## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

<u>Range</u>	<u>Salary</u>	<u>Salary</u>	<u>Salary</u>
MC 20	12605	14053	15500

Effective December 2, 2005, the minimum, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in creditable service date.

Effective December 2, 2005

<u>Salary</u>	<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>
<u>Range</u>	<u>Salary</u>	<u>Salary</u>	<u>Salary</u>
<u>MC 01</u>	<u>2228</u>	<u>3021</u>	<u>3813</u>
<u>MC 02</u>	<u>2324</u>	<u>3175</u>	<u>4026</u>
<u>MC 03</u>	<u>2437</u>	<u>3360</u>	<u>4282</u>
<u>MC 04</u>	<u>2547</u>	<u>3517</u>	<u>4486</u>
<u>MC 05</u>	<u>2674</u>	<u>3725</u>	<u>4775</u>
<u>MC 06</u>	<u>2810</u>	<u>3910</u>	<u>5009</u>
<u>MC 07</u>	<u>2957</u>	<u>4144</u>	<u>5330</u>
<u>MC 08</u>	<u>3116</u>	<u>4396</u>	<u>5676</u>
<u>MC 09</u>	<u>3294</u>	<u>4642</u>	<u>5989</u>
<u>MC 10</u>	<u>3480</u>	<u>4942</u>	<u>6404</u>
<u>MC 11</u>	<u>3675</u>	<u>5248</u>	<u>6820</u>
<u>MC 12</u>	<u>3903</u>	<u>5600</u>	<u>7296</u>
<u>MC 13</u>	<u>4168</u>	<u>5985</u>	<u>7802</u>
<u>MC 14</u>	<u>4457</u>	<u>6426</u>	<u>8395</u>
<u>MC 15</u>	<u>4784</u>	<u>6889</u>	<u>8994</u>
<u>MC 16</u>	<u>5122</u>	<u>7401</u>	<u>9679</u>
<u>MC 17</u>	<u>5527</u>	<u>7989</u>	<u>10450</u>
<u>MC 18</u>	<u>5957</u>	<u>8336</u>	<u>10714</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

<a href="#">MC 19</a>	<a href="#">6434</a>	<a href="#">8699</a>	<a href="#">10963</a>
<a href="#">MC-20</a>	<a href="#">13109</a>	<a href="#">14615</a>	<a href="#">16120</a>

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

**Section 310.APPENDIX G Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2006**Effective July 1, 2005

<u>Title</u>	<u>Minimum Salary</u>	<u>Maximum Salary</u>
Health Information Administrator	2571	5125
Human Resources Representative	2235	4313
Human Resources Specialist	2571	5125
Public Service Administrator	2996	6558
Residential Services Supervisor	2235	4313
Senior Public Service Administrator	4130	9705
Site Superintendent	2571	5125

Effective December 2, 2005, the minimum, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in creditable service date.

Effective December 2, 2005

<u>Title</u>	<u>Minimum Salary</u>	<u>Maximum Salary</u>
<u>Health Information Administrator</u>	<u>2674</u>	<u>5330</u>
<u>Human Resources Representative</u>	<u>2324</u>	<u>4486</u>
<u>Human Resources Specialist</u>	<u>2674</u>	<u>5330</u>
<u>Public Service Administrator</u>	<u>3116</u>	<u>6820</u>
<u>Residential Services Supervisor</u>	<u>2324</u>	<u>4486</u>
<u>Senior Public Service Administrator</u>	<u>4295</u>	<u>10093</u>
<u>Site Superintendent</u>	<u>2674</u>	<u>5330</u>

(Source: Amended at 30 Ill. Reg. 7857, effective April 17, 2006)

## ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Illinois Police Training Act
- 2) Code Citation: 20 Ill Adm. Code 1720
- 3) 

<u>Sections Numbers</u> :	<u>Adopted Action</u> :
1720.200	New Section
1720.210	New Section
1720.220	New Section
1720.230	New Section
1720.240	New Section
1720.245	New Section
1720.250	New Section
1720.260	New Section
1720.270	New Section
1720.280	New Section
1720.290	New Section
1720. Appendix C	New Section
- 4) Statutory Authority: The Law Enforcement Officers' Safety Act of 2004 (P.L. 108-277; 18 USC 926), the Illinois Police Training Act [50 ILCS 705/10.4], and the Peace Officer Firearm Training Act [50 ILCS 710/3], as amended by Public Act 94-103, effective July 1, 2005.
- 5) Effective Date of the Amendments: April 11, 2006
- 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 those materials incorporated by reference, is on file at this agency's principle office and is available for public inspection.
- 9) Notice published in the Illinois Register: December 2, 2005; 29 Ill Reg. 19501
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: An application fee of \$75 was added. A provision stating that the Board's failure to notify would be considered disapproval was removed because it conflicted with other notice provisions. The heading of a referenced Part was corrected, and the definition of a passing score (70%) was added.

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

NOTICE OF ADOPTED AMENDMENTS

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: To establish State standards to enable retired law enforcement officers to carry concealed weapons under the federal Law Enforcement Officers' Safety Act of 2004.
- 16) Information and questions regarding these adopted amendments shall be directed to:  
Daniel Nelson  
Illinois Law Enforcement Training and Standards Board  
600 S. Second Street, Suite 300  
Springfield, Illinois 62704  
  
217/782-4540

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

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT  
CHAPTER V: ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

PART 1720  
ILLINOIS POLICE TRAINING ACT

SUBPART A: CERTIFICATION OF POLICE OFFICERS

Section	
1720.10	Course Requirements
1720.15	Equivalency Examination
1720.20	Minimum Requirements of the Trainee
1720.25	Procedures for Administration of Law Enforcement and Correctional Officers Certification Examination
1720.30	School Standards and Requirements
1720.35	Academy Entrance Qualifications
1720.40	Qualification of Police Instructors
1720.50	Reimbursements
1720.60	Requirements of Participating Local Agencies
1720.70	Minimum Training Requirements for Illinois Sheriffs

SUBPART B: DECERTIFICATION OF POLICE OFFICERS

Section	
1720.100	Purpose
1720.110	Definitions
1720.120	Submission and Review of a Complaint
1720.130	Certification Revocation
1720.140	Reporting
1720.150	Law Enforcement Training and Standards Board Costs and Attorney Fees Fund

SUBPART C: WEAPON CERTIFICATION FOR  
RETIRED LAW ENFORCEMENT OFFICERS

<u>Section</u>	
<u>1720.200</u>	<u>Purpose</u>
<u>1720.210</u>	<u>Statutory Authority</u>
<u>1720.220</u>	<u>Definitions</u>
<u>1720.230</u>	<u>Compliance with Laws and Rules</u>
<u>1720.240</u>	<u>Eligibility Requirements</u>

## ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

## NOTICE OF ADOPTED AMENDMENTS

<a href="#">1720.245</a>	<a href="#">Background Investigation</a>
<a href="#">1720.250</a>	<a href="#">Application Procedure</a>
<a href="#">1720.260</a>	<a href="#">Permits</a>
<a href="#">1720.270</a>	<a href="#">Denial, Suspension and Revocation</a>
<a href="#">1720.280</a>	<a href="#">Firearm Certification Program – Approval</a>
<a href="#">1720.290</a>	<a href="#">Range Officer – Approval</a>

1720.APPENDIX A Physical Fitness Standards

1720.APPENDIX B Complaint Form

[1720.APPENDIX C](#) [Firearm Course-of-Fire](#)

AUTHORITY: Implementing and authorized by Section 6.1 of the Illinois Police Training Act [50 ILCS 705/6.1].

SOURCE: Filed and effective July 26, 1966; codified at 7 Ill. Reg. 11232; amended at 8 Ill. Reg. 12259, effective July 1, 1984; amended at 11 Ill. Reg. 16692, effective October 6, 1987; amended at 12 Ill. Reg. 3728, effective February 2, 1988; amended at 13 Ill. Reg. 19957, effective December 11, 1989; amended at 14 Ill. Reg. 14800, effective September 4, 1990; amended at 15 Ill. Reg. 999, effective January 14, 1991; amended at 16 Ill. Reg. 4002, effective February 28, 1992; emergency amendment at 16 Ill. Reg. 727, effective January 1, 1992; amended at 16 Ill. Reg. 18811, effective November 19, 1992; emergency amendment at 28 Ill. Reg. 6479, effective April 12, 2004, for a maximum of 150 days; emergency expired September 8, 2004; amended at 28 Ill. Reg. 13537, effective September 23, 2004; emergency amendment at 29 Ill. Reg. 19708, effective November 15, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 7925, effective April 11, 2006.

[SUBPART C: WEAPON CERTIFICATION FOR  
RETIRED LAW ENFORCEMENT OFFICERS](#)

[Section 1720.200 Purpose](#)

[The purpose of this Subpart is to establish and set forth the requirements and guidelines needed to efficiently and effectively implement and enforce the statutory provisions authorizing the certification and the issuance of a permit for a qualified retired law enforcement officer to carry a concealed firearm.](#)

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

[Section 1720.210 Statutory Authority](#)

## ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

## NOTICE OF ADOPTED AMENDMENTS

This Subpart C is promulgated pursuant to the provisions of the federal Law Enforcement Officers' Safety Act of 2004 (P.L. 108-277; 18 USC 926) and the authority vested in the Illinois Law Enforcement Training and Standards Board by the Illinois Police Training Act [50 ILCS 705/10.4] and the Peace Officer Firearm Training Act [50 ILCS 710/3]. This Subpart supplements existing State and federal laws.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.220 Definitions**

In this Subpart, unless otherwise specified:

"Act" means the Illinois Police Training Act [5 ILCS 705]

"Applicant" means an individual who submits a completed application form and the required fee to the Board to obtain a permit to carry a concealed firearm, administer a Certification Program, or to be approved as a Range Officer.

"Board" means the Illinois Law Enforcement Training and Standards Board created by Section 3 of the Illinois Police Training Act [50 ILCS 705/3].

"Certification Program" means a Board approved program that insures that an applicant meets the requirements of the federal Law Enforcement Officers' Safety Act of 2004 (P.L. 108-277; 18 USC 926) and includes a standard course-of-fire and information on the safe and lawful use of a firearm.

"Director" means the Executive Director of the Illinois Law Enforcement Training and Standards Board.

"Federal Act" means the federal Law Enforcement Officers' Safety Act of 2004 (18 USC 926).

"Firearm" means any weapon or device as defined in the Firearm Owner's Identification Card Act [430 ILCS 65/1.1].

"FOID Card" means an Illinois Firearm Owner's Identification Card issued by the Illinois State Police under the Illinois Firearm Owner's Identification Card Act [430 ILCS 65].

## ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

## NOTICE OF ADOPTED AMENDMENTS

"FOID Card Act" means the Illinois Firearm Owner's Identification Card Act [430 ILCS 65].

"Organization" means those local governmental agencies as described in the Illinois Police Training Act [50 ILCS 705/2].

"Law Enforcement Officer" means any police officer of a governmental agency who is primarily responsible for prevention or detection of crime and the enforcement of a criminal code or traffic or highway laws of any state or any political subdivision, and has statutory powers of arrest.

"Permit" means a certification issued by the Board that authorizes the named holder to carry a concealed firearm subject to the requirements of the federal Act and this Subpart.

"Permittee" means the named holder of a certification by the Board that authorizes the individual to carry a concealed firearm subject to the requirements of the federal Act and this Subpart.

"Qualified retired law enforcement officer" means an individual who:

retired in good standing from his or her employing agency (other than for reasons of mental disability);

was authorized to perform the specified law enforcement functions and held a position for which powers of arrest were granted by statute;

was regularly employed as a law enforcement officer for an aggregate of 15 years or more before his or her retirement, or retired from service with his or her agency (after completing any applicable probationary period of service) due to a service-connected disability as determined by the agency;

has a non-forfeitable right to retirement plan benefits of the law enforcement agency;

during the most recent year, has met State firearms training and qualifications that are the same as the training and qualifications for active duty officers;

## ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

## NOTICE OF ADOPTED AMENDMENTS

is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

is not prohibited by federal law from carrying a firearm.

"Range Officer" means an individual who has obtained approval from the Board to conduct a Board approved Certification Program for qualified retired law enforcement officers.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.230 Compliance with Laws and Rules**

- a) All permit holders shall be knowledgeable of and shall comply with all federal, State, and local laws and rules and regulations pertaining to the possession and use of a firearm.
- b) Any federal or State statute now existing, or duly enacted in the future, shall supersede any conflicting provision of this Subpart to the extent of the conflict, but shall not affect the remaining provisions of this Subpart.
- c) Any violation of this Subpart and applicable federal or State laws may result in denial, suspension, cancellation or revocation of the permit.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.240 Eligibility Requirements**

- a) A permit to carry a concealed firearm may be issued to a qualified retired law enforcement officer, as defined in Section 1720.220, who:
  - 1) Immediately before retirement was a certified law enforcement officer authorized by a local, State or federal law enforcement department, office, or agency to carry a firearm in the course and scope of his or her duties;
  - 2) Is in possession of a photographic identification issued by a law enforcement department, office, or agency from which the individual retired as a law enforcement officer;

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- 3) Has authorized an investigation to determine if the applicant has been convicted of any disqualifying criminal offenses, and the results of the investigation reveal no findings of guilt for any disqualifying offenses specified in the Act and the **FOID** Card Act;
  - 4) Is in possession of a valid **FOID** Card identifying him or her;
  - 5) Is a resident of the State of Illinois.
- b) Any retired law enforcement officer making application to carry a concealed firearm pursuant to this **Subpart** shall, by signing the application form, affirm that **he or she** meets each of the eligibility requirements described in this **Subpart** under penalty of perjury.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.245 Background Investigation**

- a) The applicant shall authorize the Board, through the Department of State Police, to conduct a complete search of its criminal history records and those of the Federal Bureau of Investigation, including the National Instant Criminal Background Check System, and of the files of the Department of Human Services relating to mental health and developmental disabilities **and** to obtain records of any conviction or patient hospitalization or other medical information **that** would disqualify the applicant from obtaining a **permit** or require revocation of a currently valid **FOID** Card.
- b) A certification will not be issued if the results of the background investigation reveal a finding of guilt for a criminal offense or evidence of a disqualifying condition as specified in the Act or the **FOID** Card Act.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.250 Application Procedure**

- a) Any qualified retired law enforcement officer who wishes to apply for a **permit** under this Part may request an application in writing or by telephone from the Illinois Retired Officer Concealed Carry Program, P.O. Box 9860, Springfield, Illinois 62791 (217) 726-9537 or online at [www.ptb.state.il.us](http://www.ptb.state.il.us). The Board shall

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- develop the application forms and necessary procedures to implement this program.
- b) The completed application shall include a certification that it constitutes a sworn affidavit signed by the applicant attesting to compliance with the eligibility requirements.
- c) An applicant must provide evidence of photographic Identification issued by his or her prior local, State or federal law enforcement employer and documentation from the appropriate retirement system verifying the status of the applicant as a retired full-time law enforcement officer and the effective date of retirement or, if the retired law enforcement officer does not participate in a retirement system, a statement from the appropriate local, State or federal law enforcement department, office or agency verifying the status of the applicant as a retired full-time law enforcement officer of that jurisdiction and the reason why the retired law enforcement officer does not participate in a retirement system.
- d) All information on the application or any related document must be complete and accurate to the best of the applicant's knowledge. Failure to provide the information necessary to complete the application shall preclude any further processing and shall result in denial of the application.
- e) An applicant shall pay a \$75 (when seeking certification and permit to carry either a revolver or a semi-automatic pistol) or \$100 (when seeking certification and permit to carry both a revolver and a semi-automatic pistol) non-refundable fee at the time the initial application is filed. The Board will review the fee amount annually and make its determination based on the program's operating costs. Failure to pay the required fee at the time the application is filed shall preclude any further processing and shall result in denial of the application. Payment shall be in the form of a check or money order. The Board shall not be responsible for cash lost in the mail.
- f) An applicant must provide evidence of possession of a valid FOID Card at the time of application.
- g) Written notification of approval or denial of an application shall be sent within 10 working days after receipt of a completed application by the Board. Approved applications shall include additional information regarding the availability of shooting ranges and standards for the Certification Program. Failure of the Board

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to issue a written notification on an application within the 10 working day period shall not be deemed an approval of the application by the Board.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.260 Permits**

- a) When an applicant has satisfied the requirements of this Subpart, the Board shall issue a concealed firearm permit. The permit shall certify that the permittee is qualified by the State to carry a concealed firearm under federal law and the provisions of this Subpart, and shall contain:
- 1) The permittee's legal name, as shown on the application;
  - 2) The permittee's date of birth;
  - 3) The type of firearm permitted to be carried;
  - 4) A permit number;
  - 5) The date of issuance and expiration of the permit; and
  - 6) The title of the permit, the State Seal, and instructions to the permit holder.
- b) The Board shall mail an approved permit to the applicant's residential address or mailing address shown on the application.
- c) The permit to carry a concealed firearm is not valid unless the permit card is in the permittee's possession and accompanied by a valid FOID Card and the photographic identification issued by the law enforcement agency from which the permittee retired.
- d) The permittee shall present his or her permit upon demand for inspection by a law enforcement officer.
- e) All permit cards or other written authorization shall remain the property of the State and the permittee shall surrender his or her card to the Director or a designated representative upon written notice setting forth the reasons for such surrender.

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- f) All permit holders must maintain a current address and telephone number with the Board and report any changes within 10 days after the change.
- g) Permits shall expire 12 months from the date of issue.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.270 Denial, Suspension and Revocation**

- a) Failure to meet any of the requirements of this Subpart will result in denial of the application. In such cases, a portion of the application fee, not to exceed one-third, shall be retained to cover the administrative costs of processing the applicant. An applicant who is deemed eligible, but fails the Firearms Certification Program, shall not have any portion of the fee refunded.
- b) Written notification of an administrative denial of an application shall be sent within 10 working days after receipt of a completed application by the Board. Notice of failure to successfully complete the Certification Program will be given at the test site and will be followed by a written notification with instructions to the permit applicant. Board failure to issue a written notification within 10 working days shall not be deemed approval of the application or the Certification Program by the Board.
- c) A permit applicant must possess a valid FOID Card at the time of issuance of the permit. Revocation or suspension of rights under the FOID Card Act shall result in automatic revocation or suspension of the permit.
- d) A finding of guilt for any of the offenses described in the Act shall result in automatic revocation of the permit.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.280 Firearms Certification Program – Approval**

- a) A local, State or federal law enforcement department, office, or agency wishing to administer a Certification Program to qualified retired law enforcement officers who retired from that department, office or agency shall submit for approval by the Board a curriculum that complies with the standards established by the Board as set forth in Appendix C of this Part.

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- b) The course-of-fire standards for a Certification Program must be the same as the course-of-fire used for the annual qualification for that department, office or agency's active law enforcement officers.
- c) Applicants must provide evidence of a system used to comply with the requirements of the federal Act and this Subpart.
- d) No law enforcement department, office or agency approved to administer a Certification Program shall knowingly certify a retired law enforcement officer qualified under the federal Act to carry a concealed weapon, unless a criminal background investigation of that person has been completed and that investigation reveals no findings of guilt for any criminal offenses or evidence of any disqualifying condition specified in the Act or the FOID Card Act.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

**Section 1720.290 Range Officer – Approval**

- a) The range officer shall have a sufficient educational background and/or experience necessary to meet the instructional demands that will be made of him or her in accordance with Section 1720.40.
- b) The decision shall be based on an investigation of the credentials of the particular individual. No range officer shall be utilized in a Certification Program for retired officers who has not been previously approved as a Qualified Police Instructor for the course described in 20 Ill. Adm. Code 1730 (Mandatory Firearms Training for Peace Officers).
- c) A range officer shall be in charge of all aspects of the course-of-fire Certification Program and shall certify in writing to the Board that the range to be used is safe for all phases of the required course-of-fire. The range officer shall be physically present at all times the Certification Program is being administered to an applicant and shall have the authority to dismiss any applicant for reasons of range safety.
- d) The range officer shall certify and report in writing to the Board the results of an applicant's performance in the Certification Program.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

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**1720.APPENDIX C Firearm Qualification Course-of-Fire**

- 1) Target Scoring Area: 8 1/2 x 14 inch overlay / center mass of target. The defined firearm types are: Semi-auto / Revolver handgun; minimum capacity 5 rounds
- 2) For Duty Handgun Qualification, all stages of fire will commence from a secured holster. For Off Duty / Retired Officer Qualification, all stages of fire will commence with the handgun in hand from the "low ready" position. A passing score is 70% = 21 hits on center mass.
- 3) Where indicated below, the word "DRAW" requires the shooter to withdraw the handgun from a secured holster on the command to fire. The word "PRESENT" means that the shooter has the handgun in the shooting hand in low ready (depressed muzzle) position and stands ready for the command to fire under the following conditions:

5 Yard line – Total of 12 roundsStage 1 Draw/Present and fire 2 rounds in 6 secondsStage 2 Draw/Present and fire 2 rounds in 6 secondsStage 3 Draw/Present and fire 2 rounds in 6 secondsStage 4 Draw/Present and fire 2 rounds in 6 secondsStage 5 Draw/Present and fire 2 rounds in 6 secondsStage 6 Draw/Present and fire 2 rounds in 6 secondsShooters will reload without command as needed between stages of fire.7 Yard line – Total of 12 roundsStage 7 Draw/Present and fire 3 rounds in 7 secondsStage 8 Draw/Present and fire 3 rounds in 7 secondsStage 9 Draw/Present and fire 3 rounds in 7 secondsStage 10 Draw/Present and fire 3 rounds in 7 seconds15 Yard line – Total of 6 roundsStage 11 Draw/Present and fire 3 rounds in 10 secondsStage 12 Draw/Present and fire 3 rounds in 10 secondsStage 12 <OPTIONAL> 25 Yard line-: Draw/Present and fire 3 rounds in 15 seconds(in lieu of the second 10 second /three round string at 15 yards)

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- 4) The above course-of-fire is the minimum standard required. Any agency may include any modification that increases the level of difficulty such as reloading, alternate hands, movement, time restriction, or other job related skills.

(Source: Added at 30 Ill. Reg. 7925, effective April 11, 2006)

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- 1) Heading of the Part: General Program
- 2) Code Citation: 35 Ill. Adm. Code 1500
- 3) 

<u>Section Numbers:</u> 1500.40 1500.50 1500.55 1500.70	<u>Adopted Action:</u> Amendment Amendment Amendment Amendment
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- 4) Statutory Authority: 415 ILCS 135/20
- 5) Effective Date of Amendments: April 13, 2006
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file at the Third Party Administrator of the Drycleaner Council's office located at 1000 Tower Lane, Suite 140, Bensenville, Illinois and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: November 28, 2005; 29 Ill. Reg. 19017
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version:
  - In Section 1500.40 (9)(3) – added a subsection "G" label
  - In Section 1500.70 (a) – after "a)", added "License Application Form" and before "The", added "1)"
    - relabeled the subsections as A) through E)
    - added a "2)" label
  - (b) – before "The", added "Insurance Application Form"
  - (c) – before "The", added "Claim Application Form"
  - (d) – before "The", added "Claim Reimbursement Form"

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? No
- 14) Are there any amendments pending to this Part? No
- 15) Summary and Purpose of Amendments: This rulemaking clarifies the insurance program coverage and benefits, defines new green drycleaning solvents, and amends the policies for prioritization of remedial program benefits.
- 16) Information and questions regarding these adopted amendments shall be directed to:

H. Patrick Eriksen  
Administrator  
Drycleaner Environmental Response Trust Fund Council of Illinois  
PO Box 7380  
Bensenville IL 60106-7380

(630) 741-0022

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

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TITLE 35: DRYCLEANER ENVIRONMENTAL RESPONSE  
TRUST FUND COUNCIL OF ILLINOIS  
SUBTITLE N: DRYCLEANING  
CHAPTER V±: DRYCLEANER ENVIRONMENTAL RESPONSE  
TRUST FUND COUNCIL OF ILLINOIS

PART 1500  
GENERAL PROGRAM

Section

1500.10	General
1500.20	Definitions
1500.30	Drycleaning Facility License
1500.40	Drycleaner Remedial Account
1500.50	Drycleaner Facility Insurance Account
1500.55	Drycleaning Solvent Tax
1500.60	Appeals
1500.70	Forms

AUTHORITY: Implementing and authorized by the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135/20].

SOURCE: Emergency rule adopted at 24 Ill. Reg. 307, effective January 1, 2000, for a maximum of 150 days; emergency expired May 29, 2000; adopted at 24 Ill. Reg. 10162, effective June 26, 2000; amended at 28 Ill. Reg. 9051, effective June 21, 2004; amended at 30 Ill. Reg. 7939, effective April 13, 2006.

**Section 1500.40 Drycleaner Remedial Account**

The Council shall have the authority *to provide reimbursement to eligible claimants* for remedial action associated with the release of drycleaning solvents from the claimant's drycleaning facility. (Section 40(a) of the Act)

- a) *The following claimants are eligible for reimbursement from the remedial action account:*
  - 1) *The owner or operator of an inactive drycleaning facility who was also the owner or operator of that drycleaning facility when it was an active drycleaning facility.*

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- 2) *The owner or operator of an active drycleaning facility which is licensed by the Council under the Drycleaner Environmental Response Trust Fund Act at the time of application for remedial action benefits. (Section 40(b) of the Act)*
  
- b) To be eligible for reimbursement, a claimant must demonstrate that drycleaning solvent contaminated soil, groundwater or both exceeds Illinois Environmental Protection Agency (Agency) tiered approach to corrective action objectives and all of the following:
  - 1) *The source of the release is from the claimant's drycleaning facility. (Section 40(c)(1) of the Act)*
  - 2) *At the time the release was discovered, the claimant and the drycleaning facility were in compliance with all the Agency reporting and technical operating requirements. (Section 40(c)(2) of the Act)*
  - 3) *The claimant reported the release in a timely manner to the Agency in accordance with the Illinois Emergency Planning and Community Right to Know Act [430 ILCS 100]. (Section 40(c)(3) of the Act)*
  - 4) *The claimant has not filed for bankruptcy on or after the date of the discovery of the release. (Section 40(c)(4) of the Act)*
  - 5) *The release must have been discovered on or after July 1, 1997 and before July 1, 2006. (Section 40(c)(7) of the Act)*
  - 6) *The claimant must submit a completed application form as provided by the Council (see Section 1500.70(c)) by June 30, 2005. (Section 40(d) of the Act)*
  - 7) *If the claim is for reimbursement of remedial action expenses at an active drycleaning facility, the claimant must demonstrate continuous financial assurance for environmental liability coverage in the amount of at least \$500,000 beginning the date of award of benefits under the Act or July 1, 2000, whichever is earlier. An uninsured drycleaning facility that has filed an application for insurance with the Fund by January 1, 2004, obtained insurance through that application, and maintained that*

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*insurance coverage continuously shall be considered to have conformed with the requirements of this subsection (b)(7). To conform with this requirement, the applicant must pay the equivalent of the total premiums due for the period beginning June 30, 2000 through the date of application plus a 20% penalty of the total premiums due for that period and the claimant must provide to the Council proof of implementation and maintenance of the following pollution prevention measures: (Section 40(c)(5) and (6) of the Act)*

- A) *Management of all drycleaning solvent wastes in accordance with applicable State waste management laws and rules in accordance with the Environmental Protection Act [415 ILCS 5] and 35 Ill. Adm. Code 722. (Section 40(c)(5)(A) of the Act)*
- B) *A prohibition on the discharge of wastewater from drycleaning machines or of drycleaning solvent from drycleaning operations to a sanitary sewer or septic tank or to the surface or to groundwater. (Section 40(c)(5)(B) of the Act)*
- C) *Installation of a containment dike or other containment structure around each machine which is capable of containing a capacity of 110 percent of the drycleaning solvent in the largest tank or vessel in the machine for any leak, spill, or release of drycleaning solvent from that machine.*
- D) *Installation of a containment dike or other containment structure around each item of equipment or drycleaning area in which any drycleaning solvent is utilized, which shall be capable of containing a capacity of 100 percent of the drycleaning solvent capacity of each item of equipment or area for any leak, spill, or release of drycleaning solvent from that item. (Section 40(c)(5)(C)(I))*
- E) *Installation of a containment dike or other containment structure around each portable waste container in which any drycleaning solvent is utilized, which shall be capable of containing a capacity of 100 percent of the drycleaning solvent capacity of the largest portable waste container, or at least 10 percent of the total volume of the portable waste containers stored within the containment*

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*device, whichever is greater, for any leak, spill, or release of drycleaning solvent from that item. The portable waste container and containment dike should be located within the drycleaning facility. If the portable waste container is not located within the drycleaning facility, then the portable waste container and the containment device must be located in a structure designed to prevent unauthorized access and prevent exposure to natural elements and provide safety to human health and the environment. (Section 40(c)(5)(C)(I) of the Act)*

- F) *Petroleum underground storage tank systems that are upgraded in accordance with USEPA upgrade standards pursuant to 40 CFR 280 (1998) for the tanks and related piping systems and use a leak detection system approved by USEPA or the Agency are exempt from this secondary containment requirement. (Section 40(c)(5)(C)(I) of the Act)*
  - G) *All diked floor surfaces on which a drycleaning solvent may leak, spill or otherwise be released must be sealed or otherwise rendered impervious to drycleaning solvents. (Section 40(c)(5)(C)(II) of the Act)*
  - H) *Chlorine-based drycleaning solvents shall be delivered to the drycleaning facility by means of closed, direct-coupled delivery and vapor recovery systems. (Section 40(c)(5)(D) of the Act)*
  - I) *All petroleum based drycleaning solvents shall be delivered to the drycleaning facility by means of a direct-coupled delivery system with proper vent lines for receiving the product.*
- c) *Subject to Fund limitations, eligibility requirements, prioritization and reimbursement limitations, the Council may reimburse up to but not to exceed \$300,000 per active drycleaning facility and \$50,000 per inactive drycleaning facility. (Section 40(f)(1) of the Act)*
  - d) *An eligible claimant submitting a claim for an active drycleaning facility is responsible for the first \$5,000 of eligible focused site investigation costs and for the first \$10,000 of eligible remedial action costs incurred in connection with the release and is only eligible for reimbursement for costs that exceed those*

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*amounts, subject to any other limitations of the Act. (Section 40(e)(1) of the Act)*

- e) *An eligible claimant submitting a claim for an inactive drycleaning facility is responsible for the first \$10,000 of eligible focused site investigation costs and for the first \$10,000 of eligible remedial action costs incurred in connection with the release from that drycleaning facility, and is only eligible for reimbursement for costs that exceed those amounts, subject to any other limitations of the Act. (Section 40(e)(2) of the Act)*
- f) For the purpose of claimant reimbursement, eligible expenses are limited subject to the following:
- 1) For remedial action activities that occurred on or after July 1, 1999, only those costs that are pre-approved by the Council are eligible for reimbursement unless an emergency exists. In the case of an emergency, the Council may reimburse reasonable expenses for remediation services required to mitigate the emergency conditions.
  - 2) For remedial action activities that occurred prior to July 1, 1999, the Council may reimburse costs that the Council determines were reasonable and necessary.
  - 3) To be pre-approved for reimbursement, remedial action activities must be required under the site remediation program. Only services required to obtain a no further remediation letter for the drycleaning solvent of concern, based upon continued land use as a drycleaning facility, are reimbursable.
  - 4) *A contract in which one of the parties to the contract is a claimant, for goods or services that may be payable or reimbursable from the Council, is void and unenforceable unless and until the Council has found that the contract terms are within the range of usual and customary rates for similar or equivalent goods or services within this State and has found that the goods or services are necessary for the claimant to comply with Council standards or with the site remediation program. (Section 40(f)(2) of the Act)*
  - 5) *The Council may require a claimant to obtain and submit 3 bids and may require that the bids contain specific terms and conditions consistent with*

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the requirements of the site remediation program and the site specific characteristics of the drycleaning facility for which budget approval is requested. Approval of a bid will be both price and scope specific. (Section 40(f)(4) of the Act)

- 6) *If a claimant has pollution liability insurance coverage other than coverage provided by the insurance account under the Act, that coverage shall be primary. Reimbursement from the remedial account shall be limited to the deductible amounts under the primary coverage and the amount that exceeds the policy limits of the primary coverage, subject to the deductible amounts of the Act. If there is a dispute between the claimant and the primary insurance provider, reimbursement from the remedial action account may be made to the claimant after the claimant assigns all of his or her interests in the insurance coverage to the Council.* (Section 40(f)(9) of the Act)
- 7) Reimbursement of any amount from the Fund for remedial action shall be subject to the Council acquiring by subrogation the rights of any claimant or other person to recover the costs of remedial action for which the Fund has compensated the claimant.
- 8) If, for any reason, the Council determines that an excess payment has been paid from the Fund, the Council may take steps to collect the excess amount.
- 9) *Cost recovery; enforcement.*
  - A) *The Council may seek recovery from a potentially responsible party liable for a release that is the subject of a remedial action and for which the Fund has expended moneys for remedial action. The amount of recovery sought by the Council shall be equal to all moneys expended by the Fund for and in connection with the remediation, including but not limited to reasonable attorneys' fees and costs of litigation expended by the Fund in connection with the release.* (Section 50(a) of the Act)
  - B) *Except as provided in subsections (f)(9)(C) and (D):*
    - i) *The Council shall not seek recovery for expenses in*

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*connection with remedial action for a release from a claimant eligible for reimbursement except for any unpaid portion of the deductible. (Section 50(b)(1) of the Act)*

- ii) *A claimant's liability for a release for which coverage is admitted under the insurance account shall not exceed the amount of the deductible, subject to the limits of insurance coverage. (Section 50(b)(2) of the Act)*
- C) *Notwithstanding subsection (f)(9)(B), the liability of a claimant to the Fund shall be the total costs of remedial action incurred by the Fund, as specified in subsection (f)(9)(A), if the claimant has not complied with the Environmental Protection Act [415 ILCS 5] and its rules or with the Act and its rules. (Section 50(c) of the Act)*
- D) *Notwithstanding subsection (f)(9)(B), the liability of a claimant to the Fund shall be the total costs of remedial action incurred by the Fund, as specified in subsection (f)(9)(A), if the claimant received reimbursement from the Fund through misrepresentation or fraud, and the claimant shall be liable for the amount of the reimbursement. (Section 50(d) of the Act)*
- E) *Upon reimbursement by the Fund for remedial action under the Act, the rights of the claimant to recover payment from a potentially responsible party are assumed by the Council to the extent the remedial action was paid by the Fund. A claimant is precluded from receiving double compensation for the same injury. A claimant may elect to permit the Council to pursue the claimant's cause of action for an injury not compensated by the Fund against a potentially responsible party, provided the Attorney General or his or her designee determines the representation would not be a conflict of interest. (Section 50(e) of the Act)*
- F) *This subsection (f)(9) does not preclude, limit, or in any way affect any of the provisions of or causes of action pursuant to Section 22.2 of the Environmental Protection Act [415 ILCS 5/22.2]. (Section 50(f) of the Act)*

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- 10) Upon receipt of a signed, written request from the claimant and verification that the applicable deductibles have been paid by the claimant, the Council will directly pay to the primary service provider the amount of reimbursement due the claimant from the Fund for remedial action activities. The claimant must submit to the Fund a copy of cancelled checks supporting that the applicable deductibles have been paid, along with a signed, written statement from the primary service provider verifying the applicable deductibles have been paid. This request will remain in effect until:
  - A) it is rescinded in writing by the claimant; or
  - B) the Fund has reimbursed the maximum benefit allowed; or
  - C) the claim is closed and the Fund has reimbursed the total amount approved for remedial action activities performed at the facility.
  
- 11) Upon enrollment in the Agency's site remediation program and receipt of a signed, written request from the claimant, the Fund may pay the Agency directly, on eligible claims, the cost incurred by the Agency in its oversight of the drycleaning facility with respect to which the claimant obtained a No Further Remediation letter. This request will remain in effect until:
  - A) the Fund has reimbursed the maximum benefit allowed; or
  - B) the claim is no longer eligible for benefits from the Fund; or
  - C) the facility has completed the project with the Agency and all related oversight costs have been paid in full to the Agency.
  
- g) Prioritization based upon Fund limitations.
  - 1) The liability of the Fund is further limited by the monies made available to the Fund, and no remedy shall be provided that would require the Fund to exceed its then current funding limitations to satisfy an award or that would restrict the availability of monies for higher priority sites. *The Council may prioritize the expenditure of funds from the remedial action account whenever it determines that there are not sufficient funds to settle*

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*all current claims. In prioritizing, the Council may consider the following:*

- A) *The degree to which human health is affected by the exposure posed by the release (Section 25(c)(1) of the Act);*
- B) *The reduction of risk to human health derived from remedial action compared to the cost of the remedial action (Section 25(c)(2) of the Act);*
- C) *The present and planned uses of the impacted property (Section 25(c)(3) of the Act).*

- 2) If the Council determines that there are not sufficient funds to settle all current claims and that prioritization is necessary, the Council will provide notice to all eligible claimants of the need for prioritization and the prioritization schedule. The Council may designate cash reserves to pay for focused site investigations performed through June 30, 2006 and to pay for unknown remediation costs associated with claims that have been prioritized. The initial claim prioritization will include all eligible claims as of the prioritization date set by the Council. Subsequent claim prioritizations will include all eligible claims as of the prioritization date set by the Council, excluding all claims that have previously been prioritized. All claims in the initial prioritization must be funded before conducting subsequent prioritizations. This funding methodology will apply to all subsequent prioritizations.
- 3) The prioritization schedule is as follows:
  - A) First priority will be the abatement of emergency conditions that present an immediate threat to human health and safety, such as explosive vapors in basements or utility conduits and migration of free products into the water supply line or to the off site property.
  - B) Second priority will be the drycleaning facilities located in a township without a groundwater ordinance and when the drycleaning solvent contamination of soil and groundwater of such facilities is likely to cause an immediate adverse effect on human health by contaminating potable water resources.

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- C) Third priority will be the drycleaning facilities with drycleaning solvent contaminants of soil and groundwater where migration of these contaminants to neighboring properties seems imminent or immediate, which can result in more costly and complicated remediations in the future.
- D) Fourth priority will be drycleaning facilities at which soil and/or groundwater contamination is at concentration higher than soil saturation limits of drycleaning solvents, according to TACO regulations of the Agency. Active remediation is required to address free product drycleaning solvent contamination.
- E) Fifth priority will be the drycleaning facilities in which soil and/or groundwater contamination is higher than the TACO Tier II level but less than the TACO soil saturation limit. Active remediation may be required or a No Further Remediation letter may be achieved through installation of an engineering barrier and/or through the use of institutional controls.
- F) When the Council determines it necessary to prioritize the claims, each individual claim will be ranked using the following numerical ranking system:

$$\text{Ranking Score} = (S1 \times 20) + (S2 \times 10) + (S3 \times 8) \\ + (S4 \times 6) + (S5 \times 4) + (S6 \times 2)$$

Where:

- S1 = Emergency condition
- S2 = Potable water resources contamination
- S3 = Migration of contaminants through groundwater or through soil/rock fractures to the neighboring properties
- S4 = Facilities with free product solvents
- S5 = Facilities with higher than the TACO Tier II level of solvent contamination
- S6 = Facilities with less than the TACO Tier II level of solvent contamination

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i) Emergency condition (S1)

Toxic fumes or explosion possibility, i.e., free product migration, etc.

Points: 5

ii) Potable water resources contamination (S2)

Imminent or immediate risk to public water resources such as public wells, rivers, and surface water reservoirs and lakes

Distance	Points
Within 500 feet	5
Within ¼ mile	4
Within ½ mile	3
Within 1 mile	2
Within 1½ miles	1

iii) Migration of contaminants with groundwater or through soil/rock fractures to the neighboring properties (S3)

Time period for the migration of contaminants to the neighboring property given seepage velocity of groundwater and size and location of contamination plume

Time	Points
Within 6 months	5
Within 1 year	4
Within 1½ years	3
Within 2 years	2
Within 2½ years	1

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iv) Facilities with free product solvents (S4)

The soil at the facility is contaminated with drycleaning solvent higher than TACO soil saturation limits (i.e., PCE > 240 ppm and TCE > 1300 ppm) and/or free product was discovered in on-site wells

Groundwater Ordinance	Points
Rejected or not available	5
Only approved by the township	4
Approved by the Agency and township	3

v) Facilities with higher than the TACO Tier II level of solvent contamination (S5)

Facilities with higher than the TACO Tier II level of solvent contamination but less than soil saturation limits

Groundwater Ordinance	Points
Rejected or not available	5
Only approved by the township	4
Approved by the Agency and township	3

vi) Facilities with less than the TACO Tier II level of solvent contamination (S6)

Facilities with higher than the TACO Tier I level but less than Tier II level of solvent contamination (i.e., Tier I for PCE & TCE  $\geq$  300 ppb for Class I and 60 ppb for Class II)

Groundwater Ordinance	Points
Rejected or not available	5
Only approved by the township	4
Approved by the Agency and township	3

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G) The highest ranked claims will receive priority funding, subject to an analysis of the claimant's ability to pay for remediation costs that are anticipated to exceed the Fund's maximum benefit cap.

4) Ability to Pay Remediation Costs

A) The final step in the prioritization process is to analyze each claimant's ability to pay for remedial action costs that are anticipated to exceed the Fund's maximum benefit cap for the facility. This analysis will be done at the completion of the remedial action plan or, in the case of substantial soil and groundwater contamination, at the completion of the focused site investigation.

B) If it is apparent that the cost of remedial action will exceed the benefits available to an eligible drycleaning facility, the Administrator will contact the claimant and ask that the claimant respond in writing as to whether it has the financial resources and is willing to expend those resources to remediate the facility.

C) If the claimant states that it chooses to remediate the facility, the following mechanisms would be deemed acceptable in order to ensure that the claimant has the necessary resources to complete the remedial action once the Fund's maximum benefits have been expended:

i)A) Escrow 100% of the estimated remedial action costs that will exceed the Fund's remedial benefit cap. Cash or cash equivalents, such as a certificate of deposit, marketable bonds, etc., would be acceptable for escrow; or

ii)B) A letter of credit from a federally insured financial institution for 100% of the estimated remedial action costs that will exceed the Fund's remedial benefit cap; or

iii)C) Personal or corporate guarantees for 100% of the estimated cleanup costs that will exceed the Fund's remedial benefit cap. The guarantees would need to be collateralized by liquid assets.

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- D)** Any eligible claimant who determines that it has neither the financial resources nor the desire to spend its resources on remediation of the facility will be moved to a new and separate prioritization pool. Funding for these claims will only be made available once the cleanups have been completed on all of the other eligible claims that do not exercise these funding limitations.
- 5) Once a claim has been prioritized, it cannot be removed from the prioritized listing unless the claim becomes ineligible for benefits from the Fund or the claimant refuses to remediate the facility in a timely manner.
- 6)** If the claimant does not obtain and submit to the Council cost proposals for beginning the remedial action process within 120 days after being notified that his/her remedial claim has been prioritized for funding, the claim will be removed from the prioritization list and the next highest ranked claim will be added to the list. Any claim removed from the prioritization list due to non-timely remedial action by the claimant will be included in the next prioritization pool.
- h) Remedial claim benefits for a specific drycleaning facility can be transferred to a successor drycleaning facility operator or owner upon execution of a remedial benefits transfer form prescribed by the Council and signed by the original claimant and the successor claimant and approved by the Council.

(Source: Amended at 30 Ill. Reg. 7939, effective April 13, 2006)

**Section 1500.50 Drycleaner Facility Insurance Account**

The owner or operator of an active drycleaning facility shall be eligible for up to \$500,000 financial assurance per drycleaning facility from the Council subject to the following limitations:

- a) To apply for financial assurance coverage, the owner or operator of an active drycleaning facility must submit a completed application provided by the Council (see Section 1500.70(b)). The Council will not determine who must submit the application. Any insurance policy issued must identify both the owner and the operator and both will be named insureds.
- b) Prior to the submission of an insurance application and no later than June 30,

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2006 for a drycleaning facility that is active on June 30, 2006, an applicant must have a focused site investigation completed that is designed to identify soil and groundwater contamination resulting from the release of drycleaning solvents at the facility based upon the continued use of the facility as a drycleaning facility, consistent with 35 Ill. Adm. Code 740.430 and 435.

- c) *The drycleaning facility is participating in and meets all requirements of a drycleaning compliance program approved by the Council. (Section 45(d)(2) of the Act)*
- d) Applications must include the annual premium for financial assurance coverage as follows:
- 1) *For the year July 1, 1999 through June 30, 2000, \$250 per drycleaning facility (Section 45(e)(1) of the Act);*
  - 2) *For the year July 1, 2000 through June 30, 2001, \$375 per drycleaning facility (Section 45(e)(2) of the Act);*
  - 3) *For the year July 1, 2001 through June 30, 2002, \$500 per drycleaning facility (Section 45(e)(3) of the Act);*
  - 4) *For the year July 1, 2002 through June 30, 2003, \$625 per drycleaning facility (Section 45(e)(4) of the Act);*
  - 5) *For subsequent years, the applicant applying for coverage shall pay an annual actuarially sound insurance premium as determined by the Council. The Council shall take into consideration risk factor adjustments to reflect the range of risk presented by:*
    - A) *the type of drycleaning system*
    - B) *the type of monitoring system*
    - C) *drycleaning volume*
    - D) *risk management practices. (Section 45 (e)(5) of the Act)*
- e) *If coverage is purchased for any part of a year, the purchaser shall pay the full*

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*annual premium for that year. The insurance premium is fully earned upon issuance of the insurance policy.* (Section 45(f) of the Act) The insurance premium may be paid in semiannual installments for policies issued on or after June 30, 2003.

- f) All insurance policies shall include a *\$10,000 deductible* (Section 45(g) of the Act).
- g) *Coverage shall be limited to remedial action costs associated with soil and groundwater contamination resulting from a release of drycleaning solvent at an insured drycleaning facility including third-party liability for soil and groundwater contamination, consistent with the terms of the Council's insurance policy.* (Section 45(c) of the Act)
- h) Coverage is not provided for a release that occurred before the date of coverage (Section 45(c) of the Act). It is the responsibility of the insured to prove the release occurred after the date of coverage.
- i) The Council does not have the duty or obligation to defend a claim made against a named insured listed on a Council issued insurance policy.
- j) If a Council insured drycleaning facility ceases drycleaning operations during the policy period, coverage shall automatically cancel 60 days after the last day of active drycleaning operations at the facility. No cancellation notice need be issued by the Council to effect this cancellation.
- k) Except as noted in subsection (j), an insurance policy issued by the Council may be cancelled by mailing or delivering to the first named insured listed on the declarations page of the insurance policy written notice of cancellation at least:
  - 1) Ten days before the effective date of cancellation if the Council cancels for non-payment of premiums or misrepresentation; or
  - 2) Sixty days before the effective date of cancellation if the Council cancels for any other reason.
- l) Insurance coverage issued under this Section shall expire one year after the date of issuance unless cancelled in accordance with subsection (j) or (k) and may be renewed on reapplication to the Council and submission of the appropriate

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premium in accordance with subsection (d). At least 30 days before the insurance policy is to expire, the Council will mail a renewal application and premium billing notice to the address of the first named insured on the policy. Failure to complete the renewal application and pay the appropriate premium shall result in expiration of the insurance policy.

- m)h) An insurance policy issued by the Council for a specific drycleaning facility location can be transferred to a successor drycleaning facility operator or owner upon execution of a policy transfer form prescribed by the Council and signed by the policy holder and transferee. The insurance policy cannot be transferred unless the drycleaning facility license is also transferred.

(Source: Amended at 30 Ill. Reg. 7939, effective April 13, 2006)

**Section 1500.55 Drycleaning Solvent Tax**

- a) *On or after January 1, 1998, a tax is imposed on the use of a drycleaning solvent by a person engaged in the business of operating a drycleaning facility in this State at the rate of:*
- 1) *\$10 per gallon of perchloroethylene or other chlorinated drycleaning solvent used in drycleaning operations;*
  - 2) *\$2 per gallon of petroleum-based drycleaning solvent; and*
  - 3) *\$1.75 per gallon of green solvents, unless the green solvent is used at a virgin facility, in which case the rate is \$.35 per gallon. All drycleaning solvents shall be considered chlorinated solvents unless the Council determines that the solvents are petroleum-based solvents or green solvents. (Section 65(a) of the Act)*
- b) In determining if a drycleaning solvent is a green solvent, the manufacturer and/or distributor of the solvent must present to the Council the solvent's material safety data sheet, the material safety data sheet of the detergents used in conjunction with the solvent, and such other information the Council deems necessary to determine if the solvent should be classified as a green solvent.
- c) In accordance with this Section, the Council has determined the following solvents should be classified as a green solvent:

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- 1) [Carbon Dioxide \(CO<sub>2</sub>\)](#)
- 2) [Propylene Glycol Ether DPnB](#)

(Source: Amended at 30 Ill. Reg. 7939, effective April 13, 2006)

**Section 1500.70 Forms**

- a) [License Application Form](#)
  - 1) The following is a summary of information that shall be completed on the License Application Form to receive a license certificate.
    - [A1](#)) Drycleaning facility name, address, contact person, phone number and date facility began drycleaning operations.
    - [B2](#)) Drycleaner operator information, including name, mailing address, contact person, phone number, type of legal entity (i.e., sole proprietorship), corporation, partnership, Federal ID or social security number, Illinois Business Tax ID number.
    - [C3](#)) Information pertaining to the owner of the real estate, including owner name, mailing address, contact person, phone number, type of legal entity, Federal ID or social security number.
    - [D4](#)) Information pertaining to the annual fee involving the quantity of drycleaning solvents purchased for the preceding year or estimated to be used in the current year if it is a new drycleaning facility.
    - [E5](#)) Information regarding the drycleaning solvent supplier, including name of supplier, contact person, phone number, mailing address, Illinois Business Tax ID number.
  - 2) The license form must be signed by the applicant and returned with the appropriate application form and proof of payment of license fee in order to receive a license from the Drycleaner Environmental Response Trust Fund Council of Illinois.

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- b) Insurance Application Form. The following is general information that must be completed on an insurance application form in order to receive pollution liability insurance coverage from the Fund.
- 1) Facility name, address, contact person, drycleaner license number and phone number.
  - 2) Operator name, mailing address, contact person, legal entity, type of legal entity, whether the operator is the owner of the land, buildings or both.
  - 3) Owner information, including name, mailing address, contact person, type of legal entity.
  - 4) Where correspondence regarding this application should be sent.
  - 5) Information on the mortgagee, including name, mailing address.
  - 6) Site specific information such as:
    - A) Number of drycleaning units not in use or temporarily out of use at the location.
    - B) Site conditions, including distance in feet to the nearest building off premises.
    - C) Distance in feet to nearest water well.
    - D) Distance in feet to nearest water/sewer main.
    - E) Location of the property in terms of residential, commercial or industrial area.
    - F) A diagram of the facility showing location of the building, drycleaning units, stored drycleaning solvents, stored hazardous waste containers, etc., should be listed on the diagram.
    - G) What type of hazardous waste generator facility is at this location and if the facility is operating in accordance with the requirements for the type of hazardous waste generator facility that is indicated.

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- H) Does the facility participate in and meet all the requirements of the Drycleaning Compliance Program approved by the Council. If the answer is yes, the applicant must provide the name of the program and documentation of participation. In addition, the applicant must indicate if the facility is compliant with all the requirements of the Compliance Program.
  - I) Does the drycleaning unit have an Illinois EPA air operating permit? If so, the type of permit must be indicated.
- 7) Has a site investigation been conducted to identify soil and groundwater contamination of the facility? If it has, a copy of the entire report should be submitted with the application.
- 8) An indication of whether the applicant has ever reported a release or spill on this site to the Illinois Emergency Management Agency. If the response is yes, the applicant should explain when, what and the current status of the cleanup. If the response is no, the applicant should indicate if he/she is aware of a release or spill that has occurred at this facility that would impact soil and groundwater.
- 9) Specific information on each individual drycleaning unit at the facility, including:
- A) Date each unit installed.
  - B) Was the unit new at installation?
  - C) Identification of the type of drycleaning solvent currently used.
  - D) Indicate what type of drycleaning unit it is, i.e., dry to dry, transfer, other.
  - E) What is the average amount of drycleaning solvent used per month in each unit?
  - F) Does the unit have a pollution control mechanism on it? If so, identify what type.

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- G) What is the size of each unit, based on pounds of clothes that each unit holds per cycle?
  - H) Generation of drycleaning unit.
- 10) Hazardous Waste
- A) Does the site maintain drycleaning solvent hazardous waste in approved containers that are labeled hazardous waste and properly dated?
  - B) Is wastewater from the drycleaning solvent discharged into a sanitary sewer/septic tank service or groundwater?
  - C) Are all drycleaning solvent wastes generated at this facility managed in accordance with applicable State waste management laws and rules in accordance with the Environmental Protection Act [415 ILCS 5] and 35 Ill. Adm. Code 722?
- 11) Pollution Prevention Measures
- A) Does the unit have a containment dike or structure around each unit for the entire drycleaning area in which any drycleaning solvent is utilized that is capable of containing a spill or leak?
  - B) Is the surface of the dike floor in which the drycleaning solvent may leak, spill or otherwise be released sealed or impervious?
  - C) Are regular visual inspections conducted of the unit, solvent containers, waste containers and other areas where the solvent waste is located?
  - D) Are the repairs done on a timely basis and a log kept of all repairs?
  - E) Is the drycleaning solvent delivered to the facility by means of a closed direct-coupled delivery system?
- 12) An insurance application form must be signed and dated by the applicant.

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- c) Claim Application Form. The following is a summary of information that shall be completed on a claims form to apply for remedial action or insurance benefits.
- 1) Business facility information including:
    - A) Name and address of property where release occurred and name, address and phone number of person filing claim.
    - B) Indication of whether the claim is for remedial account program benefits or insurance account program benefits.
    - C)~~B)~~ An insurance policy number, if applicable.
    - D)~~C)~~ The number of drycleaning units at this facility, whether they are still in use, and the drycleaning solvents that were stored in the drycleaning units.
    - E)~~D)~~ Questions as to other types of drycleaning machines, equipment, or underground or aboveground tanks, besides the drycleaning units, that store drycleaning solvent located at this facility that may contain any product that is chlorine or petroleum based.
    - F)~~E)~~ The name of the owner of the land on which the drycleaning units are located.
    - G)~~F)~~ The name of the owner of the facility and drycleaning units.
    - H)~~G)~~ The name of the owner and operator of the business at the location, including the length of time the business has been in operation and how long the current operator has operated the business.
  - 2) General information about the spill or leak.
    - A) When did the person filing the claim first learn about the spill or leak?
    - B) How was the spill or leak discovered?

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- C) When and how was the problem reported to the Illinois Emergency Management Agency or the Illinois Environmental Protection Agency?
  - D) Information regarding the source of contamination.
  - E) Information regarding an awareness of any person who has suffered bodily injury or property damage as a result of this release.
  - F) Statement regarding whether the contamination has migrated beyond the property.
  - G) Has a site investigation been prepared?
  - H) Have cleanup activities commenced at the site?
  - I) The name of the licensed professional engineer performing remediation on this site, if applicable.
- 3) General Information about other insurance at the facility.
- A) Whether other insurance specifically providing pollution liability coverage has existed for this property. If the response is yes, provide the name of the company, policy number and a copy of the policy.
  - B) Has the incident been reported to the insurance company?
  - C) Has the person filing the claim requested payment from anyone else for costs associated with the claim? If the response is yes, provide information on the payment request from a third party.
- d) [Claim Reimbursement Form](#). The following is a summary of general information that shall be completed on the claim reimbursement request form:
- 1) Claimant information, including name, address, social security or Federal Tax ID number. In addition, site information regarding where the remedial activities were performed, including site name, physical address and city.

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- 2) Contractor information in the form of contractor name, address and telephone number.
- 3) Remediation activities. An indication of the activities that were completed and the amount being billed at this time.
- 4) Reimbursements from other programs. An indication of whether the claimant has applied for reimbursement from any other source for the invoices being submitted with this form.
- 5) Original invoices.
- 6) A summary of the eligible costs, broken down by cost category, and certification that the information is accurate and complete.
- 7) A schedule of detail to support the cost categories reported.

(Source: Amended at 30 Ill. Reg. 7939, effective April 13, 2006)

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Practice and Procedure for Appeals Before the Property Tax Appeal Board
- 2) Code Citation: 86 Ill. Adm. Code 1910
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1910.67	Amended
1910.76	Amended
1910.92	New Section
- 4) Statutory Authority: 35 ILCS 200/Art.7 and Sections 16-180 through 16-195
- 5) Effective Date of Rulemaking: April 14, 2006.
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: September 16, 2005; 29 Ill. Reg. 13983
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: Changes made between the proposal and the final version of the rules includes editing and formatting changes recommended by the Joint Committee on Administrative Rules. Substantive changes were made in Section 1910.92 as a result of the parties' comments filed during the First Notice period. In the final version, the Board simply cited language contained in its enabling statute and in the Illinois Administrative Procedure Act.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
1910.20	Amended	30 Ill. Reg. 5499; March 24, 2006
1910.30	Amended	30 Ill. Reg. 5499; March 24, 2006
1910.31	New Section	30 Ill. Reg. 2466; February 24, 2006
1910.50	Amended	30 Ill. Reg. 1816; February 10, 2006
1910.67	Amended	30 Ill. Reg. 1816; February 10, 2006
1910.88	New Section	30 Ill. Reg. 5499; March 24, 2006
1910.91	New Section	30 Ill. Reg. 1816; February 10, 2006
1910.94	New Section	30 Ill. Reg. 2466; February 24, 2006
1910.96	New Section	30 Ill. Reg. 2466; February 24, 2006
1910.98	New Section	30 Ill. Reg. 1816; February 10, 2006

- 15) Summary and Purpose of Rulemaking: This rulemaking amends Section 1910.76 to add new publications required of the Board under sections 16-190 and 191 of the Property Tax Code and to cite statutory provisions that address rules of pleading, practice and evidence affecting the Board.
- 16) Information and questions regarding these adopted amendments shall be directed to:

James W. Chipman - Executive Director  
 Property Tax Appeal Board  
 Rm. 402, Stratton Office Building  
 401 S. Spring St.  
 Springfield, Illinois 62706

(217) 782-6076  
[james.chipman@illinois.gov](mailto:james.chipman@illinois.gov)

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

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER II: PROPERTY TAX APPEAL BOARDPART 1910  
PRACTICE AND PROCEDURE FOR APPEALS  
BEFORE THE PROPERTY TAX APPEAL BOARD

## Section

1910.5	Construction and Definitions
1910.10	Statement of Policy
1910.11	Rules of Order
1910.20	Correspondence
1910.25	Computing Time Limits
1910.30	Petitions – Application
1910.40	Board of Review Response to Petition Application
1910.50	Determination of Appealed Assessment
1910.55	Stipulations
1910.60	Interested Parties – Intervention
1910.63	Burdens of Proof
1910.64	Motion Practice – Service of Papers
1910.65	Documentary Evidence
1910.66	Rebuttal Evidence
1910.67	Hearings
1910.68	Subpoenas
1910.69	Sanctions
1910.70	Representation at Hearings
1910.71	Ex Parte Communications
1910.72	Informal Settlement Conference
1910.73	Pre-hearing Conference – Formal Settlement Conference
1910.74	Administrative Review
1910.75	Access to Board Records – Freedom of Information Procedures
1910.76	<u>Board Publications – Distribution</u> <del>Publication of Annual Synopsis</del>
1910.77	Withdrawals and Substitutions of Attorneys
1910.78	Consolidation of Appeals
1910.80	Forms
1910.90	Practice Rules
1910.92	<u>Rules of Pleading, Practice and Evidence</u>
1910.93	Request for Witnesses
1910.95	Separability (Renumbered)
1910.100	Severability

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

AUTHORITY: Implementing and authorized by Article 7 and Sections 16-180 through 16-195 of the Property Tax Code [35 ILCS 200/Art. 7 and 16-180 through 16-195].

SOURCE: Adopted at 4 Ill. Reg. 23, p. 106, effective May 27, 1980; codified at 8 Ill. Reg. 19475; amended at 13 Ill. Reg. 16454, effective January 1, 1990; amended at 21 Ill. Reg. 3706, effective March 6, 1997; amended at 21 Ill. Reg. 11949, effective August 13, 1997; amended at 21 Ill. Reg. 14551, effective October 27, 1997; amended at 22 Ill. Reg. 957, effective December 19, 1997; amended at 22 Ill. Reg. 16533, effective September 2, 1998; amended at 24 Ill. Reg. 1233, effective January 5, 2000; amended at 29 Ill. Reg. 13574, effective August 19, 2005; amended at 29 Ill. Reg. 21046, effective December 16, 2005; amended at 30 Ill. Reg. 1419, effective January 20, 2006; amended at 30 Ill. Reg. 2640, effective February 15, 2006; amended at 30 Ill. Reg. 7965, effective April 14, 2006.

**Section 1910.67 Hearings**

- a) The Property Tax Appeal Board may render a decision based upon the evidence, exhibits and briefs submitted to it by all interested parties without holding a hearing.
- b) The Property Tax Appeal Board shall review all appeals filed in compliance with these rules to determine whether a hearing shall be held on any factual or legal issue. Whenever the Board determines that a hearing is not required, the appeal shall be decided based upon the evidence in the record. The Board shall hold a hearing at the request of any party in writing. In the event a hearing is deemed necessary, the Board shall give notice to all parties to the appeal of the time, date, and place of the hearing at least 20 days prior to the hearing, unless the 20 day period is specifically waived by all the parties to the appeal.
- c) A party may request a decision of the Property Tax Appeal Board based upon the evidence in the record by filing a written request with the Board. Any such request shall not be binding on the Board.
- d) Notice of a hearing to all interested taxing bodies by the Property Tax Appeal Board shall be deemed to have been given when served upon the State's Attorney of the county from which the appeal has been taken, unless such interested taxing bodies have specifically been made parties to the appeal proceeding.
- e) Hearings may be held before less than a majority of the Members of the Board, and the Chairman may assign Members or Hearing Officers to hold hearings.

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Any hearing may be conducted by the Property Tax Appeal Board at its offices in Springfield or Des Plaines or at any other location in Illinois selected by the Board. The Board may cause its Hearing Officer to conduct such hearing and report his findings for affirmation or rejection by the Board.

- f) Hearings shall be open to the public and shall be conducted in accordance with such rules of practice and procedure as the Board may make and promulgate.
- g) Every Hearing Officer presiding over a Property Tax Appeal Board hearing must meet the following requirements:
  - 1) possess a working knowledge of the English language, including composition and grammar;
  - 2) possess a working knowledge of standard office practices and procedures;
  - 3) possess an ability to effectively communicate technical information both orally and in writing;
  - 4) possess an ability to deal tactfully with the general public, attorneys, and service providers;
  - 5) possess an ability to prepare concise and factual reports on hearing findings for presentation to the Board;
  - 6) possess an ability to conduct hearings and obtain and analyze necessary information;
  - 7) possess a valid Illinois driver's license;
  - 8) be of high integrity and good personal repute;
  - 9) be familiar with this Part and the Property Tax Code;
  - 10) be disinterested and impartial; and
  - 11) have no financial or personal interest in the result of the hearing.
- h) Authority of the Board and designated Hearing Officers.

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) In connection with any proceeding, the Board, or any of its designated Hearing Officers, shall have full authority over the conduct of a hearing and the responsibility for submission of the matter to the Board for decision. The Board or its designated Hearing Officer shall have those duties and powers necessary to these ends, including:
  - A) To conduct hearings and pre-hearing conferences;
  - B) To admit or exclude testimony or other evidence into the record pursuant to this Part;
  - C) To administer oaths and affirmations and examine all persons appearing at the hearing to testify or to offer evidence;
  - D) To require the production of any book, record, paper or document at any stage of the appeal or of the hearing which is the foundation for any evidence or testimony presented in the appeal;
  - E) To require the submission of briefs on issues of law raised during the hearing within 60 days after the termination of the hearing;
  - F) To call upon any person at any stage of the hearing to produce witnesses or information that is material and relevant to any issue; and
  - G) To ensure that the hearing is conducted in a full, fair and impartial manner, that order is maintained, and that unnecessary delay is avoided in the disposition of the hearing.
- 2) Any Hearing Officer assigned to conduct a hearing on behalf of the Board shall be empowered to exercise the full authority of the Board with respect to the conduct and control of the proceeding.
  - i) Continuances shall be granted for good cause shown in writing, and then only on an order of a Member of the Property Tax Appeal Board, or a duly authorized Hearing Officer. Good cause shall be the inability to attend the hearing at the date and time set by the Board for a cause beyond the control of the party, such as the unavoidable absence of a party, his attorney or material witness, or the serious illness or death of a witness or party. The Board shall set the hearing of a continued case at the time it sets other hearings of appeals from the county in

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

which the subject of the continued appeal lies, unless the parties request that the Board decide the appeal based upon the evidence in the record without a formal hearing.

- j) At the hearing, the contesting party shall first introduce his case into evidence, followed by the evidence of other parties to the appeal, in the order directed by the Property Tax Appeal Board or Hearing Officer. All parties are entitled to a rebuttal after all evidence of all parties has been introduced. Evidence submitted to the Board in documentary form may be made a part of the record without the document being read into the record if the Board or Hearing Officer so orders.
- k) In no case shall any written or documentary evidence be accepted into the appeal record at the hearing unless:
  - 1) Such evidence has been submitted to the Property Tax Appeal Board prior to the hearing pursuant to this Part;
  - 2) The filing requirement is specifically waived by the Board; or
  - 3) The submission of the written or documentary evidence is specifically ordered by the Board or by a Hearing Officer.
- l) Appraisal testimony offered to prove the valuation asserted by any party shall not be accepted at the hearing unless a documented appraisal has been timely submitted by that party pursuant to this Part. Appraisal testimony offered to prove the valuation asserted may only be given by a preparer of the documented appraisal whose signature appears thereon.
- m) All testimony taken at the hearing shall be under oath or affirmation. ~~The Board shall eliminate such rules of evidence, practice and procedure to the extent it considers practicable.~~
- n) In all cases where the contesting party is seeking a change of \$100,000 or more in assessed valuation, the contesting party must provide a court reporter at his own expense. The original certified transcript of such hearing shall be forwarded to the Property Tax Appeal Board and shall become part of the Board's official record of the proceedings on appeal. The court reporter's certified transcript should be forwarded as soon as possible but no later than within 60 days after the hearing.

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 30 Ill. Reg. 7965, effective April 14, 2006)

**Section 1910.76 Board Publications – Distribution~~Publication of Annual Synopsis~~**

- a) *Each year ~~the~~ The Property Tax Appeal Board shall publish ~~annually~~ a volume containing a synopsis ~~synopses~~ of representative cases decided by the Board during that year. The publication shall be organized by or cross-referenced by the issue presented before the Board in each ~~case~~ ~~decision~~ contained in the publication. (Section 16-190(a) of the Code) Copies shall be made available to the public at no charge.*
- b) *The Board shall provide annually, no later than February 1, to the Governor and the General Assembly a report that contains for each county the following:*
- 1) *the total number of cases for commercial and industrial property requesting a reduction in assessed value of \$100,000 or more for each of the last 5 years;*
  - 2) *the total number of cases for commercial and industrial property decided by the Board for each of the last 5 years; and*
  - 3) *the total change in assessed value based on the Board decisions for commercial property and industrial property for each of the last 5 years. (Section 16-190 (b) of the Code)*
- c) *The Board shall annually distribute to each chief county assessment officer, free of charge, one copy of the volume published pursuant to Section 16-190(a) and one copy of any other publication produced by the Board, upon request. (Section 16-191 of the Code)*
- d) *In counties with 3,000,000 or more inhabitants, the Board shall electronically distribute every 30 days to the chief county assessment officer, free of charge, appeal information. (Section 16-191 of the Code)*

(Source: Amended at 30 Ill. Reg. 7965, effective April 14, 2006)

**Section 1910.92 Rules of Pleading, Practice and Evidence**

- a) *The Property Tax Appeal Board shall establish by rules an informal procedure for the determination of the correct assessment of property which is the subject of*

## PROPERTY TAX APPEAL BOARD

## NOTICE OF ADOPTED AMENDMENTS

*an appeal. The procedure, to the extent that the Board considers practicable, shall eliminate formal rules of pleading, practice and evidence. (Section 16-180 of the Code) Each hearing shall be conducted in a manner best calculated to conform to substantial justice.*

- b) The Board or its designated Hearing Officer will receive evidence that is material and relevant, and that would be commonly relied upon by reasonably prudent persons in the conduct of their affairs, provided that the rules relating to privileged communications and privileged topics are observed. (See Section 10-40(a) of the Illinois Administrative Procedure Act [5 ILCS 100/10-40(a)].

(Source: Added at 30 Ill. Reg. 7965, effective April 14, 2006)

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Illinois Safety Responsibility Law
- 2) Code Citation: 92 Ill. Adm. Code 1070
- 3) Section Number: 1070.20                      Emergency Action: Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Safety and Family Financial Responsibility Law [625 ILCS 5/Ch. 7].
- 5) Effective Date of Amendment: April 14, 2006
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rulemaking will expire upon adoption of the proposed rule.
- 7) Date filed with the Index Department: April 14, 2006
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: On March 8, 2006, the Illinois Department of Financial and Professional Regulation, Division of Insurance, issued an Order to Cease and Desist to Safe Auto Insurance Company, demanding that Safe Auto immediately stop its practice of sending notices to the Secretary of State requesting the suspension of clients' driving privileges for failure to pay insurance premiums when, in fact, the clients were not delinquent in any premium payment due and owing at the time the request for suspension was sent. This practice by Safe Auto has resulted in numerous, unwarranted suspensions of driving privileges of Safe Auto clients.
- 10) A complete Description of the Subjects and Issues Involved: This emergency rulemaking will make the policies of the Secretary of State's office consistent with those of the Division of Insurance, and will further guarantee that wrongful suspensions are not being entered on driving records.
- 11) Are there any proposed amendments to this Part pending? No
- 12) Statement of Statewide Policy Objective: This emergency amendment will not require expenditures by units of local government.

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NOTICE OF EMERGENCY AMENDMENT

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

Nathan Maddox, Senior Legal Advisor  
298 Howlett Building  
Springfield IL 62701

217-785-3094

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

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENT

TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATEPART 1070  
ILLINOIS SAFETY RESPONSIBILITY LAW

## Section

1070.10 Forms of Security

1070.20 Future Proof

**EMERGENCY**

1070.30 Installment Agreements

1070.40 Disposition of Security

1070.50 Failure to Satisfy Judgment

1070.60 Release From Liability

1070.70 Incomplete Unsatisfied Judgment

1070.80 Driver's License Restriction for Exclusive Operation of Commercial Vehicles

1070.90 Dormant and Dead Judgments

1070.100 Bankruptcy

1070.110 Illinois Safety and Family Financial Responsibility Law

AUTHORITY: Implementing and authorized by the Illinois Safety and Family Financial Responsibility Law [625 ILCS 5/Ch. 7].

SOURCE: Filed and effective December 17, 1971; codified at 6 Ill. Reg. 12674; repealed at 7 Ill. Reg. 13678, effective October 14, 1983; New Part adopted at 11 Ill. Reg. 20215, effective November 30, 1987; amended at 14 Ill. Reg. 6859, effective April 24, 1990; amended at 14 Ill. Reg. 10107, effective June 12, 1990; amended at 15 Ill. Reg. 15083, effective October 8, 1991; amended at 16 Ill. Reg. 2172, effective January 24, 1992; amended at 17 Ill. Reg. 8517, effective May 27, 1993; amended at 18 Ill. Reg. 10909, effective June 28, 1994; amended at 20 Ill. Reg. 398, effective December 20, 1995; amended at 20 Ill. Reg. 7956, effective May 30, 1996; amended at 24 Ill. Reg. 1672, effective January 14, 2000; emergency amendment at 27 Ill. Reg. 14361, effective August 20, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18458, effective November 24, 2003; emergency amendment at 30 Ill. Reg. 7974, effective April 14, 2006, for a maximum of 150 days.

**Section 1070.20 Future Proof****EMERGENCY**

- a) For purposes of this Section, the following definitions shall apply:

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENT

"Certificate of Insurance" – certificate filed with the Secretary of State's Office as proof that the person has purchased financial responsibility insurance as outlined in 625 ILCS 5/7-315.

"Department" – Department of Driver Services of the Office of the Secretary of State.

"Financial Responsibility Insurance" – insurance used to establish proof of financial responsibility as established in Sections 7-315 and 7-316 of the Illinois Safety and Family Financial Responsibility Law [625 ILCS 5/7-315 and 7-316].

"Illinois Insurance Guarantee Fund" – section of the Illinois Department of Insurance which deals with disposition of assets following bankruptcy.

"Law" – the Illinois Safety and Family Financial Responsibility Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 7].

"Lien" – claim on property of another as security for payment of a just debt.

"Motor Vehicle Liability Policy" – "owner's policy" or an "operator's policy" of liability insurance which is certified pursuant to Section 7-315 or 7-316, and comports with Section 7-302 of the Law and which complies with the requirements of Section 7-317(b), (c), (d), and (f) of the Law.

"Proof of Financial Responsibility for the Future" – ability to respond in damages for any liability resulting from the ownership, maintenance, use or operation of a motor vehicle as provided in Section 7-302 of the Law.

"Real Estate Bond" – proof filed pursuant to Section 7-320 of the Law.

"Secretary of State" – Secretary of State of Illinois.

"Stock" – proportionate share in ownership of corporation held by individual and which is usually represented by a stock certificate.

"Surety" – a person who makes himself/herself liable for another's debts or defaults of obligations.

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENT

- b) When a person purchases insurance to file proof of financial responsibility for the future, the insurance company will file a certificate of insurance with the Department. The certificate filed shall be either the AAMVA (American Association of Motor Vehicle Administrators) Uniform Financial Responsibility form, containing the insured's name and address, license number, and birthdate; current policy number and effective date of the insurance policy and the name of the insurance company with the signature of its authorized representative, or other certificate of insurance proof conforming to the requirements of Section 7-315 or 7-316 of the Law, which is endorsed and certifies policy limits as specified in Section 7-302 of the Law. If an owner's rather than operator's policy, it must include the model year, trade name and identification number of the vehicle. The owner's policy must also conform with the amounts specified in Section 7-302 of the Law.
- c) If a person purchases a certificate of insurance to satisfy his/her requirement to file future proof of financial responsibility and the insurance company fails and is no longer in business, and ceases operations by order of a court, and the Department is notified by the Illinois Insurance Guarantee Fund of the non-operation of the insurance company, the person shall have 30 days after notification by the Department to file a new certificate of insurance or satisfy his/her future proof requirement by cash or one of the other alternate methods provided in Section 7-314 of the Law. If a suspension has been entered even though the person has filed future proof of financial responsibility within the 30 day time period, the suspension shall be removed.
- d) If a person required to furnish proof of financial responsibility for the future chooses to file a bond pursuant to Section 7-320 of the Law, and the bond is executed by the person giving the proof and two individual sureties, the following conditions must be met:
- 1) Each surety must own real estate within the State of Illinois.
  - 2) Each surety must have equity in that real estate in the amount of the bond.
  - 3) The bond must be endorsed by the clerk of the court and approved by a judge as provided in Section 7-320 of the Law.
- e) If any evidence of proof of financial responsibility for the future filed under the Law falls below the amount required as provided in Section 7-302 of the Law,

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENT

additional evidence shall be required. Cash and securities are deposited with the Illinois State Treasurer and the Treasurer monitors the securities and informs the Department if its value falls below the amount required. A certificate of insurance or bonds, real estate bonds that are without liens, stocks, and cash shall be accepted as evidence to establish the additional required proof of financial responsibility for the future. The additional security shall be sent to the Safety and Financial Responsibility Section, Department of Driver Services, 2701 South Dirksen Parkway, Springfield, Illinois 62723.

- f) Whenever any evidence of proof of ability to respond in damages required to be filed pursuant to the provisions of Section 7-301 of the Law no longer fulfills the purpose for which required, the Department shall require other evidence of ability to respond in damages including but not limited to an endorsed certificate of insurance meeting the requirements of Section 7-302 of the Law, bonds, unencumbered real estate bonds, stocks or cash. The person required to post proof shall have 30 days after notification by the Department to post or file additional proof. If the person fails to post proof within 30 days then the Secretary of State shall suspend the driver's license, registration certificate, license plates and registration sticker pending receipt of such proof.
- g) Proof of Financial Responsibility as required in the Law shall be made by filing with the Secretary of State a written or electronic certificate of insurance. Notices of cancellation or termination of the certified policy of insurance proof as required in Sections 7-315 and 7-318 of the Law must be submitted in writing or electronically. All written or electronic certificates of insurance proof and cancellation or termination as required in the Law must be submitted in a manner satisfactory to the Secretary of State.
- h) A notice of cancellation or termination of the certified policy of insurance for nonpayment of premiums shall only be sent to the Secretary of State after the insured has failed to discharge, on or after the due date, any of his or her obligations in connection with the payment of premiums, or installments that are payable directly to the insurer, its agent, or a party that has financed the premium.

(Source: Amended by emergency rulemaking at 30 Ill. Reg. 7974, effective April 14, 2006, for a maximum of 150 days)

## STATE BOARD OF ELECTIONS

## NOTICE OF CORRECTION TO NOTICE ONLY

- 1) Heading of the Part: Practice and Procedure
- 2) Code Citation: 26 Ill. Adm. Code 125
- 3) The Notice Page being corrected appeared at: 30 Ill. Reg. 6337, dated April 14, 2006
- 4) The information being corrected is as follows: The State Board of Elections (SBE) failed to include the ILCS cite within the Statutory Authority in 4) on its adopted notice page. The SBE regrets any inconvenience this error may have caused. The correct entry follows.
  - 4) Statutory Authority: Authorized by Sections 1A-8(9), 9-15(3), 9-21 and 9-23 of the Election Code [10 ILCS 5/1A-8(9), 9-15(3), 9-21 and 9-23]

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PUBLICATION ERROR

- 1) Heading of the Part: Joint Rules of the Office of the State Fire Marshal and the State Board of Education: School Emergency and Crisis Response Plans
- 2) Code Citation: 29 Ill. Adm. Code 1500
- 3) Illinois Register citation of proposed rules: 30 Ill. Reg. 6082; April 7, 2006.
- 4) Explanation: In #2 on the Notice Page, the Code citation should have been given as 29 Ill. Adm. Code 1510 rather than 29 Ill. Adm. Code 1500, and #3 should have listed no Sections. Also, the text of 29 Ill. Adm. Code 1500 was printed twice in Issue #14 of the *Illinois Register*, once for the State Board of Education and once for the State Fire Marshal. The text should have appeared only in conjunction with the State Board of Education's Notice of Proposed Rules at 30 Ill. Reg. 6052 because Part 1510 will only cross-reference the Joint Rules at 29 Ill. Adm. Code 1500. JCAR regrets the error.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

STATE BOARD OF EDUCATION

Heading of the Part: Education Purchasing Program

Code Citation: 44 Ill. Adm. Code 1110

Section Numbers: 1110.10 1110.20 1110.30 1110.35  
1110.40 1110.50 1110.60 1110.70  
1110.80 1110.90 1110.100 1110.110

Date Originally Published in the Illinois Register: 5/13/05  
29 Ill. Reg. 6813

At its meeting on April 11, 2006, the Joint Committee on Administrative Rules objected to the State Board of Education certifying an education purchasing contract prior to adopting its rulemaking titled Education Purchasing Program (44 Ill. Adm. Code 1110; 29 Ill. Reg. 6813), which violates Sections 1-70 and 5-10(c) of the IAPA.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## OBJECTION AND FILING PROHIBITION

## STATE BOARD OF EDUCATION

Heading of the Part: School Food Service

Code Citation: 23 Ill. Adm. Code 305

Section Numbers: 305.5            305.10            305.15            305.20            305.30

Date Originally Published in the Illinois Register: 1/6/06  
30 Ill. Reg. 86

At its meeting on April 11, 2006, the Joint Committee on Administrative Rules voted to object to the above proposed rulemaking and prohibit its filing with the Secretary of State. The Committee found that the adoption of these rules would constitute a serious threat to the public interest, safety or welfare. The reason for the objection and prohibition is as follows:

JCAR objects to, and prohibits the filing of, the State Board of Education's rulemaking titled School Food Service (23 Ill. Adm. Code 305; 30 Ill. Reg. 86) because the proposed rules affect the public interest, safety and welfare by: setting nutrition standards that are substantively problematic as they do not provide a total approach to child nutrition through diet, nutrition education and exercise; by preempting the purview of the State Task Force on Wellness that is to consider the issue of school nutrition and report to the Governor and the General Assembly by January 2007; and by largely excluding local school district input and expertise in development of the proposal.

The proposed rule may not be filed with the Secretary of State or enforced by the State Board of Education 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

STATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

ILLINOIS RACING BOARD

Heading of the Part: Discretionary Rules

Code Citation: 11 Ill. Adm. Code 323

Section Numbers: 323.10 323.20 323.30 323.40 323.50

Date Originally Published in the Illinois Register: 12/16/05  
29 Ill. Reg. 20310

At its meeting on April 11, 2006, the Joint Committee on Administrative Rules objected to the Illinois Racing Board's rulemaking titled Discretionary Rules (11 Ill. Adm. Code 323; 29 Ill. Reg. 20310) because the rulemaking violates Section 5-20 of the IAPA requiring that standards utilized in the exercise of agency discretionary powers be stated as precisely and clearly as practical under the conditions. The rulemaking fails to set forth, clearly and precisely, standards IRB or the Stewards will use in determining cases not regulated under Title 11, Subtitle B, Chapter I.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

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

## ILLINOIS RACING BOARD

Heading of the Part: Discretionary Rules (Repealer)

Code Citation: 11 Ill. Adm. Code 1425

Section Numbers: 1425.10      1425.20      1425.30  
1425.40      1425.47      1425.50

Date Originally Published in the Illinois Register: 12/16/05  
29 Ill. Reg. 20314

At its meeting on April 11, 2006, the Joint Committee on Administrative Rules objected to the Illinois Racing Board's rulemaking repealing its Part titled Discretionary Rules (11 Ill. Adm. Code 1425; 29 Ill. Reg. 20314). At the same meeting, JCAR objected to a Board rulemaking recreating the Part in a different subchapter because it violated Section 5-20 of the IAPA requiring that standards utilized in the exercise of agency discretionary powers be stated as precisely and clearly as practical under the conditions. Since the Board has stated its intent to withdraw both rulemakings it was necessary that JCAR also object to this rulemaking.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act

Citation: 20 ILCS 2515/1

2. Summary of information:

Index of Department of Revenue Sales Tax Private Letter Rulings and General Information Letters issued for the First Quarter of 2006. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. *General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act.* (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Computer Software	Medical Appliances
Construction Contractors	Miscellaneous
Electricity Excise Tax	Motor Fuel Tax
Enterprise Zones	Motor Vehicles
Exempt Organizations	Sale for Resale
Farm Machinery & Equipment	Sale of Service
Food	Service Occupation Tax
Gross Receipts	Special Order
Hotel Operators' Tax	Telecommunications Excise Tax
Local Taxes	Use Tax
Manufacturing Machinery & Equipment	Vehicle Use Tax

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 50¢ per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's World Wide Web site at [www.revenue.state.il.us/](http://www.revenue.state.il.us/).

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for \$3.00.

3. Name and address of person to contact concerning this information:

Marie Keeney  
Legal Services Office  
101 West Jefferson Street  
Springfield, Illinois 62794  
Telephone: (217) 782-2844

## COMPUTER SOFTWARE

- ST 06-0009-GIL      01/24/2006 This letter discusses the Department's administrative rules on computer software and maintenance agreements. See 86 Ill. Adm. Code 130.1935.
- ST 06-0014-GIL      02/10/2006 Sales of canned computer software are taxable sales in Illinois. See Section 130.1935.

## CONSTRUCTION CONTRACTORS

- ST 06-0018-GIL      02/28/2006 This letter concerns construction contractors. See 86 Ill. Adm. Code 130.1940 and 130.2075.

## ELECTRICITY EXCISE TAX

- ST 06-0030-GIL      03/30/2006 This letter concerns the exclusion for the use of electricity in the generation, production, transmission, distribution, delivery and sale of electricity in the regular course of business. See 35 ILCS 640/2-3.

## ENTERPRISE ZONES

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

ST 06-0003-PLR 03/27/2006 All "qualified sales" of building materials sold for incorporation into any Illinois enterprise zone are eligible for a deduction for sales tax purposes. (See 86 Ill. Adm. Code 130.1951(d)(1).)

## EXEMPT ORGANIZATIONS

ST 06-0013-GIL 02/03/2006 Generally, occasional dinners and similar activities may be conducted on no more than two occasions per year by a nonprofit organization without incurring tax liability. Please refer to 86 Ill. Adm. Code 130.2005.

## FARM MACHINERY &amp; EQUIPMENT

ST 06-0007-GIL 01/10/2006 This letter discusses the exemption from the Retailers' Occupation Tax for Farm Machinery and Equipment and Farm Chemicals. See 86 Ill. Adm. Code 130.305 and 130.1955.

## FOOD

ST 06-0025-GIL 03/27/2006 If more than 50% of all food sales are bulk or grocery type items, all food sales are taxed at the low rate with the exception of hot foods, food that has been prepared for immediate consumption, alcoholic beverages, and soft drinks. See 86 Ill Adm. Code 130.310(a).

## GROSS RECEIPTS

ST 06-0029-GIL 03/30/2006 For general information regarding the taxation of "core" charges, please refer to sales tax letter ST 00-0207-GIL.

## HOTEL OPERATORS' TAX

ST 06-0002-GIL 01/09/2006 The Hotel Operators' Tax provides no exemption for the rental of rooms to governmental entities. See 86 Ill. Adm. Code 480.101.

ST 06-0011-GIL 01/27/2006 This letter discusses the Hotel Operators' Occupation Tax liabilities of hunting establishments that provide overnight stay

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

accommodations as part of hunting packages it sells. See 86 Ill. Adm. Code 480.101(b)(6).

## LOCAL TAXES

ST 06-0006-GIL 01/10/2006 The Home Rule Municipal Retailers' Occupation Tax and Home Rule Municipal Service Occupation Tax must be imposed in the same manner and on the same items as the Retailers' Occupation Tax and Service Occupation Tax. See 65 ILCS 5/8-11-1 and 65 ILCS 5/8-11-5.

## MANUFACTURING MACHINERY &amp; EQUIPMENT

ST 06-0015-GIL 02/10/2006 Information regarding the manufacturing machinery and equipment exemption may be found at 86 Ill. Adm. Code 130.330.

ST 06-0031-GIL 03/31/2006 Information regarding manufacturing or assembling of tangible personal property for wholesale or retail sale or lease may be found at 86 Ill. Adm. Code 130.330.

## MEDICAL APPLIANCES

ST 06-0004-GIL 01/09/2006 Defibrillators don not qualify for the low rate of tax provided to medical appliances. See 86 Ill. Adm. Code 130.310.

ST 06-0019-GIL 02/28/2006 Medical tools, devices and equipment used for diagnostic, rehabilitative and treatment purposes do not qualify for the reduced rate of tax for medical appliances. See 86 Ill. Adm. Code 130.310.

## MISCELLANEOUS

ST 06-0001-PLR 02/06/2006 This letter discusses application of the Retailers' Occupation Tax to Buy and Hold orders which are delivered to the customer at the taxpayer's warehouse in Illinois. See 86 Ill. Adm. Code 130.605.

ST 06-0016-GIL 02/24/2006 Whether to issue a private letter ruling in response to a letter-ruling request is within the discretion of the Department. See 2 Ill. Adm. Code 1200.110(a)(4).

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

- ST 06-0022-GIL 03/17/2006 General information letters are intended to aid taxpayers in a determination of their tax liabilities. See 86 Ill. Adm. Code 1200.120.
- ST 06-0027-GIL 03/28/2006 This letter is a response to a survey regarding drop shipments. For information regarding drop shipments, see the Department's regulation entitled "Drop Shipments," found at 86 Ill. Adm. Code 130.225. (This is a GIL).

## MOTOR FUEL TAX

- ST 06-0010-GIL 01/24/2006 Even if motor fuel is dyed in accordance with the statute, it is only exempt from the Motor Fuel Tax if it is actually used for non-highway purposes. See 35 ILCS 505/2.
- ST 06-0024-GIL 03/22/2006 When a motor fuel vendor delivers B11 and #2 high sulfur together it is blending motor fuel to arrive at B5. In order to make this blend, the vendor must be licensed as a motor fuel distributor and a blender. See 35 ILCS 505/3. (This is a GIL).

## MOTOR VEHICLES

- ST 06-0005-GIL 01/10/2006 Explains the effect of Public Act 93-1068 on the sale of a motor vehicle to an out of state resident. See Public Act 93-1068.

## SALE FOR RESALE

- ST 06-0021-GIL 03/03/2006 This letter discusses drop-shipments. See 86 Ill. Adm. Code 130.225.
- ST 06-0026-GIL 03/28/2006 This letter describes drop-shipments and explains certificates of resale. See 86 Ill. Adm. Code 130.225 and 86 Ill. Adm. Code 130.1405.
- ST 06-0032-GIL 03/31/2006 If an electronic resale certificate is kept, it should contain all of the information required under 86 Ill. Adm. Code 130.1405.

## SALE OF SERVICE

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

ST 06-0020-GIL 02/28/2006 Where a business provides repair services that are accompanied with the transfer of tangible personal property, such transactions are generally subject to tax liability under the Service Occupation Tax Act. See 86 Ill. Adm. Code 140.140.

## SERVICE OCCUPATION TAX

ST 06-0001-GIL 01/09/2006 If no tangible personal property is transferred incident to a sale of service, then no Service Occupation Tax liability or Use Tax liability would be incurred in regards to that service. See 86 Ill. Adm. Code 140.101 et seq.

ST 06-0012-GIL 01/31/2006 This letter concerns enrollment fees and the transfer of prescription drugs. See 86 Ill. Adm. Code 140.101.

## SPECIAL ORDER

ST 06-0002-PLR 03/03/2006 This letter concerns the taxation of a material handling system. See 86 Ill. Adm. Code 130.2115.

## TELECOMMUNICATIONS EXCISE TAX

ST 06-0008-GIL 01/24/2006 In general, Voice Over Internet Protocol (“VOIP”) is telecommunications subject to tax within the meaning of “telecommunications” and “gross charges” pursuant to the Telecommunications Excise Tax Act, 35 ILCS 630/2; the Telecommunications Infrastructure Maintenance Fee Act, 35 ILCS 635/10; and the Simplified Municipal Telecommunications Tax Act, 35 ILCS 636/5-7.

ST 06-0017-GIL 02/28/2006 Charges for voice mail services are not subject to Telecommunications Excise Tax if they are disaggregated from transmission charges and separately identified in the books and records of the retailer. See 86 Ill. Adm. Code 495.100.

ST 06-0028-GIL 03/28/2006 The Department’s regulation at 86 Ill. Adm. Code 495.140(a) provides that *[o]n and after January 1, 2001, prepaid telephone calling arrangements shall not be considered telecommunications subject to the Telecommunications Excise Tax.* (Sections 3 and 4 of the Act).

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

USE TAX

ST 06-0023-GIL 03/17/2006 Retailers are prohibited from advertising or holding out that they will absorb the purchaser's Use Tax obligation. See 86 Ill. Adm. Code 150.515.

VEHICLE USE TAX

ST 06-0003-GIL 01/09/2006 This letter concerns Vehicle Use Tax. See 625 ILCS 5/3-1001 et seq.

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 April 11, 2006 through April 17, 2006 and have been scheduled for review by the Committee at its May 9, 2006 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>
5/26/06	<u>Department of Public Health</u> , Local Health Protection Grant Rules (77 Ill. Adm. Code 615)	11/14/05 29 Ill. Reg. 18269	5/9/06
5/27/06	<u>State Board of Elections</u> , Practice and Procedure (26 Ill. Adm. Code 125)	12/16/05 29 Ill. Reg. 20143	5/9/06
5/27/06	<u>Property Tax Appeal Board</u> , Practice and Procedure for Appeals Before the Property Tax Appeal Board (86 Ill. Adm. Code 1910)	2/10/06 30 Ill. Reg. 1816	5/9/06
5/27/06	<u>Department of Central Management Services</u> , Pay Plan (80 Ill. Adm. Code 310)	2/17/06 30 Ill. Reg. 1937	5/9/06

## PROCLAMATIONS

**2006-129****FAMILY DAY– A DAY TO EAT DINNER WITH YOUR CHILDREN (REVISED)**

WHEREAS, belonging to family is important for the health and well-being of all children; and

WHEREAS, children are more likely to develop behavioral and social problems without the care and love of their family; and

WHEREAS, one great way for families with children to prevent behavioral and social problems is by eating dinner together; and

WHEREAS, research by The National Center on Addiction and Substance Abuse (CASA) at Columbia University has consistently found that children are less likely to smoke, drink alcohol, and use illegal drugs the more their families eat together; and

WHEREAS, additionally, other research shows that children who eat dinner with their families are less prone to dangerous and violent activities and more likely to have positive peer relationships and to excel in school; and

WHEREAS, like previous years, TV Land, Nick at Nite, and CASA have teamed up to declare the fourth Monday in September Family Day – A Day To Eat Dinner With Your Children, in recognition of the importance of family and to encourage families with children to eat dinner together:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim September 25, 2006 as **FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN** in Illinois in support of the commendable campaign by TV Land, Nick at Nite, and CASA to promote family and the health and well-being of children.

Issued by the Governor on April 13, 2006.

Filed by the Secretary of State April 13, 2006.

**2006-130****NATIONAL PUBLIC WORKS WEEK**

WHEREAS, public works infrastructure, facilities and services are of vital importance to the health, safety and well being of the people of Illinois, and

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, and administrators, representing state and local units of government, who are responsible for and must design, build, operate, and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings, and other structures and facilities essential to serving our citizens; and

## PROCLAMATIONS

WHEREAS, it is in the public interest for the citizens and civic leaders of this country to gain knowledge of, and to maintain a progressive interest in public works needs and programs of their respective communities:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 21-27, 2006 as **NATIONAL PUBLIC WORKS WEEK** in Illinois, and encourage all citizens to recognize the benefit of public works in our state.

Issued by the Governor on April 13, 2006.

Filed by the Secretary of State April 13, 2006.

**2006-131****CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH**

WHEREAS, the Chicago and Quad Cities Chapters of the Association of Government Accountants (AGA) is a professional organization, belonging to the Association of Government Accountants, which has more than 15,000 members in 90 chapters throughout the United States and around the world; and

WHEREAS, there are approximately 210 active members representing state, federal, municipal and private sector accountants, auditors, and financial managers in Illinois; and

WHEREAS, AGA Chicago and Quad Cities Chapter members have responded to AGA's mission of Advancing Government Accountability, as it continues its broad education efforts with emphasis on high standards of conduct, honor, and character in its Code of Ethics; and

WHEREAS, the AGA Chicago and Quad Cities chapter are making significant advances both in professional ability and in service to the citizens of Illinois by mastering increasingly technical and complex requirements; and

WHEREAS, the Certified Government Financial Manager (CGFM) program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have appropriate educational and employment history and to pass a 3-part examination requiring expertise in the Government Environment, Governmental Financial Management and Control, and Governmental Accounting, Financial Reporting and Budgeting, and requires each CGFM holder to maintain certification by completing comprehensive training sessions totaling 80 hours over a 2-year period:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as **CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH** in Illinois, and

## PROCLAMATIONS

encourage all citizens to recognize the hard work put forth by financial managers in our communities.

Issued by the Governor on April 13, 2006.  
Filed by the Secretary of State April 13, 2006.

**2006-132****NATIONAL LANDSCAPE ARCHITECTURE MONTH**

WHEREAS, landscape architecture is a diverse profession that blends elements from architecture, civil engineering and urban planning to form aesthetic relationships between people and the land; and

WHEREAS, landscape architects use design skills and aesthetic sense to enhance and add beauty to our surroundings; and

WHEREAS, the work of landscape architects increases the quality of life in our communities; and

WHEREAS, landscape architects plan the communities, public spaces and infrastructure that will support our housing, commercial and transportation needs; and

WHEREAS, the State of Illinois continues to benefit from the skills of landscape architects who create and preserve our parks, local schoolyards, and commercial streetscapes:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 2006 as **NATIONAL LANDSCAPE ARCHITECTURE MONTH** in Illinois, and encourage all citizens to recognize the legacy of landscape architects and their important contributions to the State of Illinois.

Issued by the Governor on April 13, 2006.  
Filed by the Secretary of State April 13, 2006.

**2006-133****DAYS OF REMEMBRANCE**

WHEREAS, the Holocaust was the state sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945; and

WHEREAS, during this sad time in history, six million were murdered, while many others were forced into grievous oppression and death under Nazi tyranny for racial, ethnic or national reasons; and

## PROCLAMATIONS

- WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and
- WHEREAS, the people of the State of Illinois also should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny. In addition, we should actively rededicate ourselves to the principles of individual freedom in a just society; and
- WHEREAS, the Days of Remembrance have been set aside for the people of the state of Illinois to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and
- WHEREAS, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980) the United States Holocaust Memorial Council designates the Days of Remembrance of victims of the Holocaust to be Tuesday, April 25 through Sunday, April 30, 2006, including the International Day of Remembrance known as Yom Hashoah:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 25-30, 2006 as **DAYS OF REMEMBRANCE** in Illinois, in memory of the victims of the Holocaust, and in honor of the survivors, as well as the rescuers and liberators, and urge all citizens to collectively and individually strive to overcome bigotry, hatred and indifference through learning, tolerance and remembrance.

Issued by the Governor on April 13, 2006.

Filed by the Secretary of State April 13, 2006.

**2006-134****GREEK PONTIAN GENOCIDE REMEMBRANCE DAY**

- WHEREAS, the State of Illinois prides itself on its vast cultural diversity, and each of the many ethnic communities that comprise our State carry with them stories of their country's past – some tragic and some triumphant. These stories are important not only to preserving the rich heritage of our different ethnic populations, but they also teach valuable lessons from which our greater society benefits; and
- WHEREAS, one such event is the Genocide of the Greek population in the Pontus region on the northern coast of Asia Minor (present day Turkey). This tragedy, occurring from 1914-1923, saw an estimated 353,000 Pontian Greeks, and an estimated 150,000 people from the rest of Asia Minor, die during a forced march without provisions across the Anatolian Plains to the Syrian border; and
- WHEREAS, these Greek peoples, whose ancestors had lived in Asia Minor for 3,000 years, were targeted by the Ottoman Turkish authorities for expulsion along with

## PROCLAMATIONS

Armenians and Assyrians, and during this awful nine-year span, the Greek population of Pontus endured immeasurable cruelty during a Turkish Government-sanctioned campaign to displace them; and

WHEREAS, those who survived through this dark time in history were exiled from Turkey, and today, they and their descendents live all throughout the Greek Diaspora, including the United States. Here in Illinois we are proud of our vibrant Greek communities, and it is fitting that the citizens of this State, along with all freedom-loving people throughout the world, join in solemn commemoration of the Greek Pontian Genocide of 1914-23; and

WHEREAS, as we work hard in Illinois to instill in our youth a universal respect for other cultures, races, religions and viewpoints, we look to stories like the Greek Pontian Genocide to help teach such critical lessons. The acknowledgement and awareness of this shameful historical event will not only teach future generations, but also will help mankind prevent such crimes from ever being repeated:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim May 19, 2006 as **GREEK PONTIAN GENOCIDE REMEMBRANCE DAY**, and join with all the people of this State in honoring the memory and sacrifices of its noble victims. Furthermore, I hereby direct that this document be filed with the Office of the Secretary of State as a permanent record.

Issued by the Governor on April 15, 2006.

Filed by the Secretary of State April 17, 2006.

**2006-135****PHIL AYALA ST. FRANCIS WILDCATS MAN OF THE YEAR DAY**

WHEREAS, born in Chicago, Illinois, Philip Ayala attended the St. Francis Elementary School, went on to serve in the Army and was an Airborne Ranger in Viet Nam; and

WHEREAS, Phil Ayala attended Malcolm X College and went on to earn his bachelor's degree in psychology from Northeastern University. He did graduate and post-graduate work in social and clinical psychology at George Williams College. He holds a Masters in Public Administration from Northern Illinois University and has earned a certificate from the Graduate School of Business Administration at the University of Notre Dame; and

WHEREAS, in 1979, Mr. Ayala had the distinct honor of being one of 200 Hispanic leaders invited by President Carter to attend a White House conference on national policies. Also, he has served as a commission member to the Illinois committee to the United States Commission on Civil Rights. He has helped to develop

## PROCLAMATIONS

Latino studies programs at several colleges, and the curriculum for early childhood development for Chicago City colleges. Mr. Ayala has served on numerous other commissions and boards at the local and national levels; and

WHEREAS, Phil is perhaps best known as the Executive Director of the Latin American Youth Center, which he co-founded 34 years ago. This agency has provided a variety of social, recreational and educational services for all age groups that total 10,000 to 12,000 people per year; and

WHEREAS, on April 22, 2006, Phil Ayala is being honored by the Fraternal Order of St. Francis Wildcats as their Man of the Year for 2006 and the State of Illinois is proud to join them in this recognition. His compassion and dedication continues to make a successful impact in the Hispanic community and this great State:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 22, 2006 as **PHIL AYALA ST. FRANCIS WILDCATS MAN OF THE YEAR DAY** in Illinois.

Issued by the Governor on April 17, 2006.

Filed by the Secretary of State April 17, 2006.

**2006-136****CHILDREN'S MEMORIAL FLAG DAY**

WHEREAS, approximately 3 million children are reported abused and neglected in this country each year; and

WHEREAS, the negative effects of child abuse are felt in every state and in every community in this country, and therefore it is important that these issues are addressed on a national level; and

WHEREAS, the Child Welfare League of America has promoted the Children's Memorial Flag as a way of memorializing the thousands of children and teenagers in the United States who die violently every year from child abuse; and

WHEREAS, the Children's Memorial Flag has become a recognizable symbol of the need to remain diligent in the mission of protecting children from abuse; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

## PROCLAMATIONS

WHEREAS, it is essential that as a country, we become more aware of the negative effects of child abuse and its prevention within our communities, and become involved in supporting parents to raise their children in a safe and nurturing environment:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 28, 2006 as **CHILDREN'S MEMORIAL FLAG DAY** in Illinois, and encourage all citizens to memorialize the thousands of children across the country who die from child abuse each year, and furthermore, ask all citizens to increase their participation in efforts to prevent child abuse.

Issued by the Governor on April 17, 2006.

Filed by the Secretary of State April 17, 2006.

**2006-137**  
**RIDE FOR KIDS DAY**

WHEREAS, each July, participants in the Annual Chicagoland Ride for Kids meet in the Village of Northbrook to raise money and awareness for the Pediatric Brain Tumor Foundation; and

WHEREAS, Ride for Kids is the motorcycling community's way of showing their support and compassion for individuals afflicted with brain tumors and their families; and

WHEREAS, last year, more than 2,700 motorcycles and more than 3,000 riders participated in the 17<sup>th</sup> Annual Chicagoland Ride for Kids; and

WHEREAS, over \$368,000 were raised by last year's event to help benefit the Pediatric Brain Tumor Foundation of the United States, a non-profit organization working diligently to find the cause and cure of childhood brain tumors; and

WHEREAS, during the 17 years that the Chicagoland area has participated in this event, over \$2 million have been raised in total for the Pediatric Brain Tumor Foundation:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16, 2006 as **RIDE FOR KIDS DAY** in Illinois, and encourage all citizens to support this worthy cause.

Issued by the Governor on April 17, 2006.

Filed by the Secretary of State April 17, 2006.

**2006-138**  
**PARTICLE ACCELERATOR DAY**

WHEREAS, particle accelerators are the scientific tools for discovery of the fundamental nature of the universe; and

## PROCLAMATIONS

WHEREAS, advances in the technology of particle accelerators produce significant benefits not only to basic science but to health care, medical research, manufacturing, materials science, and to the economy of the State of Illinois and the nation; and

WHEREAS, Northern Illinois, the home of Fermi National Accelerator Laboratory, Argonne National Laboratory, and of Illinois research universities, is a world leader in advanced accelerator research and development; and

WHEREAS, particle accelerators at Fermi National Accelerator Laboratory and Argonne National Laboratory provide unparalleled scientific research opportunities for thousands of scientists and students from throughout the State of Illinois, the nation, and the world; and

WHEREAS, Argonne National Laboratory and Fermi National Accelerator Laboratory have signed a Memorandum of Understanding combining their scientific and technical capabilities for accelerator research and development to accomplish unique scientific goals and to strengthen the world leadership of the State of Illinois in accelerator physics:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim April 21, 2006 as **PARTICLE ACCELERATOR DAY** in Illinois, and encourage all citizens to recognize the contributions of particle accelerators to scientific discovery and to the economic strength of Illinois and the nation.

Issued by the Governor on April 17, 2006.

Filed by the Secretary of State April 17, 2006.

**2006-139****HUNGER AWARENESS MONTH**

WHEREAS, hunger and poverty are issues of grave concern in the United States; and

WHEREAS, more than 650,000 individuals in Illinois rely upon food provided by the Illinois Food Bank Association annually; and

WHEREAS, in the State of Illinois, the Illinois Food Bank Association provides food to adults and children each week through its network of 2,000 food pantries, soup kitchens, shelters and after-school programs; and

WHEREAS, the Illinois Food Bank Association distributes over 94.5 million pounds of food annually; and

## PROCLAMATIONS

WHEREAS, the Illinois Food Bank Association's members include the Greater Chicago Food Depository, Central Illinois Food Bank, Peoria Area Food Bank, St. Louis Area Food Bank, Eastern Illinois Food Bank, Northern Illinois Food Bank, River Bend Food Bank, and Tri-State Food Bank; and

WHEREAS, the Illinois Food Bank Association works to provide food to hungry people while educating the public about the purpose of food banks serving Illinois counties and the role of food banks in addressing hunger; and

WHEREAS, America's Second Harvest has declared June 7<sup>th</sup>, 2006 to be **NATIONAL HUNGER AWARENESS DAY**; and

WHEREAS, more than 200 America's Second Harvest affiliates, including the Illinois Food Bank Association's members, will host numerous local events during the month of June for National Hunger Awareness Day to raise awareness of this serious issue:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 2006 as **HUNGER AWARENESS MONTH** in Illinois and encourage all citizens to recognize hunger in the State of Illinois and initiate a dialogue to help prevent hunger every day of the year.

Issued by the Governor on April 17, 2006.

Filed by the Secretary of State April 17, 2006.

# ILLINOIS ADMINISTRATIVE CODE

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