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Editor's Note: The Regulatory Agenda submission period ended the last week of June. No more Regulatory Agendas are being accepted at this time. The second filing period for submitting will start October 2, 2006 with the last day to file being December 29, 2006.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Anhydrous Ammonia Security Grant Program
- 2) Code Citation: 8 Ill. Adm. Code 217
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
217.10	New Section
217.20	New Section
217.30	New Section
217.40	New Section
217.50	New Section
217.60	New Section
217.70	New Section
217.80	New Section
217.90	New Section
217.100	New Section
217.110	New Section
217.120	New Section
217.130	New Section
217.140	New Section
217.150	New Section
217.160	New Section
217.170	New Section
217.180	New Section
217.190	New Section
217.200	New Section
- 4) Statutory Authority: Authorized by Section 205-450 of the Department of Agriculture Law of the Civil Administrative Code [20 ILCS 205/205-450].
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking involves the implementation of a pilot grant program to improve safety and security at anhydrous ammonia facilities in an effort to prevent anhydrous ammonia theft. In addition this Part will help promote safety for farmers, agribusinesses, farmworkers, neighbors, law enforcement, first responders and members of the public in the event of an emergency involving anhydrous ammonia leaks or spills.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:
A 45-day written comment period will begin on the day the Notice of Proposed Rules appears in the *Illinois Register*. Please mail written comments on the proposed rulemaking to the attention of:
- Linda Rhodes
Illinois Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield, IL 62794-9281
- 217/785-5713
217/785-4505 (fax)
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Eligible anhydrous ammonia facilities will benefit from grant monies.
- B) Reporting, bookkeeping or other procedures required for compliance: The grantee must keep records of all activities undertaken in connection with implementation of the grant proposal, and records are subject to review by the Director of the Department of Agriculture.
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the funding for this grant program did not become available until FY 07.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED RULES

The full text of the Proposed Rules is identical to the text in the Emergency Rules that appears in this issue of the *Illinois Register* on page 12323:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>
310.100	Amendment
310.490	Amendment
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 5) A Complete Description of the Subjects and Issues Involved: In Section 310.100, subsection (d)(4), the language is identical to that in the proposed amendments at 30 Ill. Reg. 6444 on the agenda for the July 11, 2006 Joint Committee on Administrative Rules meeting, except in light of the interim assignment pay in these amendments the opening sentence after the heading to subsection (d)(4)(A) clarifies to which employees the temporary assignment applies when assigned to a higher-level position classification applies.

Also in Section 310.100, a new subsection (e) is added explaining interim assignment pay. Interim assignment is defined in emergency and proposed amendments to the Personnel Rules (80 Ill. Adm. Code 302) Section 302.150, where the emergency amendments are also effective July 1, 2006.

Also in Section 310.100, the subsections following the new subsection (e) are renumbered.

Also in Section 310.100, the renumbered subsection (f)(3) has a change to the compensation of equivalent earned time to permit only equivalent earned time accrued during June of one fiscal year to be carried over for use prior to August of the immediately following fiscal year.

Also in Section 310.100, the renumbered subsection (j) has a change, which is to add the leave to serve in an interim assignment and thereby establishing the salary treatment upon the employee's return from the leave.

In Section 310.490(e)(3) has a change to the compensation of equivalent earned time to permit only equivalent earned time accrued during June of one fiscal year to be carried over for use prior to August of the immediately following fiscal year.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Also in Section 310.490(i) has a change, which is to add the leave to serve in an interim assignment and thereby establishing the salary treatment upon the employee's return from the leave.

Also in Section 310.490(k) has a change, which is to properly name what was called extra duty pay as temporary assignment pay when required to use second language ability and explain it.

Also in Section 310.490, a change is to add a new subsection (p) to explain interim assignment pay within the merit compensation system.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this rulemaking replace any emergency rulemakings currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed amendments pending on this Part?

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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. PPENDIX 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

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

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

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

217/782-7964

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Fax: 217/524-4570

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas regulatory agenda because: the need for the rulemaking only recently became apparent.

The text of the Proposed Amendments is identical to the text of the Emergency Amendments on page 12340 of this issue of the *Illinois Register*.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Merit and Fitness
- 2) Code Citation: 80 Ill. Adm. Code 302
- 3) Section Numbers: 303.150 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by the Personnel Code [20 ILCS 415]
- 5) A Complete Description of the Subjects and Issues Involved: This amendment creates a new type of appointment status for certified non-bargaining unit employees. Interim assignment status will be used to monitor, control and track such employees performing on a full-time interim basis, the higher-level duties of another non-bargaining unit position.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed amendments pending on this Part? No
- 11) Statement of Statewide Policy Objective: This proposed amendment neither creates nor expands any State mandate on units of local government, school districts or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after the date of publication to:

Gina Wilson
Illinois Department of Central Management Services
720 Stratton Office Building
Springfield, Illinois 62706

217/785-1793

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: A new personnel transaction code will be created, which employing agencies will be required to use in submitting these transactions for approval. This will not affect current practices and procedure.
 - C) Types of professional skills necessary for compliance: No other staffing will be necessary for implementation of the rule.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: the need for the rulemaking only recently became apparent.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment and begins on page 12366 in this issue of the Illinois Register:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
140.490	Amendment
140.492	Amendment
- 4) Statutory Authority: Section 12-3 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments allow payment for an employee attendant for taxicab and service car providers and change the mileage reimbursement policy for service car and medicar to allow payment from the first mile. The funding for this change was included in the Fiscal Year 2007 budget and the estimated cost is \$4 million annually.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.534	Amendment	30 Ill. Reg. 6230; 4/14/06
140.560	Amendment	30 Ill. Reg. 6230; 4/14/06
140.569	Amendment	30 Ill. Reg. 1231; 1/27/06
- 11) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Tamara Tanzillo Hoffman
Chief of Administration and Rules
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, 3rd Floor
Springfield IL 62763-0002

217/557-7157

The Department requests the submission of written comments within 30 days after the publication of this Notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Individual, public, private, or not-for-profit transportation carriers
 - B) Reporting, bookkeeping or other procedures required for compliance: No added requirements
 - C) Types of professional skills necessary for compliance: No added requirements
- 14) Regulatory Agenda on Which this Rulemaking Was Summarized: These proposed amendments were not included on either of the two most recent agendas because: this rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments that appears in this issue of the *Illinois Register* on page 12376:

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Tourism Attraction Signing Program
- 2) Code Citation: 92 Ill. Adm. Code 543
- 3)

<u>Section Number:</u>	<u>Proposed Action:</u>
543.100	New Section
543.200	New Section
543.300	New Section
543.400	New Section
543.500	New Section
543.600	New Section
543.700	New Section
- 4) Statutory Authority: Implementing Section 4.08 of the Highway Advertising Control Act of 1971 [225 ILCS 440/4.08] and Section 2705-505 of the Civil Administrative Code of Illinois [20 ILCS 2705/2705-505], and authorized by Section 4-201.1 of the Illinois Highway Code [605 ILCS 5/4-201.1], Section 14.01 of the Highway Advertising Control Act of 1971 [225 ILCS 440/14.01], and Section 2705-505 of the Civil Administrative Code of Illinois [20 ILCS 2705/2705-505]
- 5) A Complete Description of the Subjects and Issues Involved: In the 2000 edition of the national Manual on Uniform Traffic Control Devices (the MUTCD), the Federal Highway Administration added an attraction category to Chapter 2F on Specific Service Signs. The Department of Commerce and Economic Opportunity (DCEO), formerly known as the Department of Commerce and Community Affairs, contacted the Department asking the Department to adopt rules to implement the attraction category program in Illinois. The Department agreed. Therefore, by this Notice, the Department is proposing the requirements for participation in the Tourism Attraction Signing Program (the program). Signing for the program will be similar to that of the business logo signs (see 92 Ill. Adm. Code 542) for gas, food, lodging, camping, and 24-hour pharmacies that are currently installed on interstate highways. The program will include signing for attractions such as wineries, amusement parks, arenas/auditoriums/convention centers, fairgrounds, museums, nature preserves, auto/horse race tracks, stadiums, state/national parks, and state historic sites.

The program will be administered jointly by the Department and DCEO. DCEO will administer the portion of the program that prescribes the qualifying criteria for the tourism attractions and the Department will control the installation of the signs and set the fees. While the Department will install the signs, the decision as to what attractions are approved for participation will be made by the DCEO.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this rulemaking:
Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Joseph S. Hill, Chief, Bureau of Operations
Illinois Department of Transportation
Division of Highways
2300 South Dirksen Parkway, Room 009
Springfield, Illinois 62764

217/782-7231

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Ms. Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation
Office of Chief Counsel
2300 South Dirksen Parkway, Room 311
Springfield, Illinois 62764

217/782-3215

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types affected of small businesses, small municipalities and not for profit corporations: Small businesses and not for profit corporations that qualify will be impacted to the extent that such businesses and corporations wish to participate in the program.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2006

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

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER f: HIGHWAYSPART 543
TOURISM ATTRACTION SIGNING PROGRAM

Section

543.100	Introduction
543.200	Definitions
543.300	Criteria for Tourism Attraction Panels
543.400	Criteria for Tourism Attraction Signs
543.500	Criteria for RV-friendly Symbol Signs
543.600	Panel and Sign Design
543.700	Application, Fees, and Other Regulations

AUTHORITY: Implementing Section 4.08 of the Highway Advertising Control Act of 1971 [225 ILCS 440/4.08] and Section 2705-505 of the Civil Administrative Code of Illinois [20 ILCS 2705/2705-505], and authorized by Section 4-201.1 of the Illinois Highway Code [605 ILCS 5/4-201.1], Section 14.01 of the Highway Advertising Control Act of 1971 [225 ILCS 440/14.01], and Section 2705-505 of the Civil Administrative Code of Illinois [20 ILCS 2705/2705-505].

SOURCE: Adopted at 30 Ill. Reg. _____, effective _____.

Section 543.100 Introduction

- a) This Part has been developed to regulate the use of tourism attraction signs displayed along various freeways. It establishes standards, specifications, and financial responsibility for a program of placing tourism attraction signs on tourism attraction panels. The displayed signs will provide motorists with travel related directional information to facilities of interest to tourists.
- b) This program applies to freeways within the State of Illinois that are under the jurisdiction of the Illinois Department of Transportation (the Department).

Section 543.200 Definitions

The following words or phrases, when used in this Part, shall have the meanings ascribed to them in this Section.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

"Ahead" or "In advance of" – a sign is ahead or in advance of another when it is at a greater distance than the other from the crossroad being signed.

"Billing Cycle" – billing beginning July 1 and ending the following June 30.

"Business Logo Sign" – a sign conforming to the Department's rule titled Business Logo Signing Program, 92 Ill. Adm. Code 542, advising motorists of services such as gas, food, lodging, camping and 24-hour pharmacy services.

"Crossroad" – a public road intersecting the freeway for which an interchange is provided.

"DCEO" – the Illinois Department of Commerce and Economic Opportunity, acting through its Bureau of Tourism, with central offices located at 620 East Adams Street, Springfield, Illinois 62701.

"Department" – the Illinois Department of Transportation, with central offices located at 2300 South Dirksen Parkway, Springfield, Illinois 62764.

"Entrance or Exit Ramps" – lanes entering or leaving the main traveled way of a freeway. These lanes provide access between the freeway and the crossroad at an interchange.

"Fiscal Year" – a year beginning July 1 and ending the following June 30.

"Freeway" – a divided highway for through traffic, other than one under the jurisdiction of the Illinois State Toll Highway Authority, with full control of access and grade separations at all crossroads.

"IDNR" – the Illinois Department of Natural Resources, with central offices located at One Natural Resource Way, Springfield, Illinois 62702-1271.

"IHPA" – the Illinois Historic Preservation Agency, with central offices located at 500 East Madison Street, Springfield, Illinois 62701.

"Interchange" – a system of interconnecting ramps providing for the movement of traffic between two roadways on different levels.

DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULES

"Marketing Plan" – a plan supplied by a tourism attraction that explains how and where the attraction is being marketed or advertised outside a 50 mile radius of the interchange.

"Official Sign" – a sign that is defined as an official sign in the Department's rule titled Control of Outdoor Advertising Adjacent to Primary and Interstate Highways, 92 Ill. Adm. Code 522, and that is erected and maintained by the Department along a freeway. For purposes of this Part, official signs do not include business logo signs.

"RV-friendly Symbol Sign" – a symbol sign advising that a tourism attraction can accommodate the movement and parking of recreational vehicles (RVs).

"Supplemental Distance Sign" – a sign identifying the mileage to an attraction that is mounted on the posts of an exit ramp panel or trailblazer panel.

"Tourism Attraction" or "Attraction" – an open facility having the primary purpose of providing amusement and/or historical, cultural, or leisure activities to the public.

"Tourism Attraction Panel" – a rectangular panel, displaying the word ATTRACTION and directional information, on which a tourism attraction sign is mounted. A panel along the freeway is referred to as a "freeway panel" and a panel along the exit ramp or crossroad is referred to as an "exit ramp panel".

"Tourism Attraction Sign" – a rectangular sign consisting of a tourism attraction name, trademark, brand, symbol, or a combination thereof, that is displayed on a tourism attraction panel or, together with an arrow panel, as a trailblazer sign.

"Trailblazer Sign" – a tourism attraction sign displayed, together with an arrow panel, off the freeway system to advise motorists where to turn en route to an attraction.

Section 543.300 Criteria for Tourism Attraction Panels

- a) Number and Order of Freeway Panels
 - 1) One tourism attraction panel will be erected within the right-of-way of a freeway for each direction of travel in advance of an interchange after receipt of the tourism attraction signs by the Department.

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- 2) Tourism attraction panels will not be erected in advance of any exit-only freeway interchange where motorists cannot easily reenter the freeway and continue in the same direction of travel.
 - 3) Tourism attraction panels will not be erected in advance of any freeway interchange where there are four business logo panels in place except where they can be combined as allowed in Section 543.500(a)(2).
 - 4) Signing for a qualifying tourism attraction will only be allowed at a given interchange where the attraction can be reached without crossing another freeway.
 - 5) All tourism attraction panels will be ground-mounted.
- b) Location of Freeway Panels
- 1) Each tourism attraction panel along the freeway shall be installed at least 800 feet from other signs and/or the beginning of an exit ramp taper.
 - 2) Tourism attraction panels shall not be erected in advance of exit ramps to a previous interchange.
- c) Exit Ramp Panels at Single-Exit Interchanges
- 1) The Department will install exit ramp panels along exit ramps at single-exit interchanges in accordance with subsection (c)(2) of this Section.
 - 2) A tourism attraction that is displayed on a freeway panel shall also be required to be displayed on the exit ramp panel at a single-exit interchange. Only tourism attractions having signs displayed on freeway panels will have signs displayed on exit ramp panels.
 - 3) The Department will install a supplemental distance sign below the tourism attraction sign for any tourism attraction over one mile from the exit ramp at single-exit interchanges in Cook, DuPage and Lake Counties, and over two miles in other counties. Whenever the Department installs a supplemental distance sign on an exit ramp panel, it will also install a supplemental distance sign below the tourism attraction sign of any other tourism attraction that is $\frac{1}{2}$ mile or more from the ramp. The

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supplemental sign will indicate the distance to the tourism attraction in half-mile increments for distances up to two miles and in one-mile increments for distances over two miles.

- d) Exit Ramp Panels at Double-Exit Interchanges
 - 1) The Department will install an exit ramp panel with a tourism attraction sign for any tourism attraction over one mile from the exit ramp at double-exit interchanges in Cook, DuPage and Lake Counties and over two miles in other counties. Whenever the Department installs a tourism attraction sign on an exit ramp panel, it will also install a supplemental distance sign below the tourism attraction sign for any other tourism attraction located $\frac{1}{2}$ mile or more from the ramp. The supplemental sign will indicate the distance to the tourism attraction in half-mile increments for distances up to two miles and in one-mile increments for distances over two miles.
 - 2) Any tourism attraction that is displayed on a freeway panel shall also be required to be displayed on an exit ramp panel at a double exit interchange, where an attraction exit ramp panel exists. Only tourism attractions having signs displayed on freeway panels will have signs displayed on exit ramp panels. Exit ramp panels will be located on the exit ramp, or on the crossroad just off the exit ramp of double-exit interchanges.

Section 543.400 Criteria for Tourism Attraction Signs

- a) Attraction Categories

In order to be considered for tourism attraction signs, the attraction must fall under one of the categories listed in subsection (a)(1)-(a)(14) of this Section. Additionally, the attraction, except as otherwise provided, must have adequate legal parking; must be open to the public a minimum of 100 days per year; must have drinking water and Americans with Disabilities Act compliant restroom facilities at or near the site; and must have minimum annual attendance consistent with the categories listed as follows.

 - 1) Amusement Park/Fairgrounds/Recreational and Entertainment Complex: A park, fairground, or recreational and entertainment complex that supplies refreshments and multiple activities of entertainment and recreation, with a minimum annual attendance of 50,000.

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- 2) **Antique Shopping Areas:** A group of 40 vendors or 30,000 square feet of space that specializes in the sale of antique items.
- 3) **Arena/Performance Center:** A stadium, sports complex, auditorium, civic center, racetrack, convention center or cultural center, with a minimum annual attendance of 50,000.
- 4) **Botanical/Zoological Facility:** A collection of unique living plants/animals that are kept and exhibited to the public, with a minimum annual attendance of 25,000. Zoos shall be members of, or accredited by, the American Zoo and Aquarium Association or other similar organization.
- 5) **Entertainment/Dining/Shopping District:** An area concentrated within a half-mile radius offering a variety of entertainment, dining and shopping venues.
- 6) **Gambling/Wagering Facility:** An off-track wagering facility or a riverboat casino authorized and regulated by the State of Illinois.
- 7) **Golf Course:** An area of land laid out for golf with a minimum of 9 holes, each including tee, fairway, and putting green, and often one or more natural or artificial hazards and open to the public, with a minimum annual attendance of 15,000. Miniature golf courses, driving ranges, chip-and-putt courses and indoor golf courses are not eligible to participate in the program.
- 8) **Historic Shopping District:** A shopping district with a minimum of seven stores in restored structures that is marketed as a historic shopping district or area.
- 9) **Historic Site:** A structure, district, or landmark listed by the IHPA as being of historical significance, with an annual minimum attendance of 5,000. State sites maintained by the IHPA, the IDNR, and the Department are exempt from the requirements of this Part. Sites promoting the same historic event or person should be combined as one logo on a sign (i.e., Lincoln Sites, Frank Lloyd Wright Sites).
- 10) **Museum:** An organized and permanent institution, with professional staff, in which works of artistic, historical or scientific value are cared for and

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exhibited to the public, with a minimum annual attendance of 15,000. Museums shall be members of, or accredited by, the American Association of Museums, the Illinois Association of Museums, the Association of Midwest Museums, or some other similar organization.

- 11) Orchard: An established area or facility where consumers can purchase or pick fresh Illinois food products directly from Illinois producers, with a minimum annual attendance of 5,000. The facility shall include a general store.
 - 12) River Excursion: A non-gaming riverboat sightseeing excursion, with a minimum annual attendance of 5,000.
 - 13) Shopping Center: A group of stores arranged in one or more buildings with the stores in any one building separated by floor to ceiling partitions and having, in Cook, DuPage and Lake Counties, a minimum of 150 stores and, in all other counties, a minimum of 45 stores.
 - 14) State or National Park/Forest/Wild Life Area: An area designated by a unit of government that provides activities such as fishing, picnicking, hiking, swimming, boating, and sporting events, with a minimum annual attendance of 15,000.
 - 15) Winery: A facility, open to the public with regularly scheduled hours, that offers tours, tasting and sales of wine bottled on the premises and that provides an educational format of informing visitors about wine and wine processing, with a minimum annual attendance of 5,000.
- b) Distance to Tourism Attraction
- 1) A tourism attraction must be within five road miles of a freeway interchange in Cook County, within ten road miles in DuPage and Lake Counties, and within 30 road miles in all other counties.
 - 2) The distance to each tourism attraction will be measured as the travel distance between the end of the appropriate exit ramp and the tourism attraction. The distance to a tourism attraction on a crossroad will be measured along the centerline of the crossroad from the end of the appropriate exit ramp to the center of the primary entrance to the tourism attraction. Where the tourism attraction is located along an intersecting

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road, the distance will be measured along the centerline of the crossroad to the centerline of the intersecting road and then measured along the centerline of the intersecting road to the center of the primary entrance to the tourism attraction. Where an entrance serves more than one tourism attraction, the driving distance using the properly marked driving aisles from the entrance to the parking space available for patrons nearest the tourism attraction will be added to the distance measured along the crossroad or intersecting road.

- 3) If a tourism attraction meets the criteria at more than one interchange on a given freeway, signing will be allowed only from the interchange providing the most direct and best route in each direction. In determining the most direct and best route, the Department will consider all relevant conditions, including the directness of the route, congestion of the route, speed of travel, length of travel, and ease of locating the tourism attraction.

c) Tourism Attraction Signing Priorities

- 1) Where there may be more tourism attractions eligible for and desiring signing than the number of signs permitted on a specific tourism attraction panel, the following point criteria will be used in determining priority for signing. When two or more tourism attractions score identical points, the priority will be based on the distance to the interchange with a closer tourism attraction having priority over a farther tourism attraction. When the Department cannot determine which tourism attraction is closest to the appropriate exit ramp, priority for the available space will be determined by lottery, coin toss, or any other fair and impartial method determined by the Department. The affected tourism attraction will be allowed to witness such action. Because each exit at an interchange is treated separately, a tourism attraction may be eligible to sign from only one direction of travel along a freeway.

Annual Attendance:

Less than 50,000 persons	10 points
50,000 to 149,999 persons	20 points
150,000 to 249,999 persons	30 points

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250,000 persons or more	35 points
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Days/Hours of Operation:

Open a minimum of 100 hours per year	5 points
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Open a minimum of 3 days per week, 7 hours per day for less than 6 months per year but for a total of more than 400 hours per year	10 points
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Open a minimum of 5 days per week, 7 hours per day for more than 6 months of the year	20 points
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Open year-round, except major holidays, a minimum of 7 hours per day	30 points
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Distance from interchange:
(Except Cook, DuPage and Lake Counties)

25.1 to 30 miles	5 points
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20.1 to 25 miles	10 points
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15.1 to 20 miles	15 points
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10.1 to 15 miles	20 points
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5.1 to 10 miles	23 points
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5 miles or less	25 points
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Distance from interchange:

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(DuPage and Lake Counties Only)

9.1 to 10 miles	5 points
7.1 to 9.0 miles	10 points
5.1 to 7.0 miles	15 points
1.1 to 5.0 miles	20 points
1 mile or less	25 points

Distance from interchange:
(Cook County Only)

4.1 to 5 miles	10 points
3.1 to 4 miles	15 points
1.1 to 3.0 miles	20 points
1 mile or less	25 points

Marketing Plan:

Attractions not demonstrating any advertising efforts outside a 50 mile radius of the interchange	0 points
Attractions that advertise outside a 50 mile radius of the interchange on a limited basis with fewer than five advertisement placements per year	5 points
Attractions that advertise on a regular basis to markets outside a 50 mile radius of the	10 points

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interchange and/or conduct
public relations efforts to
generate visits from persons
outside that area

- 2) An attraction will be guaranteed participation in the program for a minimum of three years from the date of first billing of the annual rental fees for the attraction provided it continues to meet the requirements of this Section and is not in arrears in its payments. Following the first three year period, signs for the attraction with the lowest priority on a panel may be removed at the beginning of the billing cycle in favor of another attraction with at least 30% higher priority based on subsection (c)(1) of this Section. This will only apply where the sign panel in question has six attraction signs.
- 3) When a tourism attraction closes temporarily due to remodeling, or due to an act of God, including, but not limited to, fire or flood, the tourism attraction shall notify the Department in writing of the closure. Notification shall be sent to the:

LOGO/Tourism Signing Coordinator
Illinois Department of Transportation
Bureau of Operations
2300 South Dirksen Parkway
Springfield, Illinois 62704

Following the closure, the tourism attraction signs will be removed and stored by the Department for up to six months. If the tourism attraction remains closed after six months, the closure shall be considered as permanent and the space will be declared available. In any event, if the allowable closure period extends to the subsequent fiscal year, the annual rental fee for the tourism attraction must be paid for that year or the space will be declared available. If the tourism attraction does not notify the Department in writing of the closure and the Department becomes aware of the closure, the closure shall be considered permanent and the space will be declared available.

- 4) When a tourism attraction closes permanently, the tourism attraction will lose its signing priority and the space will be declared available. If the tourism attraction reopens and wishes to again take part in the program if a

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space is available, a new application must be submitted as specified in Section 543.600(a). If the tourism attraction is still eligible for signing under this program, priority will be evaluated among all other eligible tourism attractions desiring signing at the interchange in question.

- d) Location of Tourism Attraction
 - 1) Tourism Attraction on the Crossroad

Where a tourism attraction is on the crossroad, it must either be visible to the motorists from the crossroad, or have a sign on the tourism attraction site, visible to the motorists from the crossroad, advising motorists of the appropriate entrance to the attraction.
 - 2) Tourism Attraction not on the Crossroad
 - A) Where a tourism attraction is not on the crossroad, it must either be visible to the motorists from the crossroad or have a trailblazer sign or signs installed on the crossroad and the road or roads leading to the attraction advising motorists where to turn.
 - B) Where roads leading from the crossroad to the attraction are State highways, the Department will install trailblazer signs advising motorists where to turn.
 - C) Where roads leading from the crossroad to the attraction are under local agency jurisdiction, freeway signing will not be provided until legible trailblazer or other signs are installed by, or by permission of, the local agencies, with directional information advising motorists where to turn. It shall be the responsibility of the tourism attraction to arrange with the appropriate local agency for the installation of all signs on roads under the jurisdiction of the local agency.
- e) No tourism attraction will be allowed more than one space on an individual tourism attraction panel.
- f) Where an attraction is signed from a given freeway on an existing official sign, (see Section 543.200, Definitions, "Official Sign"), other than a business logo sign, it may not be signed on a tourism attraction sign on the same freeway unless it agrees that the Department can remove its name from the official highway sign.

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Section 543.500 Criteria for RV-friendly Symbol Signs

The Department will furnish and install an RV-friendly symbol sign on a freeway tourism attraction sign for any tourism attraction meeting the following requirements.

- a) The entrance to and egress from the tourism attraction shall be paved, kept free of potholes and shall be at least 12 feet wide with a minimum swing radius of 50 feet to enter and exit the facility.
- b) The entrance to and egress from the tourism attraction and the parking area shall be free of any electrical wires, tree branches, canopies, or other obstructions up to 14 feet above the surface.
- c) Tourism attractions shall have a minimum of 2 RV spaces at or near the facility that are a minimum of 12 feet wide and 65 feet long with a minimum swing radius of 50 feet to enter and exit the spaces.
- d) Campgrounds shall have a minimum of 2 spaces that are a minimum of 18 feet wide and 45 feet long.
- e) Tourism attractions shall post signs on their sites directing motorists to RV-friendly parking spaces and other on-site RV-friendly services.

Section 543.600 Panel and Sign Design

- a) Freeway Panel Design
 - 1) The word ATTRACTION and the exit number will be displayed above the tourism attraction signs in white legend ten inches in height on a blue background.
 - 2) Tourism attraction signs may be combined with business logo signs on the same freeway panel with the business logo signs shown on the upper portion or portions of the panel and the tourism attraction signs on the lower portion of the panel. No more than a total of six signs may be shown on any one panel.
- b) Exit Ramp Panel Design

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- 1) Along exit ramps of single-exit interchanges, the tourism attraction signs will be displayed in similar order to that on the freeway. The Department will install the necessary directional arrows on the panel.
 - 2) Exit ramp panels of double-exit interchanges are designed similarly to those of single-exit interchanges, except without directional arrows.
 - 3) Tourism attraction signs and business logo signs may be combined on exit ramp panels.
- c) **Tourism Attraction Sign Design**
 The tourism attraction signs will be designed by the tourism attraction and supplied to the Department. The signs shall consist of the tourism attraction name, trademark symbol, or combination thereof, providing it does not resemble any traffic sign, signal, or device. The tourism attraction name or trademark must be consistent with that used on other signing for the tourism attraction and must be the primary message on the sign. The tourism attraction signs may also contain supplemental messages relating to the primary tourism attraction, including credit cards honored by that tourism attraction and hours/days of the week the attraction is open. If the tourism attraction is open less than four days a week, the days open or closed shall be shown. Messages that are not related to tourism attractions, including, but not limited to, alcoholic beverages, lottery tickets, and vehicle sales will not be allowed as supplemental messages. Supplemental messages must be significantly smaller than the primary tourism attraction name, trademark, or symbol used on the sign. Any supplemental messages must be an integral part of that tourism attraction sign and not added as stickers or decals after the tourism attraction sign has been installed. Any sign that is tampered with by the tourism attraction by the addition or deletion of supplemental messages or by altering the name, logo, or symbol or any other portion of the message or design subsequent to installation will be removed by the Department. The tourism attraction must then provide a new sign in addition to the \$50 per sign reinstallation fee required by Section 543.700(b)(4). Covering over of a message will not be allowed. Supplemental messages may be omitted on ramp and trailblazer signs if the tourism attraction desires. Signs shall be fabricated on an aluminum base material between .080 and .125 inches thick. High-performance retroreflectorized background sheeting material shall be utilized for the signs. The size of the signs to be installed on freeway panels, exit ramp panels, and trailblazer signs shall be as follows:

PANEL TYPE

SIGN

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	WIDTH	HEIGHT
Freeway	60"	36"
Exit Ramp	24"	18"
Trailblazer	24"	18"

In order to ensure that the signs meet the requirements of this Section, a tourism attraction shall provide a sign design to the Department for approval within 30 calendar days after approval of the application. If the sign design is not received by the Department within the 30-day time period, the space will be declared available.

- d) RV-friendly Symbol Sign Design
- 1) The RV-friendly symbol sign will be furnished and installed by the Department. The sign will consist of a 12-inch diameter, yellow circle with a ½-inch black border and a black upper case "RV" in 8-inch high letters within the circle.
 - 2) The RV-friendly symbol sign will be located in the lower right-hand corner of the tourism attraction sign and centered on a point 2-inches from the right-hand edge of the sign and 2-inches from the lower edge of the sign.

Section 543.700 Application, Fees, and Other Regulations

- a) Application
- 1) In order for a tourism attraction to be considered for the program, an application form must be obtained from and, after completion, returned to the:

Tourism Attraction Sign Coordinator
Illinois Department of Commerce and Economic Opportunity
Bureau of Tourism
620 East Adams
Springfield, Illinois 62701

A separate application form must be completed for each tourism attraction.

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- 2) When DCEO determines from the application that a tourism attraction meets the criteria listed in this Part, the application will then be reviewed by the Department to determine if space is available for the signs in accordance with this Part.
 - 3) If the Department determines that space is available, the application will be approved and returned to the tourism attraction, along with instructions concerning the number and location of the tourism attraction signs, the application, the annual fee, and other appropriate information.
- b) Fees
- 1) A \$100 non-refundable application fee for each tourism attraction must be submitted to the Department at the address noted in Section 543.400(c)(3) once the Department determines that space is available. The \$100 application fee for each request for attraction signing that is not approved will be charged when a tourism attraction reapplies for signing after the attraction's signs have been removed due to late rental payments or temporary withdrawal from the program, or when a tourism attraction changes its name and its ownership at the same time.
 - 2) An annual rental fee sufficient to offset the cost of the program will be charged for each tourism attraction sign displayed on a freeway panel, exit ramp panel, and trailblazer assembly. The annual rental fees as of July 1, 2006 will be \$200 for each tourism attraction sign displayed on a freeway panel, \$130 for each tourism attraction sign displayed on an exit ramp panel, and \$30 for each tourism attraction sign displayed on a trailblazer assembly. The Department will periodically adjust the fees to reflect the current cost of maintaining the signing system. Fees will be collected annually on a fiscal year basis. When a tourism attraction makes an annual payment, it will be guaranteed usage of the paid space on the specific attraction panel for the entire year, as long as it continues to meet the criteria established under this Part. Any tourism attraction closing or withdrawing from the program after making its annual payment will not be given a refund. A prorated fee will be charged for signs erected for a partial year.
 - 3) When the annual rental fee is not received by the Department within 30 calendar days after the due date specified in the annual billing letter, the tourism attraction sign or signs will be removed by the Department.

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Where receipt of payment is delinquent and a specific attraction panel is full, the tourism attraction will lose its signing priority to the next tourism attraction desiring the space. When the fee is received after the tourism attraction sign is removed, and space is still available on the panel, the \$100 application fee as provided for in subsection (b)(1) of this Section will apply. Additionally, the annual fee for the remainder of the fiscal year, as well as any portion of the annual fee owed for the period of time between the end of the preceding fiscal year and the date the signs were removed.

- 4) A fee of \$50 for each tourism attraction sign will be charged for a tourism attraction requesting that its signs be replaced with new signs for any reason other than due to deterioration, damage, or vandalism as provided for in subsection (c)(1) of this Section. When replacement is requested, all tourism attraction signs for the specific tourism attraction, including those on freeway and exit ramp panels, as well as any Department-installed trailblazer sign, must be replaced at the same time. However, when the replacement only involves a change in a supplemental message, any signs not containing a supplemental message need not be replaced.
 - 5) No fees will be charged to qualifying tourism attractions owned by the State of Illinois or the federal government, nor will any fees be charged to qualifying tourism attractions that are tax-exempt under section 501(c)(3) or other applicable section of the federal Internal Revenue Code.
 - 6) A one-time fee of \$100 will be charged for each RV-friendly symbol sign furnished and installed by the Department.
- c) Placing and Maintaining Tourism Attraction Signs
- 1) A tourism attraction must pay for and supply tourism attraction signs to the Department within 60 calendar days after approval of a sign design. If the signs are not received by the Department within the 60-day time period, the space will be declared available. Only the Department will install, or cause to be installed, the tourism attraction signs on the specific attraction panel and trailblazer signs. When a tourism attraction sign is so deteriorated, damaged, or vandalized that it needs to be replaced, the Department will notify the tourism attraction concerning fabrication of a new sign. There will be no charge for the replacement of the tourism attraction sign.

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- 2) Tourism attractions will be required to certify on the application that their signs meet the criteria established under this Part. When DCEO receives a complaint from a third party that an approved tourism attraction may not be in compliance with the criteria established under this Part, the tourism attraction will be contacted by DCEO to determine if the tourism attraction signs meet the established criteria. If DCEO determines that the tourism attraction fails to qualify, DCEO will notify the tourism attraction in writing to make the necessary change or changes so as to comply or the tourism attraction signs will be removed.

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- 1) Heading of the Part: Engine Braking Signs
- 2) Code Citation: 92 Ill. Adm. Code 547
- 3)

<u>Section Number</u> :	<u>Proposed Action</u> :
547.100	New Section
547.200	New Section
547.300	New Section
547.400	New Section
- 4) Statutory Authority: Implementing and authorized by Section 12-602.1 of the Illinois Vehicle Code [625 ILCS 5/12-602.1]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being promulgated in accordance with Section 12-602.1 of the Illinois Vehicle Code (the Code) [625 ILCS 5/12-602.1] to regulate the use of signs, by municipalities and counties, that prohibit excessive engine braking noise along streets and highways under municipal and county jurisdictions. Engine braking signs are not permitted on freeways or interstate highways under Department jurisdiction but may be installed along roads or streets under Department jurisdiction in accordance with Section 11-303(b) of the Code.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed amendments pending on this Part? No
- 11) Statement of Statewide Policy Objective: Small municipalities that voluntarily choose to install engine braking signs will be impacted by this Part.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning these proposed rules. Written submissions shall be filed with:

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Mr. Joseph S. Hill, Chief, Bureau of Operations
Illinois Department of Transportation
Division of Highways
2300 South Dirksen Parkway, Room 009
Springfield, Illinois 62764

(217) 782-7231

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Ms. Christine Caronna-Beard, Rules Manager
Illinois Department of Transportation
Office of Chief Counsel
2300 South Dirksen Parkway, Room 311
Springfield, Illinois 62764

(217) 782-3215

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Small municipalities that choose to participate in the program will be impacted by this Part.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2006

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

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NOTICE OF PROPOSED RULES

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER f: HIGHWAYSPART 547
ENGINE BRAKING SIGNS

Section

547.100	Introduction
547.200	Definitions
547.300	Criteria for Engine Braking Signs
547.400	Sign Design

AUTHORITY: Implementing and authorized by Section 12-602.1 of the Illinois Vehicle Code [625 ILCS 5/12-602.1].

SOURCE: Adopted at 30 Ill. Reg. _____, effective _____.

Section 547.100 Introduction

- a) This Part has been developed, in accordance with Section 12-602.1 of the Illinois Vehicle Code (the Code) [625 ILCS 5/12-602.1], to regulate the use of signs, by municipalities and counties, that prohibit excessive engine braking noise along streets and highways under municipal and county jurisdictions. This Part establishes standards and financial responsibility for the signs and will become effective on January 1, 2007.
- b) Engine braking signs shall not be installed on freeways or interstate highways under the jurisdiction of the Department, but may be installed along roads or streets under the jurisdiction of the Department in accordance with Section 11-303(b) of the Code [625 ILCS 5/11-303(b)].

Section 547.200 Definitions

The following words or phrases, when used in this Part, shall have the meanings ascribed to them

"Department" – the Illinois Department of Transportation, with central offices at 2300 South Dirksen Parkway, Springfield, Illinois 62764.

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"Engine Braking Sign" or "the sign" – a rectangular sign displaying the words EXCESSIVE ENGINE BRAKING NOISE PROHIBITED. (See Section 12-602.1(b) of the Code.)

"Freeway" – a divided highway for through traffic with full control of access and grade separations at crossroads. When used in this Part, freeways shall include the connecting ramps between freeways and other roads and streets.

"Interstate" – a freeway that is part of the National System of Interstate and Defense Highways and marked with an Interstate Route Number.

Section 547.300 Criteria for Engine Braking Signs

- a) A municipality or county may furnish, install and maintain engine braking signs at each end of the section of road or street under its respective jurisdiction where the prohibition applies and may add such additional engine braking signs along the prohibited section, as necessary, to effect the prohibition.
- b) A municipality or county may furnish, install and maintain engine braking signs along roads or streets, other than freeways and interstates, under the jurisdiction of the Department in accordance with Section 11-303(b) of the Code.

Section 547.400 Sign Design

- a) The sign shall be a standard 30" wide x 36" tall with the words "EXCESSIVE ENGINE BRAKING NOISE PROHIBITED" in black lettering on a retroreflectorized white background and shall carry the Illinois Department of Transportation Sign Standard Number [R5-I106](#).
- b) The sign may be supplemented by a panel mounted underneath with the legend "ON VILLAGE (CITY) STREETS, NEXT 2 MILES, 7 PM-8 AM" or similar wording in black lettering on a retroreflectorized white background specifying the extent and/or time limits of the prohibition.

CARNIVAL-AMUSEMENT SAFETY BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Carnival and Amusement Ride Safety Act
- 2) Code Citation: 56 Ill. Adm. Code 6000
- 3)

<u>Section Numbers:</u>	<u>Adopted Action</u>
6000.10	Amended
6000.50	Amended
6000.85	Amended
6000.302	Amended
6000.305	Amended
6000.308	Amended
- 4) Statutory Authority: Carnival and Amusement Ride Safety Act [430 ILCS 85]
- 5) Effective Date of Amendments: June 30, 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 material incorporated by reference, is on file in the agency's principle office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: December 16, 2006; 29 Ill. Reg. 20119
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: Minor non-substantive changes were made as well as a few other changes recommended by JCAR. In Section 6000.302, updated the incorporations by reference for the ASTM manual titled *Standards on Amusement Rides and Devices*. In Section 6000.305, updated the incorporation by reference for the publication titled *Snell Helmet Safety Standards*.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No

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- 15) Summary and Purpose of Amendments: The adopted amendments will implement action taken by the Carnival-Amusement Safety Board at its July 14, 2005 special meeting and its September 14, 2005 public hearing. The Board and the Department updated the rules to the latest industry accepted guidelines. The amendments create definitions of the terms "Dune Buggy" and "Kiddie Kart" in the definitions section; provide guidance for governmental bodies that operate carnival rides and/or attractions regarding the type of liability insurance governmental bodies need to maintain in order to operate amusement rides and/or attractions; increase inspection fees; and correct errors that were discovered when amendments to go-karts, dune buggies and all terrain vehicles were promulgated.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Valerie A. Puccini
Assistant General Counsel
Illinois Department of Labor
160 N. LaSalle Street, C-1300
Chicago, IL 60601

312/793-7838

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

CARNIVAL-AMUSEMENT SAFETY BOARD

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TITLE 56: LABOR AND EMPLOYMENT
CHAPTER XIII: CARNIVAL-AMUSEMENT SAFETY BOARDPART 6000
CARNIVAL AND AMUSEMENT RIDE SAFETY ACT

Section

6000.10	Definitions
6000.20	Exemptions
6000.30	Inspections
6000.40	Application for a Permit to Operate
6000.50	Permit, Inspection and Associated Fees
6000.60	Revocation of Permit to Operate (Repealed)
6000.65	Suspension of Permit to Operate
6000.70	Ride Design and Construction
6000.80	Insurance
6000.85	Requirements for Liability Insurance, Bond or Deposit of Security
6000.90	Penalties
6000.100	Appeals
6000.110	Assembly and Disassembly
6000.120	Operator Requirements
6000.130	Passenger Conduct
6000.140	Signal Systems
6000.150	Daily Inspection and Test
6000.160	Reports
6000.170	Maintenance
6000.180	Stop Operation Order
6000.190	Fire Prevention and Protection
6000.200	Internal Combustion Engines
6000.210	Means of Access and Egress
6000.220	Electrical Equipment
6000.230	Hydraulic Systems
6000.240	Air Compressors and Equipment
6000.250	Wire Rope
6000.260	Chain
6000.270	Inflated Amusement Attractions and Inflated Buildings
6000.280	Non-Destructive Testing
6000.290	Ski Lifts, Aerial Tramways, and Rope Tows
6000.300	Go-Karts, Dune Buggies, and All-Terrain Vehicles (Repealed)
6000.302	Outdoor and Indoor Concession Go-Karts

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6000.305	Racing Indoor Concession Go-Karts
6000.308	Dune Buggies and All-Terrain Vehicles
6000.310	Water Slides (Repealed)
6000.320	Dry Type Slides
6000.330	Trams
6000.340	Bungee Jumping

AUTHORITY: Implementing and authorized by the Carnival and Amusement Rides Safety Act [430 ILCS 85].

SOURCE: Emergency Rules adopted at 9 Ill. Reg. 7176, effective May 3, 1985, for a maximum of 150 days; emergency expired September 30, 1985; adopted at 10 Ill. Reg. 7685, effective April 29, 1986; emergency amendment at 10 Ill. Reg. 19117, effective October 27, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 5896, effective March 24, 1987; amended at 11 Ill. Reg. 19650, effective November 18, 1987; amended at 12 Ill. Reg. 11186, effective June 20, 1988; emergency amendment at 13 Ill. Reg. 8025, effective May 15, 1989, for a maximum of 150 days; emergency expired October 12, 1989; amended at 13 Ill. Reg. 20309, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 3235, effective February 9, 1990, for a maximum of 150 days; emergency expired July 9, 1990; amended at 15 Ill. Reg. 4109, effective February 28, 1991; emergency amendment at 16 Ill. Reg. 7716, effective May 11, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12436, effective August 1, 1992; amended at 16 Ill. Reg. 15415, effective September 28, 1992; amended at 17 Ill. Reg. 14910, effective September 1, 1993; amended at 18 Ill. Reg. 13384, effective September 1, 1994; amended at 21 Ill. Reg. 5135, effective April 15, 1997; amended at 21 Ill. Reg. 14954, effective December 1, 1997; amended at 24 Ill. Reg. 490, effective January 1, 2000; amended at 26 Ill. Reg. 871, effective January 9, 2002; amended at 28 Ill. Reg. 10569, effective July 19, 2004; amended at 30 Ill. Reg. 12093, effective June 30, 2006.

Section 6000.10 Definitions

In addition to those definitions found in Section 2-2 of the Carnival and Amusement Rides Safety Act (the Act) [430 ILCS 85/2-2], the following definitions shall apply for the purposes of this Part:

"Administrative Hearing Fee" means a fee assessed by the Department upon an operator when the Department issues a notice for an administrative hearing to suspend the Permit to Operate and/or collect past due fees.

"All-Terrain Vehicle" (ATV) means any vehicle designed and manufactured for off-road use.

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["A.M. Best" or "Best" is the abbreviation for A.M. Best Company, Ambest Road, Oldwick, New Jersey 08858.](#)

"Annual Inspection" is the official inspection of a ride or device made by the Director or his designee.

"ANSI" is the abbreviation for the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

"ASNT" is the abbreviation for the American Society for Nondestructive Testing, Inc., 1711 Arlingate Plaza, P.O. Box #28518, Columbus, Ohio 43228-0518.

"ASTM" is the abbreviation for American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959.

"Carnival" means an enterprise which offers amusement or entertainment to the public by means of one or more amusement attractions or amusement rides. (Section 2-2(5) of the Act)

"Concession Go-kart" means a go-kart specifically designed and manufactured for indoor and/or outdoor use for up to 15 mph.

"Department" means Illinois Department of Labor. (Section 2-2 of the Act)

"Director" means the Director of the Illinois Department of Labor or his designee. (Section 2-2 of the Act)

"Dry Slides" means an inclined surface with a change in elevation of twenty feet or more upon which people slide or are conveyed.

["Dune Buggy" means a small vehicle generally made from standard compact rear engine chassis and prefabricated, often fiberglass body, originally equipped with wide low-pressure tires for driving on sand.](#)

"Fair" means an enterprise principally devoted to the exhibition of products of agriculture or industry in connection with which amusement rides or amusement attractions are operated. (Section 2-2(6) of the Act)

"In-line Riding" means one person in front of the other.

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"Kiddie Kart" means karts that are designed for 75 pounds or less per passenger and go less than 10 mph.

"Kiddie Rides" are those rides which are designed for 75 pounds or less per passenger.

"Major Alteration" means a change in the type or capacity of an amusement ride or amusement attraction or a change in the structure or mechanism that materially affects its functions or operation. This includes, but is not limited to changing its mode of transportation from non-wheeled to a truck or flat-bed mount, and changing its mode of assembly or other operational functions from manual to mechanical or hydraulic.

"Major Breakdown" means a stoppage of operation of an amusement ride or amusement attraction occurring from damage of a structural component.

"Major Rides" are those rides that are designed for more than 75 pounds per passenger unit.

"NFPA" is the abbreviation for National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

"Operator" means a person, or agent of a person, who owns or controls or has the duty to control the operation of an amusement ride or amusement attraction at a carnival or fair. "Operator" includes an agency of the State or any of its political subdivisions. (Section 2-2 of the Act) For the purpose of this Part:

Owner means the person, partnership, company, corporation, or any other entity, or agency of the State or any of its political subdivisions, that owns an amusement ride or amusement attraction.

Agent means a person employed by the Owner to carry out the responsibilities of management on the Owner's behalf.

Manager means a person employed by the Owner and who is responsible to the Agent or the Owner for the day-to-day on-site management of the amusement rides and/or amusement attractions.

Attendant means a person employed by the Owner to physically operate

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an amusement ride or amusement attraction when it is open to the public.

Assistant means a person employed by the Owner to assist the Attendant in operating an amusement ride or amusement attraction when it is open to the public.

"Payment of Fees" as used in this Part shall be deemed made when the Department receives in the Springfield office all fees due as calculated on the application in the form of a check or money order made payable to "Illinois Department of Labor". All fees shall be paid before a permit to operate an amusement ride or an amusement attraction is issued.

"Permit" means a permit issued annually by the Department allowing an amusement ride or an amusement attraction unit to be operated in the State of Illinois.

"Public Use" means an operator of an amusement ride or amusement attraction does not prohibit or restrict access to the ride or attraction by members of the community, except as permitted under Section 2-19 of the Act and Section 6000.130 of this Part.

["Racing Go-Kart" means a go-kart specifically designed and manufactured for racing at 15 mph or more, for indoor or outdoor use.](#)

"Roll Over Protection System" means a system that supports the combined driver and/or passenger weight capacity, as specified by the manufacturer, and the weight of the vehicle.

"Reinspection" is an inspection, other than the annual inspection made during the year, as a result of any necessary repairs not being completed while the inspector is on site.

"SAE" means the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale PA 15096-0001.

"Serious Injury" means an injury for which treatment by a licensed physician is required.

"Snell Foundation" means Snell Memorial Foundation, 3628 Madison Avenue, North Highlands CA 95660.

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"Tram" means: *Any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device which is not licensed by the secretary of state, which may, but does not necessarily follow a fixed or restricted course, and is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted with the exception of hayrack rides.* (Section 2-2 of the Act)

(Source: Amended at 30 Ill. Reg. 12093, effective June 30, 2006)

Section 6000.50 Permit, Inspection and Associated Fees

Fees assessed under the Act will be:

a) Permit Fees

- 1) Kiddie Rides: ~~\$10.00~~ each
- 2) Major Rides: ~~\$25.00~~ each
- 3) Amusement Attractions: ~~\$25.00~~ each
- 4) Ski Lifts, Aerial Tramways, and Rope Tows: ~~\$25.00~~ each
- 5) Inflated Amusement Attractions: ~~\$10.00~~ each
- 6) Permit issued upon resolution of a Stop Operation Order: ~~\$10.00~~ each

b) Inspection Fees

- 1) Kiddie Rides: ~~\$2520.00~~ each
- 2) Major Rides: ~~\$6050.00~~ each
- 3) Amusement Attractions: ~~\$6050.00~~ each
- 4) Ski Lifts, Aerial Tramways, and Rope Tows: ~~\$6050.00~~ each
- 5) Inflated Amusement Attractions: ~~\$2520.00~~ each

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- 6) Reinspection to resolve a Stop Operation Order: \$250.~~00~~ each
- 7) Reinspection: ~~\$30~~20.00 each
- c) Administrative Hearing Fee: \$250.~~00~~ per hearing.
- d) ~~The fee increases are effective January 1, 2007. Fees double if not paid within 45 days after the inspector issues an invoice for an inspection or permit fee or the Department issues a notice involving an administrative hearing fee.~~

(Source: Amended at 30 Ill. Reg. 12093, effective June 30, 2006)

Section 6000.85 Requirements for Liability Insurance, Bond or Deposit of Security

The Owner, Operator, Agent or Manager shall have in force liability insurance, a bond or a deposit in cash or security in the amounts specified in Section 2-14 of the Act.

- a) Liability Insurance
 - 1) Proof of insurance shall be a copy of the policy or policies, including all endorsements, or a certificate of insurance issued by the insurer and filed with the Department's Carnival and Amusement Ride Inspection Division.
 - 2) The company or companies affording coverage shall have a current Best's rating of "B" or better and a current Best's financial class of "V" or better.
 - 3) Policies and certificates issued by companies not a part of the Illinois Insurance Guaranty Fund shall bear a surplus lines stamp.
- b) Bonds
 - 1) The bonding company shall have:
 - A) A current Best's rating of "B" or better and a current Best's financial class of "V" or better.
 - B) A duly issued license in the State of Illinois by the Department of Financial and Professional Regulation-Division of Insurance.

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- 2) The bonding company shall not have an unacceptable record of improper conduct or financial problems with the ~~Division~~~~Illinois Department~~ of Insurance.
 - 3) The bond shall be in effect for a minimum of 3 years or until any pending litigation has been finalized.
- c) Deposit of Cash or Other Security
- 1) The acceptability of any deposit of cash or other security shall be determined by the Chairman of the Carnival-Amusement Safety Board with agreement from a majority of the Board and the Director.
 - 2) The deposits shall be held, interest free, by the Department for a minimum of 3 years or until any pending litigation has been finalized.
- d) Self-Insured Governmental Bodies
- 1) A governmental body that is self-insured shall submit a Statement of Self-Insurance at least as great as those required by Section 2-14 of the Act.
 - 2) If the governmental body's self-insurance is not as great as required, then the body shall also submit documentation of its excess coverage, either through a conventional insurance company or an insurance pool. If the excess coverage is through a conventional insurance carrier, then the A.M. Best ratings as stated in this Section shall apply. If a pool is used, the pool shall be registered with the ~~Division~~ of Insurance, and shall submit a financial statement to the Department's Carnival and Safety Division evidencing a surplus to liability ratio of at least 2.5 to 1.

(Source: Amended at 30 Ill. Reg. 12093, effective June 30, 2006)

Section 6000.302 Outdoor and Indoor Concession Go-Karts

- a) Vehicle Requirements
- 1) All vehicles shall be equipped with driver padding and passenger padding, if applicable, including, but not limited to, steering wheel pad, headrest pad, steering wheel support post and seat cushions.

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- 2) All vehicles shall be guarded to prevent interlocking of wheels during operation.
 - 3) All vehicles equipped with seat belts shall be equipped with a roll over protection system.
 - 4) Vehicles' shall be equipped with a guarding system that covers or encloses all rotating parts of the drive mechanism except the tires. The guarding system shall also cover the exhaust to protect the passenger when entering or exiting the vehicle.
 - 5) Vehicles' fuel tanks shall be mounted and/or guarded in such manner that provides protection to the passenger during operation and if an accident should occur. Fuel tank caps shall conform to SAE Recommended Practice J-1241 (1999).
 - 6) Wheels shall be retained by a castellated nut and cotter pin or other positive method [recommended by the manufacturer](#). Nuts with inserts of nylon or other material shall not be ~~re-used~~used.
- b) Track and Course Requirements
- 1) The surface of the track or course used by go-karts shall be of a solid and binding material.
 - 2) Minimum width requirements for go-kart tracks shall be 20 feet throughout the entire length of the track.
 - 3) A barrier system shall be installed around the inner and outer edges of the track or course used by go-karts. It shall be securely anchored and extend the entire length of the track or course. The system may be a guardrail, rubber tires, a runoff strip or embankment of friable earth or gravel or a combination thereof.
 - A) When rubber tires are used for a barrier system, these tires shall be free of the rims and/or wheels. They shall be fastened together to form a continuous train. Tires shall never be stacked over two high.

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- B) If a metal or fiberglass rail is used as the barrier, the rail surface shall be kept free of sharp or protruding edges or seams and shall be maintained so that there are no loose or unsecured areas.
- C) A barrier system shall be installed to designate and protect opposing traffic, the pit area or passenger loading area.
- D) No one shall have access to the track and courses other than properly admitted go-kart drivers, employees of the licensee or the Board, and other persons authorized by the license for the purpose of maintenance, etc.
- 4) A fence or railing system shall be installed at maintenance buildings, driveways, pit areas, and fuel storage pumping areas to keep patrons awaiting rides and spectators from entering these track areas without the permission of, or direction by, track personnel.
- 5) No intersecting ~~Figure 8 or~~ course configurations, including but not limited to a Figure 8 course configuration, shall be permitted.
- c) Operation
- 1) The attendants or assistants shall be able to clearly view the entire course.
- 2) Fire extinguishers shall be charged and readily available to the track personnel at all times in accordance with ASTM Standard F-2007: Practice for the Classification, Design, Manufacture, and Operation of Concession Go Karts and Facilities as published in ASTM's Standards on Amusement Rides and Devices (ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken PA 16428-2959 (2004)).
- 3) The refueling of vehicles with internal combustion engines or the charging of batteries in electric powered karts shall take place in the pit areas.
- 4) All storage containers of gasoline and other flammables shall be in accordance with Section 6000.190 – Fire Prevention and Protection.
- 5) Beginning at twilight at an outdoor~~During~~ operation, track lighting is required. During indoor operation, track lighting is required. Track lighting shall be in accordance with ASTM Standard F-2007: Practice for

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[the Classification, Design, Manufacture, and Operation of Concession Go Karts and Facilities as published in ASTM's Standards on Amusement Rides and Devices \(ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken PA 19428-2959 \(2004\)\).](#)

- 6) Monitoring
 - A) A signal system shall be installed to safely alert the drivers of the vehicles to a caution situation or to stop the vehicles in case of an emergency. This signal system may consist of, but is not limited to, a hand held flag system or a set of lights visible to the drivers. The system shall be explained to the drivers before operating any vehicle.
 - B) Effective January 1, 2006, each vehicle shall be equipped with a throttle control device that can be activated from the ride attendant's station.
- 7) A separate and distinct maintenance log shall be kept for each vehicle. The maintenance logs shall be kept on a daily basis and kept available for ~~inspector's~~ ~~inspector~~ review. All ~~replacement~~ ~~replacing~~ of parts should be [documented in the maintenance log for that vehicle](#) ~~noted~~. A comment section should be provided. ~~On a daily basis, the~~ ~~The~~ track mechanic shall sign each log sheet indicating that the vehicle is ready to operate. This log shall include, but not be limited to, the following information:
 - A) Brake inspection;
 - B) Tire wear and pressure;
 - C) Steering inspection;
 - D) Body inspection;
 - E) Padding inspection;
 - F) Lubrication and engine oil check; and
 - G) Drive mechanism.

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- 8) Only one patron per seat shall be permitted in each vehicle. No in-line riding shall be permitted.

d) Special Circumstances/Waiver of this Section

- 1) The Director may approve an operating permit for an existing facility that does not meet the requirements of this Section if the following apply:
- A) A written request for waiver is submitted to the Director; and
- B) The facility requesting waiver was built and licensed prior to January 1, 2007.
- 2) If, after January 1, 2007, any modifications are made to an existing track that would have otherwise been exempt under this Section, the existing track with the modifications shall not be eligible for a waiver and shall comply with this Section.
- 3) Tracks constructed on or after January 1, 2007 shall comply with this Section and are not eligible for a waiver under subsection (d)(1).

(Source: Amended at 30 Ill. Reg. 12093, effective June 30, 2006)

Section 6000.305 ~~RacingIndoor-Concession~~ Go-Karts

a) Vehicle Requirements

- 1) All vehicles shall be equipped with driver padding and passenger padding, if applicable, including, but not limited to, steering wheel pad, headrest pad, steering wheel support post and seat cushions.
- 2) All vehicles shall be guarded to prevent interlocking of wheels during operation.
- 3) All vehicles equipped with seat belts shall be equipped with a roll over protection system.
- 4) Vehicles shall be equipped with a guarding system that covers or encloses all rotating parts of the drive mechanism except the tires. The exhaust

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system shall be located or guarded to protect the passenger when entering or exiting the vehicle.

- 5) Vehicles with fuel tanks shall have the tanks mounted and/or guarded in such manner that provides protection to the passenger during operation and if an accident should occur. Fuel tank caps shall conform to SAE Recommended Practice J-1241 (1999) and be designed and maintained so as not to leak.
- 6) Wheels shall be retained by a castellated nut and cotter pin or other positive method recommended by the manufacturer. Nuts with inserts of nylon or other material shall not be re-used.

b) Track and Course Requirements

- 1) The surface of the track or course used by go-karts shall be of a solid and binding material.
- 2) Minimum width requirements for tracks shall be 20 feet throughout the entire length of the track or course.
- 3) A barrier system shall be installed around the inner and outer edges of the track or course used by go-karts and shall extend the entire length of the track or course.
 - A) When rubber tires are used for a barrier system, these tires shall be free of the rims and/or wheels. They shall be fastened together to form a continuous train. Tires shall never be stacked over two high.
 - B) If a metal or fiberglass rail is used as the barrier, the rail surface shall be kept free of sharp or protruding edges or seams and shall be maintained so that there is no loose or unsecured areas.
 - C) A barrier system shall be installed to designate and protect the pit area or passenger loading area.
 - D) [Access to the entire track shall be restricted.](#)

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- 4) A fence or railing system shall be installed at maintenance buildings or areas, driveways, pit areas, and fuel storage/pumping areas to keep patrons awaiting rides and spectators from entering these track areas without the permission of, or direction by, track personnel.
 - 5) No intersecting ~~Figure 8 or~~ course configurations, including but not limited to a Figure 8 course or opposing traffic configuration, shall be permitted.
- c) Operation
- 1) The attendants or assistants shall be able to clearly view the entire course.
 - 2) Fire extinguishers shall be charged and readily available to the track personnel at all times.
 - 3) The refueling of the vehicles with internal combustion engines or the recharging and/or exchanging of batteries shall take place in the pit areas.
 - 4) All storage containers of gasoline and other flammables shall be in accordance with Section 6000.190 – Fire Prevention and Protection.
 - 5) Beginning at twilight~~During nighttime operation~~, track lighting is required and lighting is required for indoor tracks at all times during operations.
 - 6) Monitoring
 - A) A signal system shall be installed to safely alert the drivers of the vehicles to a caution situation or to stop the vehicles in case of an emergency. This signal system may consist of, but is not limited to, a hand held flag system or a set of lights visible to the drivers. The system shall be explained to the drivers before operating any vehicle.
 - B) Effective January 1, 2006, each vehicle shall be equipped with a throttle control device that can be activated from the ride attendant's station.
 - 7) A separate and distinct maintenance log shall be kept for each vehicle. The maintenance logs shall be kept on a daily basis and kept available for

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inspector review. All replacing of parts should be noted. A comment section should be provided. The track mechanic shall sign each log sheet indicating that the vehicle is ready to operate. This log shall include, but not be limited to, the following information:

- A) Brake inspection;
 - B) Tire wear and pressure;
 - C) Steering inspection;
 - D) Body inspection;
 - E) Padding inspection;
 - F) Lubrication and engine oil check; and
 - G) Drive mechanism.
- 8) Only one patron per seat shall be permitted in each vehicle. No in-line riding shall be permitted.
- 9) Personal Safety Equipment. Drivers of karts that are not equipped with seatbelts and roll bars shall wear the following personal safety equipment while on the track or course.

A) Drivers of karts shall wear the following personal safety equipment while on the track or course:

iA) Head Gear – A full-face helmet with head sock complying with a Snell Foundation test specification as published in the Snell Helmet Safety Standards (The Snell Memorial Foundation, Inc., 3628 Madison Ave., Suite 11, North Highlands CA 95660) (1998) is mandatory. A full-face shield is mandatory. The helmet must be secured by a chinstrap.

iiB) Neck Brace – The use of unaltered collar-type neck brace designed for racing is mandatory. Any driver losing his or her neck brace shall immediately precede to the pits and

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may, upon replacing the missing neck brace, return to the track.

B) Drivers of indoor karts that are not equipped with seatbelts and roll bars, and that go less than 7 mph, are not required to wear personal safety equipment as stated in this Section and are called kiddie karts.

d) Special Circumstances/Waiver of this Section

1) The Director may approve an operating permit for an existing facility that does not meet the requirements of this Section if the following apply:

A) A written request for waiver is submitted to the Director; and

B) The facility requesting waiver was built and licensed prior to January 1, 2007.

2) If, after January 1, 2007, any modifications are made to an existing track that would have otherwise been exempt under this Section, the existing track with the modifications shall not be eligible for a waiver and shall comply with this Section.

3) Tracks constructed on or after January 1, 2007 shall comply with this Section and are not eligible for a waiver under subsection (d)(1).

(Source: Amended at 30 Ill. Reg. 12093, effective June 30, 2006)

Section 6000.308 Dune Buggies and All-Terrain Vehicles

a) Vehicle Requirements

1) All vehicles shall be equipped with driver padding and passenger padding, if applicable, including, but not limited to, steering wheel pad, headrest pad, steering wheel support post and seat cushions.

2) All vehicles shall be guarded to prevent interlocking of wheels during operation.

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- 3) All vehicles equipped with seat belts shall be equipped with a roll over protection system.
 - 4) Vehicles shall be equipped with a guarding system that covers or encloses all rotating parts of the drive mechanism except the tires. The guarding system shall also cover the exhaust to protect the passenger when entering or exiting the vehicle.
 - 5) Vehicles' fuel tanks shall be mounted and/or guarded in such manner that provides protection to the passenger during operation and if an accident should occur. Fuel tank caps shall conform to SAE Recommended Practice J-1241 (1999).
 - 6) Wheels shall be retained by a castellated nut and cotter pin or other positive method [recommended by the manufacturer](#). Nuts with inserts of nylon or other material shall not be ~~re-used~~[used](#).
- b) Track and Course Requirements
- 1) A minimum width of 10 feet shall be maintained throughout the entire course or track.
 - 2) The track or course shall be marked with signs to indicate designated path [and to prohibit pedestrian or other traffic](#).
 - 3) A fence or railing system shall be installed at maintenance buildings, driveways, pit areas, and fuel storage pumping areas to keep patrons awaiting rides and spectators from entering these track areas without the permission of, or direction by, track personnel.
 - 4) No intersecting ~~Figure 8 or course~~ configurations, [including but not limited to a Figure 8 course or opposing traffic configuration](#), shall be permitted.
- c) Operation
- 1) Fire extinguishers shall be charged and readily available to the track personnel at all times.

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- 2) The refueling of the vehicles shall take place in the pit areas. All storage containers of gasoline and other flammables shall be in accordance with Section 6000.190 – Fire Prevention and Protection.
- 3) Beginning at twilight~~During nighttime operation~~, track lighting is required and lighting is required for indoor tracks at all times during operations.
- 4) A separate and distinct maintenance log shall be kept for each vehicle. The maintenance logs shall be kept on a daily basis and kept available for ~~inspector's~~inspector review. All ~~replacement~~replacing of parts should be documented in the maintenance log for each vehicle~~noted~~. A comment section should be provided. On a daily basis, the~~The~~ track mechanic shall sign each log sheet indicating that the vehicle is ready to operate. This log shall include, but not be limited to, the following information:
 - A) Brake inspection;
 - B) Tire wear and pressure;
 - C) Steering inspection;
 - D) Body inspection;
 - E) Padding inspection;
 - F) Lubrication and engine oil check; and
 - G) Drive mechanism.
- 5) Only one patron per seat shall be permitted in each vehicle. No in-line riding shall be permitted.
- 6) Personal Safety Equipment
 - A) Head Gear – A full-face helmet with head sock complying with a Snell Foundation test specification (1998) is mandatory. A full-face shield is mandatory. The helmet must be secured by a chinstrap.

CARNIVAL-AMUSEMENT SAFETY BOARD

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- B) Neck Brace – The use of unaltered collar-type neck brace designed for racing is mandatory. Any driver losing his or her neck brace shall immediately precede to the pits and may, upon replacing the missing neck brace, return to the track.

d) Special Circumstances/Waiver of this Section

- 1) The Director may approve an operating permit for an existing facility that does not meet the requirements of this Section if the following apply:
- A) A written request for waiver is submitted to the Director; and
- B) The facility requesting waiver was built and licensed prior to January 1, 2007.
- 2) If, after January 1, 2007, any modifications are made to an existing track that would have otherwise been exempt under this Section, the existing track with the modifications shall not be eligible for a waiver and shall comply with this Section.
- 3) Tracks constructed on or after January 1, 2007 shall comply with this Section and are not eligible for a waiver under subsection (d)(1).

(Source: Amended at 30 Ill. Reg. 12093, effective June 30, 2006)

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- 1) Heading of the Part: Massage Licensing Act
- 2) Code Citation: 68 Ill. Adm. Code 1284
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
1284.50	Amendment
1284.60	Amendment
1284.70	Amendment
1284.80	Amendment
1284.90	New Section
- 4) Statutory Authority: Massage Licensing Act [225 ILCS 57]
- 5) Effective Date of Amendments: June 29, 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) Date Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 4532; March 17, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Difference between proposal and final version: No substantive differences.
- 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 on this Part? No
- 15) Summary and Purpose of Amendments: Section 67 of the Act requires continuing education each renewal period for individuals licensed as massage therapists; this rulemaking implements the CE requirements. Section 1284.90 provides the number of continuing education hours required per renewal and what shall be accepted as approved CE. Requirements and qualifications to become an approved CE sponsor are also

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provided. Section 1284.50 adds the \$500 fee for becoming a continuing education sponsor as well as the renewal fee of \$250.

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

Department of Financial and Professional Regulation
Division of Professional Regulation
Attention: Barb Smith
320 West Washington, 3rd Floor
Springfield, Illinois 62786

217/785-0813 Fax: 217/557-4451

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1284

MASSAGE LICENSING ACT

Section

1284.10	Requirements for Licensure Under Section 20 of the Act (Grandfather)
1284.20	Approved Massage Therapy School
1284.30	Application for Licensure
1284.40	Endorsement
1284.50	Fees
1284.60	Renewals
1284.70	Inactive Status
1284.80	Restoration
1284.90	Continuing Education
1284.110	Granting Variances

AUTHORITY: Implementing the Massage Licensing Act [225 ILCS 57] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 28 Ill. Reg. 13366, effective September 21, 2004; amended at 30 Ill. Reg. 12114, effective June 29, 2006.

Section 1284.50 Fees

The following fees shall be paid to the Division and are not refundable:

- a) Application Fees
The fee for application for a license as a massage therapist is \$175.
- b) Renewal Fees
The fee for the renewal of a license shall be calculated at the rate of \$87.50 per year.
- c) [Sponsor Fees](#)
 - 1) [The fee for licensure as a continuing education sponsor shall be \\$500.](#)

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2) [The fee for renewal as a continuing education sponsor shall be \\$250 every two years.](#)

d) General Fees

- 1) The fee for the restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees, not to exceed \$470.
- 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license, for a license that has been lost or destroyed, or for the issuance of a license with a change of name or address, other than during the renewal period, is \$20. No fee is required for name and address changes on Division records when no duplicate license is issued.
- 3) The fee for a certification of a licensee's record for any purpose is \$20.
- 4) The fee to have the scoring of an examination authorized by the Division reviewed and verified is \$20 plus any fees charged by the applicable testing service.
- 5) The fee for a wall certificate showing licensure shall be the actual cost of producing the certificate.
- 6) The fee for a roster of persons licensed as massage therapists in this State shall be the actual cost of producing the roster.

(Source: Amended at 30 Ill. Reg. 12114, effective June 29, 2006)

Section 1284.60 Renewals

- a) Every massage therapy license issued under the Act shall expire on December 31 of each even numbered year. The holder of a license may renew the license during the month preceding the expiration date by paying the required fee [and, beginning with the December 31, 2008 renewal and every renewal thereafter, completing continuing education \(CE\) in accordance with Section 1284.90.](#)
- b) It is the responsibility of each licensee to notify the Division of any change of address. Failure to receive a renewal form from the Division shall not constitute an excuse for failure to renew a license or pay the renewal fee.

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- c) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 45 of the Act.

(Source: Amended at 30 Ill. Reg. 12114, effective June 29, 2006)

Section 1284.70 Inactive Status

- a) Licensed massage therapists who notify the Division, on forms provided by the Division, may place their licenses on inactive status and shall be excused from paying renewal fees until they notify the Division in writing of the intention to resume active practice.
- b) Any licensed massage therapist seeking restoration from inactive status shall do so in accordance with Section 1284.80 ~~and pay the current renewal fee.~~

(Source: Amended at 30 Ill. Reg. 12114, effective June 29, 2006)

Section 1284.80 Restoration

- a) A person seeking restoration of a license that has expired for 5 years or less shall have the license restored upon payment of all lapsed renewal fees and, after December 31, 2008, providing proof of meeting the continuing education requirements of Section 1284.90 of this Part during the 2 years prior to restoration.
- b) A person seeking restoration of a license that has been placed on inactive status for 5 years or less shall have the license restored upon payment of the current renewal fee and, after December 31, 2008, providing proof of meeting the continuing education requirements of Section 1284.90 of this Part during the 2 years prior to restoration.
- c) A person seeking restoration of a license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms supplied by the Division, ~~including the applicant's work history since the license expired,~~ and the required fee and proof of meeting continuing education requirements of Section 1284.90 of this Part during the 2 years prior to restoration. The person shall also submit one of the following:
- 1) Certification of current licensure from another state or territory, completed by the appropriate state board, and proof of current active practice; or

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- 2) An affidavit attesting to military service as provided in Section 70 of the Act. If application is made within 2 years of discharge, and if all other provisions of Section 70 of the Act are satisfied, the applicant shall pay the current renewal fee but will not be required to pay a restoration fee or any lapsed renewal fees.

(Source: Amended at 30 Ill. Reg. 12114, effective June 29, 2006)

Section 1284.90 Continuing Education

- a) Continuing Education Hours Requirements
 - 1) Beginning with the December 31, 2008 renewal and every renewal thereafter, in order to renew a license, a licensee shall be required to complete 24 hours of continuing education, including at least 2 hours on ethics.
 - 2) A prerenewal period is the 24 months preceding December 31 of each even-numbered year.
 - 3) One CE hour shall equal 50 minutes.
 - 4) Courses that are part of the curriculum of a university, college or other educational institution shall be allotted CE credit at the rate of 15 CE hours for each semester hour or 10 CE hours for each quarter hour of school credit awarded.
 - 5) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.
 - 6) Massage therapists licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
 - 7) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.
- b) Approved Continuing Education (CE)

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- 1) CE hours shall be earned by verified attendance at (e.g., certificate of attendance or certificate of completion) or participation in a program or course (program) that is offered or sponsored by an approved continuing education sponsor;
 - 2) Up to 12 hours of CE credit per renewal may be earned as follows:
 - A) For completion of a self-study course that is offered by an approved sponsor who meets the requirements set forth in subsection (c). Each self-study course shall include an examination.
 - B) Credit may be earned for papers prepared and delivered before recognized massage therapy organizations; papers published in nationally recognized massage therapy journals; or a chapter published in a book on massage therapy, each appropriately verified.
 - C) First time presentation of an academic course or workshop, seminar, in-service, electronic or Web-based course. Speeches made at luncheons or banquets or any other presentation not within the guidelines of this Section are not eligible for CE credit.
- c) Approved CE Sponsors and Programs
- 1) Sponsor shall mean:
 - A) Entities approved by the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB);
 - B) Any approved massage therapy program or accredited school, college, university or State agency; and
 - C) Any other person, firm, or association that has been approved and licensed by the Division pursuant to subsection (c)(2) to coordinate and present continuing education courses and programs in conjunction with this Section.

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- 2) An entity seeking licensure as a CE sponsor shall submit an application, on forms supplied by the Division, along with the fee set forth in Section 1284.50. The applicant shall certify to the following:
 - A) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) and all other criteria in this Section. A sponsor shall be required to submit a CE program with course materials for review prior to being approved as a CE sponsor;
 - B) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (c)(9);
 - C) That, upon request by the Division, the sponsor will submit evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Evidence shall be required when the Division has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance.
- 3) All programs shall:
 - A) Contribute to the advancement, extension and enhancement of the professional skills and knowledge of the licensee in the practice of massage, which shall include, but not be limited to, ethical reasoning, critical reasoning, interpersonal abilities and performance skills;
 - B) Be developed and presented by persons with 2 years of education and/or experience in the subject matter of the program;
 - C) Specify the course objectives, course content and teaching methods to be used; and
 - D) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.
- 4) Each CE program shall provide a mechanism for evaluation of the program and instructor by the participants. The evaluation may be

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completed on-site immediately following the program presentation or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.

- 5) An approved sponsor may subcontract with individuals and organizations to provide approved programs.
- 6) All programs given by approved sponsors shall be open to all licensed massage therapists and not be limited to members of a single organization or group.
- 7) To maintain approval as a licensed sponsor, each sponsor shall submit to the Division by each even-numbered year a renewal application, the renewal fee specified in Section 1284.50 of this Part, and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given.
- 8) It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:
 - A) The name, address and license number of the sponsor;
 - B) The name and license number of the participant;
 - C) A brief statement of the subject matter;
 - D) The number of hours attended in each program;
 - E) The date and place of the program; and
 - F) The signature of the sponsor or person responsible for the CE program.
- 9) The sponsor shall maintain attendance records for not less than 5 years.
- 10) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

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- 11) Upon the failure of a sponsor to comply with any of the requirements of this Section, the Division, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at, or participation in any of that sponsor's CE programs until such time as the Division receives assurances of compliance with this Section.
 - 12) Notwithstanding any other provision of this Section, the Division or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.
- d) Certification of Compliance with CE Requirements
- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements.
 - 2) The Division may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of attendance). This additional evidence shall be required in the context of the Division's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.
 - 3) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time, the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].
- e) Continuing Education Earned in Other Jurisdictions
- 1) If a licensee has earned or is seeking CE hours offered in another jurisdiction not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a \$25 processing fee, prior to participation in the program or within 90 days prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

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- 2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the \$25 processing fee plus a \$50 per CE hour late fee not to exceed \$300. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.
- f) Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with the current CE requirements, the Division shall restore the license upon payment of the required fee as provided in Section 1284.50.
- g) Waiver of CE Requirements
 - 1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Division a renewal application, along with the required fee set forth in Section 1284.50, a statement setting forth the facts concerning noncompliance and request for waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Division, upon the written recommendation of the Board, finds, from such affidavit or any other evidence submitted, that extreme hardship has been shown warranting granting a waiver, the Division shall waive enforcement of CE requirements for the renewal period for which the applicant has applied.
 - 2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
 - A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;
 - B) An incapacitating illness documented by a statement from a currently licensed physician;
 - C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
 - D) Any other similar extenuating circumstances.

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- 3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final decision on the application is made by the Division.

(Source: Added at 30 Ill. Reg. 12114, effective June 29, 2006)

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: General Hunting and Trapping on Department-Owned or -Managed Sites
- 2) Code Citation: 17 Ill. Adm. Code 510
- 3) Section Number: 510.10 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5] and by Section 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805/805-515]
- 5) Effective Date of Amendment: June 28, 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 amendment, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5803; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This amendment was made to remove language requiring that deer tracking dogs be certified by a national dog tracking organization and to add a requirement that blinds being used by hunters must be covered in vivid, blaze

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orange material to insure the safety of hunters occupying those blinds.

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

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 510
GENERAL HUNTING AND TRAPPING ON
DEPARTMENT-OWNED OR -MANAGED SITES

Section

- 510.10 General Site Regulations
510.20 Hunting and Trapping by Special Permit

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5] and by Section 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805/805-515].

SOURCE: Adopted at 5 Ill. Reg. 8011, effective July 24, 1981; codified at 5 Ill. Reg. 10633; amended at 6 Ill. Reg. 9637, effective July 21, 1982; amended at 7 Ill. Reg. 10775, effective August 24, 1983; amended at 8 Ill. Reg. 13700, effective July 24, 1984; amended at 9 Ill. Reg. 11610, effective July 16, 1985; amended at 10 Ill. Reg. 15597, effective September 16, 1986; amended at 11 Ill. Reg. 9535, effective May 5, 1987; amended at 12 Ill. Reg. 11724, effective June 30, 1988; amended at 13 Ill. Reg. 10583, effective June 19, 1989; amended at 14 Ill. Reg. 14762, effective September 4, 1990; amended at 15 Ill. Reg. 9966, effective June 24, 1991; amended at 16 Ill. Reg. 11064, effective June 30, 1992; amended at 17 Ill. Reg. 10775, effective July 1, 1993; amended at 19 Ill. Reg. 10608, effective July 1, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 14804, effective August 3, 1998; amended at 24 Ill. Reg. 8923, effective June 19, 2000; emergency amendment at 28 Ill. Reg. 13809, effective October 1, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1364, effective January 10, 2005; amended at 30 Ill. Reg. 12126, effective June 28, 2006.

Section 510.10 General Site Regulations

- a) Regulations
All the regulations cited in this Part apply to all Department species rules, unless the species rule is more restrictive.
- b) Definitions:

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- 1) Unauthorized person – any individual who is not a Department employee or an individual who is not present for the purpose of hunting or trapping.
- 2) Designated area – a defined location at a site with a set boundary within which only a specified recreational activity such as hunting or trapping may take place during a publicly announced time period.
- 3) Hunting/Trapping area – any portion of a site where actual hunting and/or trapping takes place. It does not include places such as parking lots, check stations, pavilions, or picnic areas associated with a hunting/trapping area.
- 4) Restricted area – a defined location at a site with a set boundary within which hunting and/or trapping is prohibited.
- 5) Refuge area – a defined location at a site with a set boundary within which no public activity or presence is allowed, except as authorized by the Department when it is determined that activity such as nature studies, hiking, fishing or camping would not be detrimental to the purpose of the refuge.
- 6) Adult – a person 18 years of age or older.
- 7) Waterfowl rest area – a defined location at a site with a set boundary within which no public activity or presence is allowed for a specified period of time, except as authorized by the Department.
- 8) Hunter or trapper quota – The maximum number of hunters or trappers that can be accommodated at a site at any one time. Hunter and trapper quotas are determined by the formula of one hunter or trapper per 10-40 huntable acres. The number of huntable acres is determined by, but not limited to, the biological studies on the number of available animals within a species, the condition, topography and configuration of the land at the site, the condition of the roads at the site and the number of employees available to work at the site.
- 9) Publicly announced – The information referred to will be included on the Department's Internet Home Page at <http://dnr.state.il.us>, published in Outdoor Illinois, provided to outdoor writers for newspapers, and placed on the Department's Toll Free Hotline.

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- c) It shall be unlawful:
- 1) For any person to possess any alcoholic beverage while in any hunting/trapping area for the purpose of hunting or trapping.
 - 2) To hunt or trap on any site with a manned check station without first declaring game killed on a previous hunt and in possession either on the hunter's person or in his vehicle.
 - 3) To construct or use any tree stand using nails, screws or any device which pierces or cuts the bark of the tree on which it is installed.
 - 4) To hunt or trap in a restricted area.
 - 5) For unauthorized persons to use or occupy in any manner designated hunting areas during the permit dove hunting season and controlled pheasant hunting season at sites holding such seasons, or during any hunting season where such restrictions are so posted at the site, when authorized hunting is in progress.
 - 6) To enter a refuge, restricted area or waterfowl rest area unless authorized by the Department.
 - 7) To hunt or trap on any Department-owned or -managed land that is not a designated area pursuant to applicable species rules (17 Ill. Adm. Code 530, 550, 570, 590, 650, 660, 670, 680, 690, 710, 715, 720, 730, and 740).
 - 8) To buy, sell or commercialize hunting or trapping rights, directly or indirectly, except that this does not apply to Department of Natural Resources hunting or trapping fees or to the operation of controlled pheasant hunting on Department lands pursuant to a written concession agreement.
 - 9) To hunt or trap without a valid permit where permits are required.
 - 10) To hunt with any weapon except shotgun or bow and arrow unless otherwise specified.
 - 11) To track deer with dogs on any Department owned or managed site during

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hours when deer hunting is being conducted on the site. ~~Dogs must be certified as deer tracking dogs by a national dog tracking organization.~~

- 12) To use or occupy a ground blind during any firearm deer season, unless at least 400 square inches of solid, vivid blaze orange material is securely attached to the uppermost portion of the blind and a substantial amount of orange is visible for 360 degrees.

d) Specific Management Procedures

- 1) Specific management procedures will be posted at either check stations or site parking lots at the site so the procedures will be visible to the public.
- 2) Where there is a check station in operation, or where designated, hunters must sign in and/or sign out, and report their kill within fifteen minutes, or as posted, after completing their hunt. Some areas require the wearing of a back patch and depositing hunting license (or Firearm Owner's Identification card if the hunter is exempt from buying a license).
- 3) In the event that Department budget reductions or site staffing reductions make the operation of check stations impractical, State sites that now require check stations and other restrictive hunter regulations may be opened to statewide regulations or closed to hunting by posting such notice at the site.
- 4) At sites where windshield permits are issued, such permits must be displayed in a location visible through the windshield of the vehicle while hunting.
- 5) Department will have the authority to issue site specific deer permits in addition to any other deer permits issued by the Department (see Parts 650, 660, 670 and 680); and to designate the sex of deer (antlered or antlerless) that hunters may harvest through site-specific regulations.
- 6) All hunter or trapper quotas are filled on a first come-first served basis unless a drawing or special permit is used. The Department shall use a special permit or drawing whenever past hunter or trapper participation at a particular site reveals that the demand exceeds the quota established by the Department. Hunters or trappers will be notified as expeditiously as possible through site postings, news releases or public announcements

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when quotas are established.

- 7) During pheasant, rabbit, quail and partridge season, hunters and trappers are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches while trapping or hunting pheasant, quail, Hungarian partridge, rabbit, snipe, rail and woodcock.

(Source: Amended at 30 Ill. Reg. 12126, effective June 28, 2006)

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- 1) Heading of the Part: Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting
- 2) Code Citation: 17 Ill. Adm. Code 550
- 3) Section Number: 550.30 Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29]
- 5) Effective Date of Amendment: June 28, 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 amendment, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5810; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to update sites open for hunting and to update site-specific information at those sites.
- 16) Information and questions regarding this adopted amendment shall be directed to:

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Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 550
RACCOON, OPOSSUM, STRIPED SKUNK, RED FOX, GRAY FOX, COYOTE
AND WOODCHUCK (GROUNDHOG) HUNTING

Section

550.10	General Regulations
550.20	Statewide Regulations
550.30	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

SOURCE: 5 Ill. Reg. 8833, effective August 25, 1981; codified at 5 Ill. Reg. 10636; emergency amendment at 5 Ill. Reg. 11593, effective October 20, 1981, for a maximum of 150 days; emergency expired March 17, 1982; amended at 6 Ill. Reg. 10714, effective August 20, 1982; amended at 7 Ill. Reg. 10782, effective August 24, 1983; amended at 7 Ill. Reg. 16098, effective November 22, 1983; amended at 8 Ill. Reg. 21593, effective October 23, 1984; amended at 9 Ill. Reg. 16204, effective October 9, 1985; emergency amendment at 9 Ill. Reg. 18151, effective November 12, 1985, for a maximum of 150 days; emergency expired April 11, 1986; amended at 10 Ill. Reg. 16649, effective September 22, 1986; amended at 11 Ill. Reg. 9540, effective May 5, 1987; amended at 12 Ill. Reg. 11730, effective June 30, 1988; amended at 13 Ill. Reg. 10598, effective June 19, 1989; amended at 14 Ill. Reg. 10798, effective June 20, 1990; amended at 15 Ill. Reg. 11598, effective August 2, 1991; amended at 16 Ill. Reg. 11078, effective June 30, 1992; amended at 17 Ill. Reg. 10795, effective July 1, 1993; amended at 18 Ill. Reg. 10090, effective June 21, 1994; amended at 19 Ill. Reg. 11787, effective August 3, 1995; amended at 20 Ill. Reg. 10874, effective August 5, 1996; amended at 21 Ill. Reg. 9077, effective June 26, 1997; amended at 22 Ill. Reg. 14836, effective August 3, 1998; amended at 23 Ill. Reg. 9066, effective July 28, 1999; amended at 24 Ill. Reg. 8938, effective June 19, 2000; amended at 25 Ill. Reg. 9895, effective July 17, 2001; amended at 26 Ill. Reg. 14680, effective September 20, 2002; amended at 28 Ill. Reg. 11873, effective July 27, 2004; amended at 29 Ill. Reg. 12471, effective July 28, 2005; amended at 30 Ill. Reg. 12133, effective June 28, 2006.

Section 550.30 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites

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- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) For sites where hunter quotas exist and permits are required a drawing shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement and the drawing shall be held at the site. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20.
- c) .22 caliber or smaller rimfire firearms permitted from sunset to sunrise unless otherwise specified.
- d) Coyote and striped skunk season shall coincide with the statewide fox season unless otherwise specified.
- e) No woodchuck (groundhog) hunting allowed unless otherwise specified.
- f) Statewide regulations as provided for in this rule apply at the following sites (exceptions are in parentheses):

Anderson Lake Conservation Area (all hunting to begin after the close of duck season)

Apple River Canyon State Park

Argyle Lake State Park

Big Bend State Fish and Wildlife Area

Big River State Forest

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters – Corps of Engineers Management Lands

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

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Cypress Pond State Natural Area

[Deer Pond State Natural Area](#)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area

Falling Down Prairie

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch)

Ferne Clyffe State Park – Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only)

Hanover Bluff State Natural Area

Horseshoe Lake Conservation Area – Alexander County (Public Hunting Area except Controlled Hunting Area)

Johnson Sauk Trail State Recreation Area (archery only; coyote and fox only; site coyote season runs concurrently with the site archery deer season; site fox season begins when the statewide fox season opens, runs concurrently with the site archery deer season, and closes the earlier of either the statewide fox season closing or the site archery deer season closing)

[Kankakee River State Park \(coyote, fox, skunk and opossum may be taken during their respective seasons that fall within the archery deer season by archery only; shotgun only hunting opens the day after the close of the site upland game season or archery deer season, whichever is later, and closes with the close of the statewide fox season; statewide hours; hunters must sign-in/sign-out and report harvest and effort at check station\)](#)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season; [the defined Baldwin Lake Waterfowl Rest Area is closed](#))

Kinkaid Lake Fish and Wildlife Area

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Marseilles State Fish and Wildlife Area (coyote and fox only; fox closes first Thursday after January 10; coyote open to hunting from August 1 until the first Thursday after January 10 and when other hunting seasons are open on the site; not open during spring turkey season; hunting hours are 30 minutes before sunrise until sunset; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots)

Marshall County Fish and Wildlife Area (raccoon, opossum only; season opens day after duck season)

Mazonia State Fish and Wildlife Area (archery only; coyote, fox, raccoon, skunk and opossum may be taken during their respective seasons that fall within the archery deer hunting season; statewide hours; hunters must sign-in/sign-out and report harvest and effort at the check station)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18, 21, 22 and 24 (groundhog hunting allowed) (c)

Momence Wetlands State Natural Area (archery only; coyote, fox, raccoon, skunk and opossum may be taken during their respective seasons that fall within the archery deer hunting season; statewide hours; hunters must sign-in/sign-out and report harvest and effort at check station)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (West subunit only)

Randolph County Conservation Area

Ray Norbut State Fish and Wildlife Area

Rend Lake Project Lands and Waters

Sangamon County Conservation Area

Shawnee National Forest, Oakwood Bottoms and LaRue Scatters (season closes 7 days before opening of duck season and remains closed through the duck season;

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at Oakwood Bottoms non-toxic shot only)

Sielbeck Forest Natural Area

Siloam Springs State Park

Skinner Farm State Habitat Area

Spoon River State Forest (all hunters must sign-in/sign-out)

Tapley Woods State Natural Area (shotguns or muzzleloading rifles only may be used from sunset-sunrise)

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildlife Area

Walnut Point State Park (sign-in/sign-out required; raccoon hunting only)

Washington County Conservation Area

Weinberg-King State Park (c) (d)

Weinberg-King State Park – Scripps Unit (use of dogs for hunting coyote is not allowed)

Weinberg-King State Park – Spunky Bottoms Unit

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (coyote only; season shall coincide with archery and firearm deer season at this site; archery only during the archery season at this site)

Woodford County Fish and Wildlife Area (raccoon, opossum only; season opens after duck season)

- g) Violation of a site-specific regulation is a Class B misdemeanor. Statewide regulations apply except that hunters must obtain a permit from the Department; where hunter quotas exist, permits are allocated as described in subsection (b);

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permits must be in possession while hunting; the permit must be returned by February 15 or hunter will forfeit hunting privileges at that site the following year (exceptions are in parentheses):

Beaver Dam State Park ([bow and arrow only](#))

Chauncey Marsh (obtain permit at Red Hills State Park Headquarters)

Clinton Lake State Recreation Area

Coffeen Lake State Fish and Wildlife Area (coyote only, shotgun or bow and arrow)

Crawford County Conservation Area

[Des Plaines State Fish and Wildlife Area \(coyote only, no dogs allowed; season opens the day after archery deer season closes and ends February 28; shotgun with shotshells only; site permit required\)](#)

Eagle Creek State Park (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)

Fox Ridge State Park

Green River State Wildlife Area (skunk and coyote close the last day of February; .22 rimfire firearms permitted from 30 minutes after sunset until 30 minutes before sunrise)

Hamilton County Conservation Area

Harry "Babe" Woodyard State Natural Area

Hidden Springs State Forest

Horseshoe Lake State Park (Madison County) (coyote only, bow and arrow only)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit (shotgun and bow and arrow only)

Iroquois County Wildlife Management Area (season opens the day after Permit

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Pheasant Season)

Jim Edgar Panther Creek State Fish and Wildlife Area (statewide seasons for coyote and striped skunk)

Kankakee River State Park (no rifle or handgun hunting allowed; the furbearer hunting season opens the day after the last day of the site's upland hunting seasons through statewide close of respective seasons for furbearers except striped skunk and coyote close with fox season)

Kickapoo State Park

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas

Lincoln Trail State Park (season opens day after second firearm deer season; closes December 20; hunting hours sunset to sunrise only; raccoon only)

Matthiessen State Park (season closed during the site firearm or muzzleloader deer seasons; site permit may be obtained at the Starved Rock State Park office; hunting hours are from 30 minutes after sunset until 30 minutes before sunrise; raccoon or opossum only; hunting south of the Vermilion River Area only; no dogs allowed)

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters)

Middle Fork Fish and Wildlife Management Area

Moraine View State Park (season opens the second Monday in December; night hunting only)

Pyramid State Park – Captain Unit (no hunting on waterfowl refuge)

Pyramid State Park – Denmark Unit (no hunting on waterfowl refuge)

Pyramid State Park – East Conant Unit

Pyramid State Park – Galum Unit

Ramsey Lake State Park

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Sahara Woods State Fish and Wildlife Area

Saline County Fish and Wildlife Area

Sam Parr State Park

Sand Ridge State Forest (coyote and striped skunk seasons – opening of the statewide raccoon season until the day before opening of the statewide spring turkey season)

Sanganois State Fish and Wildlife Area (statewide seasons for coyote and striped skunk)

Sangchris Lake State Park (fox, coyote and striped skunk hunting only; statewide seasons for fox, coyote and striped skunk except, during central zone duck and Canada goose season, hunters pursuing waterfowl or upland game may take fox, coyote and striped skunk with shotgun only in accordance with site-specific regulations set forth in 17 Ill. Adm. Code 530 and 590)

Stephen A. Forbes State Park

Ten Mile Creek State Fish and Wildlife Area (statewide coyote, striped skunk, and groundhog hunting allowed; .22 caliber or smaller rimfire firearms permitted 24 hours a day)

Wolf Creek State Park (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)

- h) Violation of a site regulation is a Class B misdemeanor (see 520 ILCS 5/2.30).

(Source: Amended at 30 Ill. Reg. 12133, effective June 28, 2006)

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- 1) Heading of the Part: Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping
- 2) Code Citation: 17 Ill. Adm. Code 570
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
570.30	Amendment
570.35	Amendment
570.40	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5]
- 5) Effective Date of Amendments June 28, 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 all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5820; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part is was amended to update hunting dates, add language indicating ".22 caliber or smaller rimfire firearms permitted unless otherwise specified", update sites open to hunting and update site-specific regulations

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

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 570

MUSKRAT, MINK, RACCOON, OPOSSUM, STRIPED SKUNK, WEASEL,
RED FOX, GRAY FOX, COYOTE, BADGER, BEAVER AND
WOODCHUCK (GROUNDHOG) TRAPPING

Section

570.10	Statewide Zones
570.20	Statewide Season Dates
570.30	Statewide Hours, Daily Limit and Possession Limit
570.35	Use of .22 Rimfire Rifles by Trappers During Deer Gun Season
570.40	Trapping Regulations on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 9767, effective September 17, 1981; codified at 5 Ill. Reg. 10637; amended at 6 Ill. Reg. 10709, effective August 20, 1982; amended at 7 Ill. Reg. 10778, effective August 24, 1983; amended at 8 Ill. Reg. 21589, effective October 23, 1984; amended at 9 Ill. Reg. 15864, effective October 7, 1985; amended at 10 Ill. Reg. 16644, effective September 24, 1986; amended at 12 Ill. Reg. 12034, effective July 7, 1988; emergency amendments at 12 Ill. Reg. 16261, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. 10589, effective June 15, 1989; amended at 14 Ill. Reg. 14775, effective September 4, 1990; amended at 14 Ill. Reg. 19854, effective December 3, 1990; amended at 15 Ill. Reg. 11586, effective August 2, 1991; amended at 16 Ill. Reg. 11069, effective June 30, 1992; amended at 17 Ill. Reg. 10785, effective July 1, 1993; amended at 17 Ill. Reg. 18796, effective October 19, 1993; amended at 18 Ill. Reg. 10077, effective June 21, 1994; amended at 19 Ill. Reg. 12640, effective August 29, 1995; amended at 20 Ill. Reg. 12351, effective August 30, 1996; amended at 21 Ill. Reg. 9070, effective June 26, 1997; amended at 22 Ill. Reg. 14809, effective August 3, 1998; amended at 23 Ill. Reg. 9055, effective July 28, 1999; amended at 24 Ill. Reg. 8929, effective June 19, 2000; amended at 25 Ill. Reg. 9887, effective July 17, 2001; amended at 26 Ill. Reg. 13809, effective September 5, 2002; amended at 27 Ill. Reg. 749, effective January 6, 2003; amended at 28 Ill. Reg. 11883, effective July 27, 2004; amended at 29 Ill. Reg. 9643, effective June 27, 2005; amended at 30 Ill. Reg. 12143, effective June 28, 2006.

Section 570.30 Statewide Hours, Daily Limit and Possession Limit

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- a) Muskrat, mink, raccoon, opossum, striped skunk, red fox, gray fox, coyote and weasel
- 1) Trapping hours: November 5 in the Northern Zone and November 10 in the Southern Zone open for trapping at sunrise; January 2015 in the Northern Zone and January 2520 in the Southern Zone closed for trapping after sunset; otherwise, hours are unrestricted.
 - 2) Daily and possession limit: None
- b) ~~Red fox, gray fox and coyote~~
- 1) ~~Trapping hours: November 10 open for trapping at sunrise; January 20 closed for trapping after sunset; otherwise, hours are unrestricted.~~
 - 2) ~~Daily and possession limit: None~~
- b)e) Beaver
- 1) Trapping hours: November 5 in the Northern Zone and November 10 in the Southern Zone open for trapping at sunrise; March 31 closed for trapping after sunset; otherwise, hours are unrestricted.
 - 2) Daily and possession limit: None
- c)d) Woodchuck (Groundhog)
- 1) Trapping hours: June 1 open for trapping at sunrise; September 30 closed for trapping after sunset; otherwise hours are unrestricted.
 - 2) Daily and possession limit: None
- d)e) Badger
- 1) Trapping hours: November 5 in the Northern Zone and November 10 in the Southern Zone open for trapping at sunrise; January 20 in the Northern Zone and January 25 in the Southern Zone closed for trapping after sunset~~10 open for trapping at sunrise; January 20 closed for trapping at sunset~~; otherwise, hours are unrestricted.

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- 2) Daily and possession limit: not to exceed two badgers per season in the northern zone and one badger per season in the southern zone. Having more badger than allowed is a Class B misdemeanor (see 520 ILCS 5/2.30).

~~e)Ⓕ~~ Trapping before sunrise on opening day or after sunset on closing day is a Class B misdemeanor (see 520 ILCS 5/2.30).

(Source: Amended at 30 Ill. Reg. 12143, effective June 28, 2006)

Section 570.35 Use of .22 Rimfire Rifles by Trappers During Deer Gun Season

Licensed trappers in possession of valid Firearm Owners Identification may use .22 rimfire rifles to kill trapped raccoon, opossum, striped skunk, red fox, gray fox, coyote and woodchuck (groundhog) during seasons established by Section 570.20, including portions of such open seasons that coincide with hunting seasons for taking white-tailed deer [with guns by use of firearms](#) (17 Ill. Adm. Code 650.10), [muzzleloading rifles](#) (~~17 Ill. Adm. Code 660.10~~) and [handguns](#) (~~17 Ill. Adm. Code 680.10~~). Use of any other rifle to kill trapped raccoon, opossum, striped skunk, red or gray fox, coyote or woodchuck during gun deer seasons is a Class B misdemeanor (see 520 ILCS 5/2.30).

(Source: Amended at 30 Ill. Reg. 12143, effective June 28, 2006)

Section 570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

- a) General Regulations
 - 1) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
 - 2) On areas where special Department tags are required for trappers, traps without tags attached will be subject to confiscation.
 - 3) Trappers must stay within assigned areas.
 - 4) For sites where permits are required a drawing shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement (publicly announced means that the information referred to will be included on the Department's Internet

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Home Page at <http://dnr.state.il.us>, published in Outdoor Illinois, provided to outdoor writers for newspapers, and placed on the Department's Toll Free Hotline) and the drawing shall be held at the site. Persons participating in the drawing must have either a current or previous year trapping license. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20. Permit applicants must submit name and address to the site prior to drawing. Permits must be in possession while trapping on the area.

- 5) All sites except Blanding Wildlife Area, Kinkaid Lake Fish and Wildlife Area, Mississippi River Pools 16, 17, 18, 21, 22, 24, and Rend Lake Wildlife Management Area require trappers to submit a harvest report to the site superintendent within 20 days following the close of the trapping season. Failure to report shall result in the trapper being ineligible to trap at that site for the following year.
- 6) Body-gripping traps with a 10-inch jaw spread or larger must be totally submerged in water when set.
- 7) Any person who violates the site specific regulations shall be guilty of a Class B Misdemeanor.
- 8) No trapping is permitted in subimpoundments or designated waterfowl management units during duck season.
- 9) [.22 caliber or smaller rimfire firearms permitted unless otherwise specified.](#)

- b) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses):

Blanding Wildlife Area (trapping area includes the islands and associated backwater sloughs immediately upstream from Lock and Dam 12; no trapping on mainland)

Kinkaid Lake Fish and Wildlife Area

Mississippi River Pools 16, 17, 18, 21, 22, 24

Pyramid State Park (water sets only)

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Ray Norbut State Fish and Wildlife Area

Rend Lake Project Lands and Waters (water sets only)

Sielbeck Forest Natural Area (water sets only)

Siloam Springs State Park

Weinberg-King State Park – Scripps Unit (site permit required)

Weinberg-King State Park – Spunky Bottoms Unit (site permit required)

- c) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps[®], D-P (Dog-Proof) Traps[®], box traps, cage traps, and traps of similar design may be used for land sets (exceptions in parentheses):

Cache River State Natural Area

Carlyle Lake Lands and Waters – Corps of Engineers Managed Lands

Carlyle Lake Wildlife Management Area

Clinton Lake Recreation Area

Cypress Pond State Natural Area

Deer Pond State Natural Area

Devil's Island State Fish and Wildlife Area

Eldon Hazlet State Park – north of Allen Branch and west of Peppenhorst Branch only

Ferne Clyffe State Park – Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site

Harry "Babe" Woodyard State Natural Area

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Horseshoe Lake Conservation Area

I & M Canal State Park

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to duck season; [the defined Baldwin Lake Waterfowl Rest Area is closed](#))

Kickapoo State Recreation Area

Kidd Lake State Natural Area

Lake Murphysboro State Park

Lake Shelbyville – Kaskaskia and West Okaw Management Areas (no more than 50 traps may be used per permit)

Lowden State Park – Kilbuck Creek Habitat Area

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters)

Mermet Lake Fish and Wildlife Area

Middle Fork State Fish and Wildlife Area

Mississippi River Fish and Waterfowl Area (Pools 25, 26) (land sets accessed by land only allowed during duck season; water sets allowed after duck season closes)

Moraine Hills State Park (water sets only; only body-gripping traps with a jaw spread of 5 inches or less may be used; no more than two persons may enter drawing on a single card)

Moraine View State Park (~~water sets only; only body-gripping traps with a jaw spread of 5 inches or less may be used;~~ no more than 2 persons may enter drawing on a single card; ~~free site permit required~~)

Peabody River King Fish and Wildlife Area (east, west, and south

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subunits only)

Pyramid State Park – East Conant Unit

Pyramid State Park – Galum Unit

Randolph County Conservation Area

Redwing Slough/Deer Lake State Natural Area (water sets only; only body gripping traps with a jaw spread of 5-6 inches or less may be used)

Sanganois Fish and Wildlife Area

Ten Mile Creek State Fish and Wildlife Area

Turkey Bluffs Fish and Wildlife Area

Washington County Conservation Area

- d) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses); in addition, a permit is required; only Egg Traps[®], D-P (Dog-Proof) Traps[®], box traps, cage traps, and traps of similar design may be used for land sets; only body-gripping traps with a jaw spread of 5 inches or less, foothold traps with a jaw spread of 4½ inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; snares may be used for water sets:

Anderson Lake Conservation Area

Argyle Lake State Park

Banner Marsh State Fish and Wildlife Area

Beaver Dam State Park

Big Bend Fish and Wildlife Area (after the close of rabbit season foothold traps with a jaw spread of 7½ inches or less may be used for water sets)

Coffeen Lake State Fish and Wildlife Area

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Coleta Ponds

Dog Island Wildlife Management Area

Giant City State Park

Hanover Bluff State Natural Area (water sets only)

Hennepin Canal Parkway including Sinnissippi Lake (trappers must register at park office; no floats may be set more than 14 days prior to the season and must be removed at the conclusion of the season; no land sets)

Hidden Springs State Forest

Horseshoe Lake State Park – Madison County

Horseshoe Lake State Park (Gabaret, Mosenthein and Chouteau Island Units (Madison County))

Jim Edgar Panther Creek State Fish and Wildlife Area (only Egg Traps[®], D-P (Dog-Proof) Traps[®], box traps, cage traps, traps of similar design, and homemade dog-proof traps; homemade dog-proof traps must be designed with a leg hold trap no larger than a number two size in an enclosed wood, metal or durable plastic container with a single access opening of no larger than 1½ inch diameter, and body-gripping traps must be completely submerged)

Johnson-Sauk Trail State Park (no foothold water sets)

Jubilee College State Park

Kankakee River State Park (trappers must wear blaze orange while checking traps; no trapping adjacent to bike or horse trails; south of the Kankakee River, only dog proof type traps may be used until the close of the upland hunting season; no trapping on campground areas until closed)

Lake Le-Aqua-Na State Park

Mackinaw River State Fish and Wildlife Area (water sets only)

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Marshall County Fish and Wildlife Area

Mautino State Fish and Wildlife Area (trappers must register at the Hennepin Canal office; no floats may be set more than 14 days prior to the season and must be removed at the conclusion of the season; no land sets)

Morrison Rockwood State Park

Pekin Lake State Fish and Wildlife Area (water sets only)

Pyramid State Park – Captain Unit (no trapping on waterfowl refuge during waterfowl season; no foothold traps; body-gripping traps must be submerged)

Pyramid State Park – Denmark Unit (no trapping on waterfowl refuge during waterfowl season; no foothold traps; body-gripping traps must be submerged)

Ramsey Lake State Park

Red Hills State Park

Rice Lake Fish and Wildlife Area

Rock Cut State Park

Sam Dale Lake Conservation Area

Sahara Woods State Fish and Wildlife Area

Sangchris Lake State Park

Shabbona Lake State Park

Sparland Fish and Wildlife Area

Spoon River State Forest

Spring Lake Conservation Area (water sets only)

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Starved Rock/Matthiessen State Park

Stephen A. Forbes State Park

Trail of Tears State Forest

Union County Conservation Area

Weldon Springs State Park (permit required by site drawing)

- e) Trapping is prohibited on all other Department-owned, -leased or -managed sites except by special permit which shall be issued by the Department when it is determined that the harvest of a species would enhance the biological balance of the resource.
- 1) All regulations shall be according to species regulations as provided for in this Part.
 - 2) Permit application information and site specific regulations shall be announced publicly by the Department through the news media by September 1 of each year.
 - 3) Site specific regulations shall be listed on the application and permit and posted at the site.
- f) Violation of site specific regulations is a Class B misdemeanor (see 520 ILCS 5/2.30).

(Source: Amended at 30 Ill. Reg. 12143, effective June 28, 2006)

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- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Firearms
- 2) Code Citation: 17 Ill. Adm. Code 650
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
650.20	Amendment
650.21	Amendment
650.22	Amendment
650.23	Amendment
650.45	Amendment
650.60	Amendment
650.67	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36]
- 5) Effective Date of Amendments: June 28, 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 all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5832; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version:

Section 650.60(g) – updated name of site from "George S. Park State Natural Area (2)" to "George S. Park Memorial Woods State Natural Area (2)"

Section 650.60(h) – updated both listings of "White Pines State Park" to "White Pines Forest State Park"

Section 650.67(a) – updated name of site from "Horseshoe Lake State Fish and Wildlife Area" to "Horseshoe Lake State Conservation Area"

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to change the fee for a nonresident antlerless-only firearm permit from \$25 to \$15; change the fee for a nonresident either-sex firearm permit from "the maximum fee allowed" by law to \$250; increase the fee from \$50 to \$100 for nonresident landowner/shareholder/limited liability for a company member/income trust beneficiary and decrease their antlerless permits from \$25 to \$15; make minor changes related to the transition to an electronic point of sale licensing/permitting system; update the list of sites available for special hunts; update regulations for group hunts; update the list of open sites and update site-specific information.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 650
WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

Section

650.10	Statewide Season and Permit Quotas
650.20	Statewide Deer Permit Requirements
650.21	Deer Permit Requirements – Landowner/Tenant Permits
650.22	Deer Permit Requirements – Special Hunts
650.23	Deer Permit Requirements – Group Hunt
650.30	Statewide Firearms Requirements
650.40	Statewide Deer Hunting Rules
650.45	Reporting Harvest
650.50	Rejection of Application/Revocation of Permits
650.60	Regulations at Various Department-Owned or -Managed Sites
650.65	Youth Hunt (Repealed)
650.67	Special Hunts for Disabled Hunters
650.70	Special Extended Season Firearm Deer Hunt (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified at 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendment at 9 Ill. Reg. 20922, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 25, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468, effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill. Reg. 13431, effective August 23, 1994; amended at 19 Ill. Reg. 6477, effective April 28, 1995;

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amended at 20 Ill. Reg. 7515, effective May 20, 1996; amended at 21 Ill. Reg. 5572, effective April 19, 1997; amended at 21 Ill. Reg. 9116, effective June 26, 1997; amended at 22 Ill. Reg. 8007, effective April 28, 1998; amended at 23 Ill. Reg. 5564, effective April 26, 1999; amended at 24 Ill. Reg. 8971, effective June 19, 2000; amended at 24 Ill. Reg. 10260, effective July 1, 2000; amended at 25 Ill. Reg. 7231, effective May 22, 2001; amended at 26 Ill. Reg. 9319, effective June 17, 2002; amended at 27 Ill. Reg. 10009, effective June 23, 2003; emergency amendment at 27 Ill. Reg. 17270, effective November 10, 2003, for a maximum of 150 days; Section 650.60 of the emergency rules expired April 8, 2004; amended at 28 Ill. Reg. 353, effective December 19, 2003; amended at 28 Ill. Reg. 8039, effective May 26, 2004; amended at 29 Ill. Reg. 9718, effective June 24, 2005; emergency amendment at 29 Ill. Reg. 13025, effective August 10, 2005, for a maximum of 150 days; emergency expired January 1, 2006; amended at 30 Ill. Reg. 12155, effective June 28, 2006.

Section 650.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid "Firearm Deer Permit" (\$15). Fees for non-resident deer hunters shall be ~~\$250~~~~the maximum fee allowed by Section 2.26 of the Wildlife Code [520 ILCS 5/2.26]~~ for each either-sex or antlered-only deer hunting permit, and shall be ~~\$15~~~~\$25~~ for each antlerless-only permit. A permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Only applicants who receive an either-sex permit in a county or special hunt area are eligible for an antlerless-only permit for that county or special hunt area, until the Random Daily Drawing Period that begins in September, at which time antlerless-only permits remaining in the quota will be made available regardless of whether applicants already possess an either-sex permit. For permit applications and other information write to:

Department of Natural Resources
(Firearm or Landowner/Tenant or Non-Resident)
Deer Permit Office
P.O. Box 19227
Springfield, Illinois 62794-9227

- b) Applications from Illinois residents for participation in the First Lottery Drawing will be accepted through the last weekday in April of the current year. Nonresidents may not apply to participate in the First Lottery Drawing. Applications received after the last weekday in April will not be included in this lottery. Permits will be allocated in a computerized random drawing. Permits will be issued as either sex, antlerless only, or antlered only. A maximum of one

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either-sex and one antlerless-only permit shall be issued per person. Applicants for free landowner/tenant permits are not eligible to participate in the First or Second Lottery Drawings. Landowners who receive permits in the First or Second Lottery Drawing are not eligible for landowner permits.

- c) Applicants must complete all portions of the current year permit application form. Incomplete or incorrect applications will be returned along with the applicant's permit fee for correction or completion if received in the Permit Office prior to the deadline established in subsection (b).
- d) Applicants must check the second-season box if they agree to accept a second-season permit upon being rejected for a full-season permit.
- e) Applicants must check the antlerless-only box and [provideenlose](#) an additional \$15 (~~\$25 for non residents~~) to apply for an additional antlerless-only permit. Antlerless-only permits will be issued until the antlerless-only quota is filled for a given county or special hunt area.
- f) Permits for counties and special hunt areas with unfilled quotas after the First Lottery Drawing will be allocated in a Second Lottery Drawing. This drawing is open only to nonresident applicants and to Illinois residents who were not previously issued firearm permits for the current hunting season. Illinois residents will be given preference for permits allocated in the Second Lottery Drawing. Applications for the Second Lottery Drawing will be accepted through the tenth weekday in August of the current year. Applicants may also apply for remaining antlerless-only permits by checking the antlerless-only box and [providingeneosing](#) an additional \$15 ~~for residents and \$25 for nonresidents~~. A list of unfilled counties and special hunt areas will be announced upon becoming available after the First Lottery Drawing. Applicants must apply on a current year Firearm Deer Permit application form. A maximum of one either-sex and one antlerless-only permit shall be issued per person.
- g) ~~No more than 6 single applications per envelope will be accepted during the application periods for the First and Second Lottery Drawings. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications to the Deer Permit Office for regular firearm, muzzleloading rifle, late winter antlerless season, archery, and free or paid landowner/tenant permits.~~
- g)h) There will be an application period which starts the first working day after September 14 and ends the fifth weekday in November, during which anyone (regardless of any

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other permit they may have, subject to subsection (a)) can apply for firearm deer permits left over from the county and special hunt area quotas. During this application period, the permits shall be issued in a random daily drawing. Applications received each day will not be processed until all applications received for that day are mixed. All applications received on a specific day will be processed before processing applications received for a subsequent day. All applications for the Random Daily Drawing will be processed individually (i.e., no group applications will be processed). Applicants can apply for one or more permits during this application period. Applicants submitting applications within the 20 working days prior to the start of the first season cannot be guaranteed a permit by the start of the first deer hunting season. Applicants must ~~print "September Drawing—Multiple Permits" on the outside of the envelope and~~ mark the "September Drawing – Multiple Permits" box on the firearm deer permit application.

~~h)j)~~ Hunter preference in obtaining a permit during the First Lottery Drawing will be given: to individuals that applied for an either-sex permit in the previous year's First Lottery Drawing who were rejected because the quota was depleted in their county choices; or to applicants that received, in the previous year, a second season either-sex permit in the First Lottery Drawing only. In order to be eligible for preference during the First Lottery Drawing, the second season box must have been checked on the application form of unsuccessful applicants when they were rejected. Preference will not be granted to applicants who received a full-season either-sex permit but who did not receive an antlerless-only permit. Persons with lottery preference will have first chance at receiving available either-sex permits. The following criteria must be met to obtain a preference in the First Lottery Drawing:

- 1) The applicant must apply using the official Department application.
- 2) The applicant must be a resident of the State, be eligible to receive a Firearm Deer Permit, and not had deer hunting privileges revoked pursuant to Section 650.50.
- 3) The applicant must apply for the same county choices that he/she listed on the previous year's application. Preference will not be granted for special hunt areas.

~~i)j)~~ Applications may be accepted at the counter window of the permit office; however, permits will be mailed. In-person, ~~and~~ mail-in ~~and~~ electronic applications will receive equal treatment in the drawings.

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- ~~j)k)~~ Permits are not transferable. Refunds will not be granted, unless the Department of Natural Resources has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.
- ~~k)l)~~ A \$3 service fee will be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.
- ~~l)m)~~ The periods for accepting applications for the First and Second Lottery periods may be extended if applications are not available to the public by April 1. A news release will announce the extension of the application periods.
- ~~m)n)~~ Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. Reg. 12155, effective June 28, 2006)

Section 650.21 Deer Permit Requirements – Landowner/Tenant Permits

- a) The immediate family of a landowner or tenant is defined as, and limited to, the spouse, children, or parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit.
- c) Resident Illinois landowners who own 40 acres or more of land and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free either-sex permit for their property only in counties open for firearm deer hunting. Recipients of the free either-sex permit will also be given a free antlerless-only permit for their property only. Nonresident Illinois landowners (of 40 acres or more land) are also eligible to apply for one either-sex permit and one antlerless-only permit for their property only. The fee to nonresident Illinois landowners (of 40 acres or more land) for permits for their property only shall be ~~\$100~~\$50 for the either-sex permit and ~~\$15~~\$25 for the antlerless-only permit. These applications will not be subject to the public lottery process. This deer hunting permit *shall be valid on all*

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farmlands which the person to whom it is issued owns, leases or rents [525 ILCS 5/2.26] in counties open for firearm deer hunting.

- d) Bona fide Illinois landowners or tenants who do not wish to hunt only on the land they own, rent, or lease must apply for permits in the same manner as the applicant who is not a landowner or tenant. However, resident Illinois landowners who own 40 acres or more of land, and resident tenants leasing or renting 40 acres or more of commercial agricultural land, who apply during the First Lottery application period for a permit to hunt in the county in which they own or lease land and are rejected because the county quota is full, may apply for a county-wide either-sex paid landowner firearm deer permit to hunt in the county where the land is located. Members of the immediate family of the landowner or tenant are also eligible to apply for a county-wide either-sex paid landowner firearm deer permit if they were rejected in the First Lottery. Applications for county-wide paid landowner deer permits will be accepted from August 1 through the last working day in August. Incomplete applications will be returned. The fee for a county-wide either-sex paid landowner deer permit shall be the same as for permits for hunters that are not landowners or tenants. Recipients of a county-wide either-sex paid landowner deer permit may also apply for a regular bonus antlerless-only permit for that county, but will be issued such permit only if there are antlerless permits remaining in the county quota. Landowners and tenants, and their immediate families, who did not apply for permits in the First Lottery and subsequently fail to receive them, are not eligible to apply for or receive county-wide paid landowner deer permits.
- e) Date of acceptance of landowner/tenant property-only permit applications will be publicly announced.
- f) Landowners and resident tenants are not required to participate in the public drawing for permits in order to apply for and receive a property-only permit.
- g) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:
 - 1) Submittal of a copy of property deed;
 - 2) Submittal of a copy of contract for deed;
 - 3) Submittal of a copy of the most recent real estate tax statement for the property (upon which the landowner's name appears as landowner, or person

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signing application appears as landowner);

- 4) Submittal of a copy of a Farm Service Agency 156EZ form; or
 - 5) Submittal of a copy of a trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.
- h) Tenant permit applicants are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
- 1) A copy of a lease or a rental agreement, file stamped as recorded by the County Clerk, covering the current year; or
 - 2) A copy of a Farm Service Agency 156EZ form.
- i) A hunting rights lease, or other non-agricultural lease, is not valid as a basis for obtaining a landowner or tenant permit.
- j) County-wide permit holders are authorized to firearm deer hunt only in the county identified on the deer permit and only on property where permission to hunt has been obtained from the property owner.
- k) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) shall be issued a permit on a first-come, first-served basis for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.
- l) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies, bona fide current income beneficiaries of trusts or bona fide partners of a partnerships owning 40 or more acres of land in a county may apply for one either-sex permit to hunt the corporation, limited liability company, trust or partnership lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, for corporations, trusts and limited liability companies, and a maximum number of 3 permits per county for partnerships, shall be issued based on ownership of lands by corporations, limited liability companies, trusts or partnerships. Lands leased to corporations, limited liability companies, trusts or partnerships shall not be considered as a basis for a permit for the shareholders/members/beneficiaries/partners of the lessee. Lands

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held in trust by corporations, limited liability companies or partnerships shall not be considered as a basis for a permit by the shareholders/members/partners of the trustee. If application is made for a permit based upon lands owned by the corporation, limited liability company, trust or partnership, a duly authorized officer of the corporation, limited liability company, trust or partnership must sign a notarized statement authorizing the applicant to hunt on the corporate, company, trust or partnership lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder, member, beneficiary or partner, as defined in this subsection, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation, limited liability company, or trust lands and no more than 3 authorizations will be requested per county for partnership lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder/member/partner either-sex permit shall be free to resident shareholders/members/partners, and the cost to nonresident shareholders/members shall be ~~\$100~~~~\$50~~. An antlerless-only shareholder/member/partner permit (free to resident shareholders/members/partners; ~~\$15~~~~\$25~~ to nonresident shareholders/members) will be made available if in the best interest of managing the deer herd. Nonresident partners cannot receive permits under this subsection.

- 1) Bona fide equity shareholder means an individual who:
 - A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
 - B) intends to retain the ownership of the shares of stock for at least 5 years.
- 2) Bona fide equity member means an individual who:
 - A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and

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subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and

- B) intends to retain the membership for at least 5 years.
- 3) Bona fide current income beneficiary means an individual who, at the time of application for a permit, is entitled to income (whether income exists or not) from the trust that owns the land the applicant wishes to hunt with no condition precedent (such as surviving another person, reaching a certain age, etc.) other than the trustee distributing the income, and is listed by name in the trust documents as an income beneficiary.
- 4) Bona fide equity partner means an individual who:
 - A) became a partner, either general or limited, upon the formation of the partnership; or has purchased a distributional interest in the partnership or limited partnership for a value equal to the percentage of the appraised value of the partnership assets represented by the distributional interest in the partnership;
 - B) intends to retain ownership of the partnership for at least 5 years; and
 - C) is a resident of Illinois.
- m) Landowners or tenants that apply for or receive property-only landowner/tenant firearm deer permits may not apply for additional permits in the First or Second Lottery Drawing. Landowners or tenants that apply for county-wide paid landowner firearm deer permits must have been rejected in the First Lottery drawing for a permit in the county in which they own or lease land, and they may not apply for additional permits in the Second Lottery Drawing.
- n) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 30 Ill. Reg. 12155, effective June 28, 2006)

Section 650.22 Deer Permit Requirements – Special Hunts

- a) Special hunt sites are defined as those sites which are owned or controlled by

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agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for deer hunting, which issue deer hunting permits through the statewide lottery process. The Permit Office issues deer hunting permits through a computerized drawing for sites listed below, in addition to the Department-owned or -managed sites listed in Section 650.60(i). The permit preference system does not apply to special hunt areas or to State sites allocating permits in the lottery.

~~1) A.E.S. Duck Creek (Fulton County, first season only)~~

~~2) A.E.S. Duck Creek Handicapped (Fulton County, first season only)~~

~~1)3) Crab Orchard National Wildlife Refuge (the first and second season are considered separate hunt choices, and permit applicants must specify which season they are applying for in the County Choice or Hunt Area field of the application. Permits may be issued as antlerless-only without the normal bonus requirement. Standby hunting will be allowed if additional permits are available at the site)~~

~~2)4) Crab Orchard National Wildlife Refuge – Disabled Hunt (first season only)~~

~~3)5) Joliet Army Training Area (Will County)~~

~~4)6) Lake Shelbyville Project Lands (Moultrie County) (it is unlawful to drive deer)~~

~~5)7) Lake Shelbyville Project Lands except Wolf Creek State Park (Shelby County) (it is unlawful to drive deer)~~

~~6)8) Midewin National Tallgrass Prairie~~

~~9) Savanna Army Depot (Jo Daviess County)~~

~~b) Each applicant must enclose a separate fee (check or money order) payable to the Department of Natural Resources, or the application will be returned. Applicants should not send cash with their applications. The Department will not be responsible for cash sent through the mail.~~

~~b)e) Providing false information on an application is a Class A misdemeanor (see 520~~

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ILCS 5/2.38). Hunting deer prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a \$500 minimum and \$5,000 maximum fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)). Taking an antlered deer with an antlerless permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Hunting after sunset or outside the set season is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. Reg. 12155, effective June 28, 2006)

Section 650.23 Deer Permit Requirements – Group Hunt

- a) Up to six individuals may apply to hunt as a group during the First and Second Lottery Drawings. ~~If applicants are applying in a group, all applications for the group must be sent to the Department in the same envelope. All applications for the group will be processed together only if they are received in the same envelope. Any applications indicating participation in a group that are not received in the same envelope will be processed separately.~~
- b) Each individual must sign his or her own application.
- ~~e)~~ ~~Applicant must enclose a separate check or money order for the appropriate amount for each application or the applications will be returned.~~
- ~~c)d)~~ In order to receive preference for the group, all members must have preference for the same county choice. If any member does not have preference for the group's county choice, the entire group will not receive preference.
- ~~d)e)~~ Applicants applying as a group will be rejected if they do not list the same county or special hunt area choice, complete the group leader information listing the identical group leader, and complete the second-season option box identically.
- ~~e)f)~~ Since Illinois residents are given preference for permits allocated in the Second Lottery Drawing, groups containing both resident and non-resident applicants will be treated as non-residents.
- ~~f)g)~~ Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 30 Ill. Reg. 12155, effective June 28, 2006)

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Section 650.45 Reporting Harvest

- a) Testing of deer for Chronic Wasting Disease (CWD) by DNR personnel will occur so long as funding is available in:
 - 1) counties where deer have been documented with the disease;
 - 2) counties considered high-risk for the disease; and
 - 3) counties in which additional surveillance is warranted.
- b) These counties shall be publicly announced following the conclusion of the previous year's annual fall/winter CWD surveillance, which will be used as a basis for decision making. For these counties, hunters shall take their whole (or field dressed) deer to a designated firearm deer check station by 8:00 p.m. on the day the deer was killed. A permanent harvest tag will be attached to the leg of the deer upon registration at the check station. If a hunter is not able to locate a harvested deer in sufficient time to enable reporting the harvest by 8:00 p.m., the hunter must take the deer to the appropriate check station upon its opening at 8:00 a.m. the following morning, or immediately upon retrieving it if that occurs later than the opening of the check station. If this situation occurs on a Sunday (e.g., the check station will not be open on Monday), the hunter must contact the appropriate regional DNR Law Enforcement Office by 10:00 a.m. Monday morning for instructions on checking in the deer. If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany the head/antlers and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.
- c) For counties in which Chronic Wasting Disease surveillance is not occurring:
 - 1) Successful hunters during the firearm deer season must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by

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accessing the on-line check-in system at <http://dnr.state.il.us/vcheck>. The hunter will be provided with a confirmation number to verify that he or she checked in the harvest. This number must be written by the hunter onto the temporary harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag.

The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:

- A) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.
 - B) For a doe: head attached to carcass, or attached udder (mammary) or vulva.
- 2) The temporary harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer, the deer has been checked in, and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist. If the carcass is taken to a meat processor, the temporary harvest tag with confirmation number must remain with the deer while it is processed, and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.

~~de~~ Site specific reporting requirements must be followed in addition to this Section.

~~ed~~ Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. Reg. 12155, effective June 28, 2006)

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Section 650.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.
- c) Only one tree stand is allowed per deer permit holder. These tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Statewide regulations shall apply at the following sites:
 - Cache River State Natural Area (1) (2)
 - Campbell Pond (1) (2)
 - Carlyle Lake Lands and Waters (Corps of Engineers managed lands)
 - Carlyle Lake Wildlife Management Area (except subimpoundment area)
 - Chauncey Marsh (1) (2)

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Crawford County Conservation Area (1) (2)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

[Devil's Island Wildlife Management Area](#)

Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (muzzleloading rifles only; [no in-line muzzleloading rifles or muzzleloaders with scopes allowed](#)) (1) (2)

[George S. Park Memorial Woods State Natural Area \(2\)](#)

Giant City State Park (1) (2)

Hamilton County Conservation Area (1) (2)

Horseshoe Lake Conservation Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

~~[I-24 Wildlife Management Area \(1\) \(2\)](#)~~

Kaskaskia River Fish and Wildlife Area (1) (2, except south of Highway 154 and north of Highway 13) (during each day of the second firearm deer season, hunting within the Doza Creek Waterfowl Management Area is open from 1:00 p.m. until sunset and firearm deer hunters may not enter the area until 11:00 a.m.; antlerless deer only)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Lake Le Aqua Na State Park (standby hunting allowed during the first season if all blinds not filled by youth hunters)

Meeker State Habitat Area (1) (2)

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Mermet Lake Conservation Area (1) (2)

[Miller-Anderson Woods State Natural Area \(Bureau County permit holders may hunt the Bureau County portion of the Area and Putnam County permit holders may hunt the Putnam County portion of the Area\) \(2\)](#)

Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 (1)

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Newton Lake Fish and Wildlife Area (2)

Oakford Conservation Area (1)

Pere Marquette State Park (1) (2)

Rend Lake Project Lands and Waters (1)

Saline County Fish and Wildlife Area (1) (2)

Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1)

Sielbeck Forest Natural Area (1) (2)

[Skinner Farm State Habitat Area \(1\) \(2\)](#)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (3)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Firing Line Unit only) (1) (2)

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Weinberg-King State Park (2)

Weinberg-King State Park – Spunky Bottoms Unit (2)

Wildcat Hollow State Forest (1)

- h) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (5). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, unless exempt. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest. In the event that Department budget reductions or site staffing reductions make the operation of check stations or issuance of standby permits impractical, changes to check station procedures and standby permit issuance will be publicly announced and posted at the site.

Apple River Canyon State Park – Thompson and Salem Units (first or second season only) (2)

Argyle Lake State Park (2) (5)

~~Beall Woods State Park (Friday, Saturday and Sunday before the first statewide firearm deer season and Friday, Saturday and Sunday following the muzzleloading deer season; antlerless deer only) (1) (2) (5)~~

Big River State Forest (2) (5)

Castle Rock State Park (first or second season only) (~~all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit~~antlerless only) (1) (2) (5)

Cedar Glen State Natural Area (1) (2)

Clinton Lake State Recreation Area (only in the area between County

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[Highway 14 and State Route 48 – both sides of lake](#) (1)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (first season only) (2) (5)

~~[Devil's Island Wildlife Management Area](#)~~

Falling Down Prairie State Natural Area (first or second season only) (2)

Fort Massac State Park (second season only) (antlerless deer only) (2)

Fox Ridge State Park (1)

Franklin Creek State Natural Area (first or second season only) ([all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit](#)~~antlerless only~~) (2) (5)

[French Bluff State Natural Area](#)

Goose Lake Prairie State Natural Area/Heidecke State Fish and Wildlife Area (first or second season only) (2) (5)

Green River State Wildlife Area (first or second season only) (1) (2) (5)

Hanover Bluff State Natural Area (first or second season only) (2)

Harry "Babe" Woodyard State Natural Area (2) (3)

Hidden Springs State Forest (1)

Horseshoe Lake Conservation Area – Alexander County (Refuge, [second Saturday and Sunday](#) ~~first 2 Saturdays~~ in November; [all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex permit](#)~~separate permits required for each day; antlerless only~~) (2)(5)

Hurricane Creek Habitat Area

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Iroquois County Conservation Area (first season only) (2) (5)

Iroquois County Conservation Area (second season only; no hunting in the controlled pheasant hunting area) (2) (5)

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (3)

~~Jim Edgar Panther Creek State Fish and Wildlife Area (West Open Unit) (1) (3)~~

Jubilee College State Park (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunting during the 2006 firearm deer season is prohibited in marked zones (handicapped hunt area and areas within 300 yards of an inhabited dwelling); the 300 yard restricted zone is a pilot program that will be re-assessed with input from adjoining landowners prior to the 2007 firearm hunting season; only one tree stand is allowed per deer permit holder; these tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable; tree stands may be erected the day before the first season and must be removed by the day after the end of the second season; any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number) (2) (5)

Kaskaskia River Fish and Wildlife Area (Baldwin Lake Rest Area; first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit~~antlerless deer only~~; hunting from elevated stands only; six feet minimum above ground; hunting must occur within 10 yards of an assigned, numbered stake; an inhouse drawing will be held in mid-October for such assignments; hunters will be notified by mail of their hunting location; no hunters may enter the area before 5:00 a.m.) (1) (2) (5 – last 2 days of second season)

Kickapoo State Recreation Area (2)

Kishwaukee River State Fish and Wildlife Area (first or second season only)

Lowden-Miller State Forest (first or second season only) (1) (2) (5)

Mackinaw River Fish and Wildlife Area (1) (2) (5)

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Marseilles Fish and Wildlife Area (first or second season only) (all tree stands must be removed no later than the last day of the archery deer season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2) (5)

~~Marseilles Fish and Wildlife Area (second season only) (all tree stands must be removed no later than the last day of the archery deer season) (1) (2) (5)~~

Marshall Fish and Wildlife Area (2) (5)

Middle Fork Fish and Wildlife Area (2)

~~Miller Anderson Woods Nature Preserve (first season only; antlerless deer only) (2)~~

~~Miller Anderson Woods Nature Preserve (second season only; antlerless deer only) (2)~~

Mississippi Palisades State Park (first season only)

Mitchell's Grove Nature Preserve (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program ~~Monday, Tuesday, Wednesday and Thursday before the first statewide firearm deer season only; antlerless deer only~~) (2) (5)

~~Mitchell's Grove Nature Preserve (Monday, Tuesday and Wednesday before the second statewide firearm deer season only; antlerless deer only) (2) (5)~~

Momence Wetlands

Moraine Hills State Park (first or second season permits only; an antlerless deer permit must be filled before filling an either sex permit, hunting from elevated stands only, 6 feet minimum above ground except for designated accessible blinds; firearms must be fully enclosed in a case, except while the hunter is in an elevated stand or as otherwise authorized by an employee of the Department) (2) ~~(5) (5) last 2 days of second season~~

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Morrison-Rockwood State Park (first season only) (5)

Pyramid State Park ~~(1)~~(2) (3)

Pyramid State Park – East Conant Unit ~~(1)~~(3)

Pyramid State Park – Galum Unit ~~(1)~~(3)

Ray Norbut Fish and Wildlife Area (2) (5)

Sahara Woods (1) (2)

Sand Ridge State Forest (2)

Sandy Ford State Natural Area (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program) (2) (5)

Sangamon County Conservation Area (1)

Siloam Springs State Park (2) (3)

Spoon River State Forest (first or second season only) (1) (2)

Starved Rock/Matthiessen State Park/Margery C. Carlson Nature Preserve (first or second season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program; standby hunters may purchase up to 2 one-day site-specific antlerless-only permits each day Monday, Tuesday, Wednesday and Thursday before the first statewide firearm deer season only; antlerless deer only) (2) (5)

Starved Rock/Matthiessen State Park (Monday, Tuesday and Wednesday before the second statewide firearm deer season only; antlerless deer only) (2) (5)

Tapley Woods State Natural Area (first or second season only) (2)

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Wards Grove Nature Preserve (first or second season only; antlerless only) (2)

Weldon Springs State Park (Piatt County Unit; first season only)

Weinberg-King State Park – Scripps Unit (2) (3)

White Pines Forest State Park (Monday, Tuesday and Wednesday prior to the first statewide firearm deer season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit~~antlerless deer only; permit hunters must sign in daily prior to 8:30 a.m.; unfilled quotas will be filled by a stand-by drawing at 8:30 a.m. to allocate one-day site specific permits~~) (2) (5)

White Pines Forest State Park (Monday, Tuesday and Wednesday prior to the second statewide firearm deer season only; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit~~antlerless deer only; permit hunters must sign in daily prior to 8:30 a.m.; unfilled quotas will be filled by a stand-by drawing at 8:30 a.m. to allocate one-day site specific permits~~) (2) (5)

Witkowsky State Wildlife Area (first or second season only) (2)

Wolf Creek State Park (participants in the Corps of Engineers special disabled hunt program are exempt from site's antler restrictions) (3)

- i) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 30 Ill. Reg. 12155, effective June 28, 2006)

Section 650.67 Special Hunts for Disabled Hunters

- a) Statewide regulations shall apply; season dates shall be the Thursday, Friday, and Saturday immediately prior to the first firearm deer season, and the Thursday, Friday, and Saturday immediately following the second weekend of the regular firearm season unless otherwise noted in parentheses. Permit applications may be obtained from the appropriate Illinois Department of Natural Resources regional office, and completed applications must be returned to that office by the third

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Friday in October. Disabled hunters must possess a Class P2A disability card in order to be eligible for the drawing. All participating hunters must show proof of passing the Illinois Hunter Safety Course or an equivalent State program for nonresidents unless otherwise noted in parentheses. Additional regulations will be publicly announced.

Clinton Lake State Recreation Area (Mascoutin State Park) (2)

Horseshoe Lake State Conservation Area (first Saturday and Sunday of November; participants other than disabled hunters must take an antlerless deer before taking an antlered deer) (1) (2) (5)

Jubilee College State Park (coincides with first firearm deer season; participants must take an antlerless deer during the current year firearm season on site before taking an antlered deer; hunter safety course not required) (2) (5)

Jubilee College State Park (coincides with second firearm deer season; participants must take an antlerless deer during the current year firearm season on site before taking an antlered deer; hunter safety course not required) (2) (5)

Rock Cut State Park (first ~~Thursday, Friday and~~ Saturday ~~and Sunday~~ of November and the Tuesday, Wednesday and Thursday prior to the first statewide firearm deer season; participants other than disabled hunters must take an antlerless deer before taking an antlered deer) (2) (5)

Starved Rock State Park (coincides with first firearm deer season; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program Monday, Tuesday, Wednesday and Thursday before the first statewide firearm deer season only; antlerless deer only; hunter safety course not required) (2) (5)

Starved Rock State Park (coincides with second firearm deer season; all initial permits will be issued as antlerless only; hunters must take an antlerless deer during the current year firearm season on site before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in bonus buck program Monday, Tuesday and Wednesday before the second statewide firearm deer season only; antlerless deer only; hunter safety course not required) (2) (5)

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b) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. 12155, effective June 28, 2006)

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- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Muzzleloading Rifles
- 2) Code Citation: 17 Ill. Adm. Code 660
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
660.20	Amendment
660.22	Amendment
660.25	Amendment
660.45	Amendment
660.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36]
- 5) Effective Date of Amendments: June 28, 2006
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5858; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to change the fee for a nonresident antlerless-only muzzleloader permit from \$25 to \$15; change the fee for a

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nonresident either-sex muzzleloader permit from "the maximum fee allowed by law" to \$250; make minor changes related to the transition to an electronic point of sale licensing/permitting system; update the list of sites available for special hunts; update regulations for group hunts; update the list of open sites and update site-specific information.

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

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

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TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER b: FISH AND WILDLIFE

PART 660
 WHITE-TAILED DEER HUNTING BY USE
 OF MUZZLELOADING RIFLES

Section

660.10	Statewide Season and Permit Quotas
660.20	Statewide Deer Permit Requirements
660.21	Deer Permit Requirements – Landowner/Tenant Permits
660.22	Deer Permit Requirements – Special Hunts
660.25	Deer Permit Requirements – Group Hunt
660.30	Statewide Muzzleloading Rifle Requirements
660.40	Statewide Deer Hunting Rules
660.45	Reporting Harvest
660.50	Rejection of Application/Revocation of Permits
660.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 18, 1991; amended at 15 Ill. Reg. 11627, effective August 2, 1991; amended at 16 Ill. Reg. 11150, effective June 30, 1992; amended at 17 Ill. Reg. 10865, effective July 1, 1993; amended at 18 Ill. Reg. 5878, effective April 5, 1994; amended at 18 Ill. Reg. 13435, effective August 23, 1994; amended at 19 Ill. Reg. 6500, effective April 28, 1995; amended at 20 Ill. Reg. 6734, effective May 6, 1996; amended at 21 Ill. Reg. 5583, effective April 19, 1997; amended at 21 Ill. Reg. 9122, effective June 26, 1997; amended at 22 Ill. Reg. 8026, effective April 28, 1998; amended at 23 Ill. Reg. 5579, effective April 26, 1999; amended at 24 Ill. Reg. 10251, effective July 1, 2000; amended at 25 Ill. Reg. 6367, effective April 27, 2001; amended at 26 Ill. Reg. 9340, effective June 17, 2002; amended at 27 Ill. Reg. 10018, effective June 23, 2003; amended at 28 Ill. Reg. 8056, effective May 26, 2004; amended at 29 Ill. Reg. 9744, effective June 24, 2005; emergency amendment at 29 Ill. Reg. 13032, effective August 10, 2005, for a maximum of 150 days; emergency expired January 6, 2006; amended at 30 Ill. Reg. 12181, effective June 28, 2006.

Section 660.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid ^uMuzzleloading Rifle Deer

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Permit" (\$15). Fees for non-resident deer hunters shall be ~~\$250~~ ~~the maximum fee allowed by Section 2.26 of the Wildlife Code [520 ILCS 5/2.26]~~ for each either-sex or antlered-only deer hunting permit, and shall be ~~\$1525~~ for each antlerless-only permit. A permit is issued for one county and is valid only in the county stated on the permit. Only applicants who receive an either-sex permit in a county or special hunt area are eligible for an antlerless-only permit for that county or special hunt area, until the Random Daily Drawing Period that begins in September, at which time antlerless-only permits remaining in the quota will be made available regardless of whether applicants already possess an either-sex permit. For permit applications and other information write to:

Department of Natural Resources
(Muzzleloading Rifle)
Deer Permit Office
P.O. Box 19227
Springfield, IL 62794-9227

- b) Applications from Illinois residents for participation in the First Lottery Drawing shall be accepted through the last weekday in April of the current year. Nonresidents may not apply to participate in the First Lottery Drawing. Applications received after the last weekday in April shall not be included in this lottery. Permits shall be allocated in a computerized random drawing. Permits shall be issued as either-sex, antlerless-only or antlered only. A maximum of one either-sex and one antlerless-only permit shall be issued per person.
- c) Applicants must complete all portions of the current year permit application form. Incomplete or incorrect applications will be returned along with the applicant's permit fee for correction or completion if received in the Permit Office prior to the last weekday in April of the current year.
- d) Applicants must check the antlerless-only box and ~~provide~~ ~~en~~ ~~lose~~ an additional \$15 to apply for an additional antlerless-only permit. Antlerless-only permits will be issued until the antlerless-only quota is filled for a given county or special hunt area.
- e) Permits for counties and special hunt areas with unfilled quotas after the First Lottery Drawing shall be allocated in a Second Lottery Drawing. This drawing is open only to nonresident applicants and to Illinois residents who were not previously issued muzzleloader permits for the current hunting season. Illinois residents will be given preference for permits allocated in the Second Lottery

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Drawing. Applications for the Second Lottery Drawing will be accepted through the tenth weekday in August of the current year. Applicants may also apply for remaining antlerless-only permits by checking the antlerless-only box and ~~providing enclosing~~ an additional \$15 ~~for residents and \$25 for nonresidents~~. A list of unfilled counties shall be announced upon becoming available after the First Lottery Drawing. Applicants must apply on a current year "Muzzleloading Rifle" Deer Permit application form. A maximum of one either-sex and one antlerless-only permit shall be issued per person.

- ~~f) No more than 6 single applications per envelope shall be accepted during the application periods for the First and Second Lottery Drawings. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications to the Deer Permit Office for regular firearm, muzzleloading rifle, handgun, archery, and free or paid landowner/tenant permits.~~
- ~~fg)~~ There will be an application period which starts the first working day after September 14 and ends the fifth weekday in November during which anyone (regardless of any other permit they may have, subject to the restriction in subsection (a)) can apply for muzzleloading deer permits left over from the county and special hunt area quotas. During this application period, the permits shall be issued in a random daily drawing. Applications received each day will not be processed until all applications received for that day are mixed. All applications received on a specific day will be processed before processing applications received for a subsequent day. All applications for the Random Daily Drawing will be processed individually (i.e., no group applications will be processed). Applicants can apply for one or more permits during this application period. Applicants must ~~print "September Drawing — Multiple Muzzleloader Permits" on the outside of the envelope and~~ mark the "September Drawing — Multiple Permits" box on the muzzleloading rifle deer permit application.
- ~~gh)~~ Hunter preference in obtaining a muzzleloading rifle permit during the First Lottery Drawing shall be given to individuals that applied for an either-sex muzzleloading permit in the previous year's First Lottery Drawing who were rejected because the quota was depleted in their county choices. The following criteria must be met to obtain a preference in the muzzleloading rifle First Lottery Drawing:
- 1) The applicant must apply using the official agency preprinted data-mailer application.

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- 2) The applicant must be a resident of the state, be eligible to receive a Muzzleloading Rifle Deer Permit, and not had deer hunting privileges revoked pursuant to Section 660.50.
- 3) The applicant must apply for the same county choices that he/she listed on the previous year's application. Preference will not be granted for special hunt areas.
- 4) Where applicants apply as a group, preference for the entire group shall apply as it does above for the individual. All county choices for the group must be identical.

hi) Applications shall be accepted at the counter window of the permit office; however, permits shall be mailed. In-person, ~~and~~ mail-in and electronic applications will receive equal treatment in the drawings.

ij) Permits are not transferable. Refunds shall not be granted unless the Department of Natural Resources has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.

jk) A \$3 service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there shall be no charge. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.

kl) The period for accepting applications for the First and Second Lottery periods shall be extended if applications are not available to the public by April 1. A news release will announce the extension of the application period.

lm) Hunting without a permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Providing false information on a permit application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 30 Ill. Reg. 12181, effective June 28, 2006)

Section 660.22 Deer Permit Requirements – Special Hunts

- a) Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for deer hunting, which issue deer

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hunting permits through the statewide lottery process. The Permit Office issues deer hunting permits through a computerized drawing for sites listed below, in addition to the Department-owned or -managed sites listed in Section 660.60(h).

Delair Division, Mark Twain National Wildlife Refuge (second 2-day (Saturday and Sunday) weekend in January)

- b) ~~Each applicant must enclose a separate fee (check or money order) payable to the Department of Natural Resources, or the application will be returned. Applicants should not send cash with their application. The Department will not be responsible for cash sent through the mail.~~
- be) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38). Hunting deer outside the special season dates or prior to ½ hour before sunrise or after sunset on the listed property is a Class A misdemeanor with a \$500 minimum and \$5,000 maximum fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 30 Ill. Reg. 12181, effective June 28, 2006)

Section 660.25 Deer Permit Requirements – Group Hunt

- a) Up to six individuals may apply to hunt as a group during the First and Second Lottery Drawings. ~~If applicants are applying in a group, all applications for the group must be sent to the Department in the same envelope. All applications for the group shall be processed together only if they are received in the same envelope. Any applications indicating participation in a group that are not received in the same envelope shall be processed separately.~~
- b) Each individual must sign his or her own application.
- e) ~~Applicants must enclose a separate check or money order for the appropriate amount for each application or the applications will be returned.~~
- cd) In order to receive preference for the group, all members must have preference for the same county choice. If any member does not have preference for the group's first county choice, the entire group shall not receive preference.
- de) Applicants applying as a group shall be rejected if they do not list the same county choice and complete the group leader information listing the identical

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group leader.

- | ef) Since Illinois residents are given preference for permits allocated in the Second Lottery Drawing, groups containing both resident and non-resident applicants will be treated as non-residents.
- | fg) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 30 Ill. Reg. 12181, effective June 28, 2006)

Section 660.45 Reporting Harvest

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at <http://dnr.state.il.us/vcheck>. The hunter will be provided with a confirmation number to verify that he or she checked in the harvest. This number must be written by the hunter onto the temporary harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:
 - 1) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass, or attached udder (mammary) or vulva.
- b) The temporary harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer, the deer has been checked in, and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit

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and both must remain with the deer while at the taxidermist. If the carcass is taken to a meat processor, the temporary harvest tag with confirmation number must remain with the deer while it is processed, and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.

- c) In counties where Chronic Wasting Disease surveillance is occurring during the firearm deer season (17 Ill. Adm. Code 650.45(a)), successful hunters using their muzzleloading rifle deer permits during the second weekend of the firearm season may, at their option, register their harvest at a designated firearm deer check station by 8:00 p.m. on the day the deer was killed. In this situation, the "head tag" portion of the permit will be retained at the check station, and a permanent harvest tag will be attached to the deer upon registration. Tagging requirements for deer delivered to taxidermists, meat processors, and tanners will be as described in 17 Ill. Adm. Code 650.45(a). Muzzleloader hunters required to report under this subsection, but who are unable to locate a harvested deer in sufficient time to report the harvest by 8:00 p.m., must report the harvest as described in subsection (a).
- d) Site specific reporting requirements must be followed in addition to this Section.
- e) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. Reg. 12181, effective June 28, 2006)

Section 660.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.

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- c) It is unlawful to drive deer or participate in a deer drive on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.
- d) Check-in, check-out and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- e) Handicapped preferred hunting opportunities are provided at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- h) Statewide regulations shall apply at the following sites:
 - Cache River State Natural Area (1) (2)
 - Campbell Pond Fish and Wildlife Area (1) (2)
 - Carlyle Lake Wildlife Management Area except subimpoundment areas
 - Carlyle Lake Lands and Waters – Corps of Engineers managed lands
 - Chauncey Marsh (1) (2)
 - Crawford County Fish and Wildlife Area (1) (2)
 - Cypress Creek National Wildlife Refuge
 - Cypress Pond State Natural Area (1) (2)
 - Deer Pond State Natural Area (1) (2)
 - Devil's Island Management Area

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Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres Historic Site (no in-line muzzleloading rifles or muzzleloaders with scopes allowed)(1) (2)

George S. Park State Natural Area (2)

Giant City State Park (1) (2)

Hamilton County Fish and Wildlife Area (1) (2)

Horseshoe Lake Conservation Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

~~I-24 Wildlife Management Area (1) (2)~~

Kaskaskia River Fish and Wildlife Area (1) (2, except south of Highway 154 and north of Highway 13) (Doza Creek Waterfowl Management Area is closed during duck season)

Kickapoo State Park (closed during second firearm deer season) (1) (2)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Meeker State Habitat Area (1) (2)

Mermet Lake Conservation Area (1) (2)

Middle Fork Fish and Wildlife Area (closed during second firearm deer season) (1) (2)

Miller-Anderson Woods State Natural Area (Bureau County permit holders may hunt the Bureau County portion of the area and Putnam County permit holders may hunt the Putnam County portion of the area) (2)

Mississippi River Pool 16 (1)

Mississippi River Pool 17 (1)

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Mississippi River Pool 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 (1)

Oakford Conservation Area (1)

Pere Marquette State Park (hunting in designated area only) (1) (2)

Pyramid State Park ~~(1)~~(2) (4)

Ray Norbut Fish and Wildlife Area (2)

Rend Lake Project Lands and Waters (1)

Saline County Fish and Wildlife Area (1) (2)

Sand Ridge State Forest (site issued permit required; must be returned by February 15)

Sanganois Fish and Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1)

Sielbeck Forest Natural Area (1) (2)

Skinner Farm State Habitat Area (1) (2)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (4)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park (2)

Weinberg-King State Park – Scripps Unit (2)

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Weinberg-King State Park – Spunky Bottoms Unit (2)

Wildcat Hollow State Forest (1)

- i) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (6). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, if required. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest. In the event that Department budget reductions or site staffing reductions make the operation of check stations or issuance of standby permits impractical, changes to check station procedures and standby permit issuance will be publicly announced and posted at the site.

Apple River Canyon State Park – Thompson and Salem Units (closed during the second firearm deer season) (2)

Castle Rock State Park (closed during second firearm season; all initial permits will be issued as antlerless only; hunters must take an antlerless deer on the site during the current year firearm or muzzleloader season before they will be issued an either-sex standby permit antlerless deer only) (2) (6)

Cedar Glen State Natural Area (1) (2)

Clinton Lake State Recreation Area (North Fork Management Unit, north of the county road at the North Fork boat ramp) (1)

Falling Down Prairie (closed during the second firearm deer season) (2)

French Bluff State Natural Area (1) (2)

Hanover Bluff State Natural Area (closed during the second firearm deer season) (2)

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Hidden Springs State Forest (closed during second firearm deer season)
(1) (2)

Jim Edgar Panther Creek State Fish and Wildlife Area —~~East~~ Open Unit
(closed during second firearm deer season; site issued permit required,
must be returned by February 15) (1) (4)

~~Jim Edgar Panther Creek State Fish and Wildlife Area — West Open Unit
(closed during second firearm deer season; site issued permit required,
must be returned by February 15) (1) (4)~~

Marseilles Fish and Wildlife Area (closed during second firearm deer
season) (all tree stands must be removed from this area no later than
sunset of the last day of archery deer season; unauthorized personnel may
not be on the site outside of the posted check station operating hours;
hunters may enter the site only from designated parking lots) (1) (2) (6)

Midewin National Tallgrass Prairie (closed during the second firearm deer
season)

Mitchell's Grove Nature Preserve (closed during the second firearm deer
season; all initial permits will be issued as antlerless only; hunters must
take an antlerless deer on the site during the current year firearm or
muzzleloader season before they will be issued an either-sex standby
permit; hunters must check antlerless deer with site staff for verification to
participate in the bonus buck program antlerless only; standby permits are
available at the Matthiessen State Park check station; ~~check station hours
are 8:30 a.m. to 4:00 p.m.~~) (2) (6)

Pyramid State Park – East Conant Unit ~~(1)~~(4)

Sahara Woods (1) (2)

Sandy Ford State Natural Area (closed during the second firearm deer
season; all initial permits will be issued as antlerless only; hunters must
take an antlerless deer on the site during the current year firearm or
muzzleloader season before they will be issued an either-sex standby
permit; hunters must check antlerless deer with site staff for verification to
participate in the bonus buck program; standby permits are available at the

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Matthiessen State Park check station) (2) (6)

Sangchris Lake State Park (open to muzzleloading rifle hunting during the second firearm deer season only; antlerless deer only; hunting will begin the first day at legal shooting time and at 10:30 a.m. on all other days of the season) (1) (2)

Sangamon County Conservation Area (closed during second firearm deer season) (1)

Spoon River State Forest (closed during second firearm deer season) (1) (2)

Starved Rock State Park/Matthiessen State Park/Margery C. Carlson Nature Preserve (closed during the second firearm deer season; hunt is open in Zone A; all initial permits will be issued as antlerless only; hunters must take an antlerless deer on the site during the current year firearm or muzzleloader season before they will be issued an either-sex standby permit; hunters must check antlerless deer with site staff for verification to participate in the bonus buck program; standby hunters may purchase up to 2 one-day site-specific antlerless-only permits each day antlerless only; standby permits are available at the check station; check station hours are 8:30 a.m. to 4:00 p.m.) (2) (6)

Tapley Woods State Natural Area (closed during the second firearm deer season) (2)

Wards Grove Nature Preserve (closed during the second firearm deer season; antlerless deer only) (2) ~~(6)~~

Witkowsky State Wildlife Area (closed during the second firearm deer season) (2)

j) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 30 Ill. Reg. 12181, effective June 28, 2006)

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- 1) Heading of the Part: White-Tailed Deer Hunting by Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
670.20	Amendment
670.21	Amendment
670.30	Amendment
670.40	Amendment
670.50	Amendment
670.55	Amendment
670.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36]
- 5) Effective Date of Amendments: June 28, 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 all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5873; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version:

In Section 670.60(h) – changed "George S. Park State Natural Area (2)" to read "George S. Park Memorial Woods State Natural Area (2)"

In Section 670.60(h) – changed "White Pines State Park" to read "White Pines Forest State Park"
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the

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agreements 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? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to: add language indicating that a resident single antlerless-only permit, replacing the single either-sex permit previously available by mail from the Permit Office prior to September 1, will be made available over-the-counter from license vendors for \$15; change the fee for a nonresident antlerless-only archery permit from \$25 to \$15; change the fee for a nonresident either-sex archery permit from \$325 to \$365; change the fee for a nonresident landowner/shareholder/limited liability company member/income trust beneficiary permit from \$70 to \$150; add language to clarify various regulations; make minor changes related to the transition to an electronic point of sale licensing/permitting system; update the list of open sites and update site-specific information.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 670
WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

670.10	Statewide Open Seasons and Counties
670.20	Statewide Deer Permit Requirements
670.21	Deer Permit Requirements – Landowner/Tenant Permits
670.30	Statewide Legal Bow and Arrow
670.40	Statewide Deer Hunting Rules
670.50	Rejection of Application/Revocation of Permits
670.55	Reporting Harvest
670.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5561, effective April 19, 1997; amended at 22 Ill. Reg. 7995, effective April 28, 1998; amended at 23 Ill. Reg. 6829, effective May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg. 7217, effective May 22, 2001; amended at 25 Ill. Reg. 11471, effective August 14, 2001;

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amended at 26 Ill. Reg. 9356, effective June 17, 2002; amended at 27 Ill. Reg. 10025, effective June 23, 2003; amended at 28 Ill. Reg. 9968, effective July 6, 2004; amended at 29 Ill. Reg. 9761, effective June 24, 2005; amended at 30 Ill. Reg. 12196, effective June 28, 2006.

Section 670.20 Statewide Deer Permit Requirements

- a) All archery deer hunters must have a current, valid Illinois archery deer permit. Archery deer permits (except landowner/tenant property-only permits and nonresident permits issued to clients of outfitters as detailed in Section 670.20(c)) will authorize the holder to hunt in any of the open counties of the State, on property where permission to hunt has been obtained from the property owner. Nonresident archery deer permits issued to outfitter clients who received a permit based on the preference given to outfitter clients are valid only on property controlled by the outfitter used to gain preference.
- b) Resident archery deer permits are available over-the-counter (OTC) from license vendors throughout the State as combination permits, each consisting of one either-sex permit and one antlerless-only permit, or as a single antlerless-only permit. ~~In addition, a resident single either-sex archery deer permit will be available until September 1 of each year by mail only from the Permit Office.~~ The fee for a resident archery combination permit shall be \$25; a resident archery single antlerless-only~~either-sex~~ permit shall be \$15. ~~No more than one single either-sex permit may be purchased per individual per season.~~ While there is no limit to the number of ~~combination~~ archery deer permits that an individual resident may purchase, no one may harvest more deer than allowed by the restrictions prescribed in Section 670.40.
- c) ~~A limited number of nonresident either-sex archery deer permits are available for a fee of \$300.~~ A limited number of nonresident archery deer permits is available as combination permits, each consisting of one either-sex permit and one antlerless-only permit. The fee for the nonresident combination archery deer permit shall be \$365~~\$325~~. Nonresident hunters may apply during the period June 1 through June 30~~July 31~~ via telephone using DNR's telephone vendor system (1-888-673-7648). The number of nonresident ~~either-sex or~~ combination archery deer permits shall be limited to 20,000, with clients of outfitters currently permitted by the Department of Natural Resources given preference in the drawing for the first 7,500. Clients of permitted outfitters should contact the outfitter prior to applying to receive a certification number to be used in the application process to verify their outfitter client status. Permits will be allocated using a computerized, random lottery drawing conducted after June 30~~July 31~~. If

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the number of eligible outfitter clients in the drawing is less than 7,500, all remaining permits will be allocated to the remaining applicants until the quota is reached. If the number of eligible outfitter clients in the drawing exceeds 7,500, those outfitter clients unsuccessful in obtaining one of the first 7,500 permits will compete against non-client applicants for the remaining permits. [Permits available after the lottery will be sold on a first come-first served basis.](#)

Applicants may submit only one application for the nonresident combination archery deer permit. Up to six individuals may apply for nonresident combination archery permits as a group. Groups must identify a group leader, and all applicants must provide the same group leader information at the time of application. If applying for permits given preferentially to clients of outfitters, all group applicants must also provide the same outfitter certification number.

- d) An unlimited number of nonresident single antlerless-only archery deer permits is available over-the-counter (OTC) from participating license vendors for a fee of [\\$15\\$25](#).
- e) Hunters purchasing archery deer permits must supply all necessary applicant information to the license vendor in order to properly complete the permit.
- f) Applications for ~~the resident single either sex permit or~~ landowner/tenant permits may be obtained by writing to:

Department of Natural Resources
[L/T Archery Deer Permit Office](#)
P.O. Box 19227
Springfield IL 62794-9227

To obtain ~~the resident single either sex permit or~~ a landowner/tenant permit, applicants must submit an application to the Permit Office using the official current Archery Deer Permit application form. Applications submitted on forms from previous years will be returned. Applicants must complete all portions of the permit application form. Incomplete applications and fees will be returned. Each applicant must submit a personal check or money order for his/her individual application.

- g) ~~Applications for resident archery single either sex permits will be accepted from the date on which they become available until September 1. Applications received after September 1 will be rejected and the fees~~

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- | ~~g)~~h) Permits are not transferable. Refunds will not be granted.
- | ~~h)~~i) A \$3 service fee will be charged for replacement permits issued by DNR, except that there will be no charge for permits lost in the mail. The procedures for obtaining a replacement license are detailed in 17 Ill. Adm. Code 2520.50. Monies from this source will be deposited in the Wildlife and Fish Fund.
- | ~~i)~~j) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).

(Source: Amended at 30 Ill. Reg. 12196, effective June 28, 2006)

Section 670.21 Deer Permit Requirements – Landowner/Tenant Permits

- a) The immediate family of a landowner or tenant is limited to the spouse, children or parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. Hunting and mineral rights leases are not valid for a tenant permit.
- c) Resident Illinois landowners who own 40 acres or more of land and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free combination archery deer permit for their property only. Non-resident Illinois landowners (of 40 acres or more) are also eligible to apply for a combination archery deer permit for their property only. The fee to non-resident Illinois landowners owning 40 acres or more for a combination permit for their property only shall be ~~\$150~~\$70. This deer hunting permit shall be valid on all farm lands owned, leased, or rented by the person to whom it is issued.
- d) If property is owned or rented by more than one person, only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.

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- e) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies, bona fide current income beneficiaries of trusts or bona fide partners of partnerships owning 40 or more acres of land in a county may apply for one either-sex permit to hunt the corporation, limited liability company, trust or partnership lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county for corporations, trusts, and limited liability companies and a maximum number of 3 permits per county for partnerships, shall be issued based on ownership of lands by corporations, limited liability companies, trusts or partnerships. Lands leased to corporations, limited liability companies, trusts or partnerships shall not be considered as a basis for a permit for the shareholders/members/beneficiaries/partners of the lessee. Lands held in trust by corporations, limited liability companies, or partnerships shall not be considered as a basis for a permit by the shareholders/members/partners of the trustee. If application is made for a permit based upon lands owned by the corporation, limited liability company, trust or partnership, a duly authorized officer of the corporation, limited liability company, trust or partnership must sign a notarized statement authorizing the applicant to hunt on the corporate, company, trust or partnership lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder, member, beneficiary or partner, as defined in this subsection, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation, limited liability company, or trust lands and no more than 3 authorizations will be requested per county for partnership lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder/member combination permit shall be free to resident shareholders/members/beneficiaries/partners, and the cost to non-resident shareholders/members/beneficiaries/partners shall be ~~\$150~~\$70. Non-resident partners cannot receive permits under this subsection.

- 1) Bona fide equity shareholder means an individual who:
- A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
 - B) intends to retain the ownership of the shares of stock for at least 5

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years.

- 2) Bona fide equity member means an individual who:
 - A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act; and
 - B) intends to retain the membership for at least 5 years.
- 3) Bona fide current income beneficiary means an individual who, at the time of application for a permit, is entitled to income (whether income exists or not) from the trust that owns the land the applicant wishes to hunt with no condition precedent (such as surviving another person, reaching a certain age, etc.) other than the trustee distributing the income, and is listed by name in the trust documents as an income beneficiary.
- 4) Bona fide equity partner means an individual who:
 - A) became a partner, either general or limited, upon the formation of the partnership; or has purchased a distributional interest in the partnership or limited partnership for a value equal to the percentage of the appraised value of the partnership assets represented by the distributional interest in the partnership;
 - B) intends to retain ownership of the partnership for at least 5 years; and
 - C) is a resident of Illinois.
- f) The application period for these permits will be publicly announced. Applicants submitting applications for a [landowner/shareholder/member/beneficiary/partner](#)~~landowner or shareholder~~ archery permit after September 1 will not be guaranteed a permit by October 1.
- g) Providing false information on a permit application is a Class A misdemeanor

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(see 520 ILCS 5/2.38).

(Source: Amended at 30 Ill. Reg. 12196, effective June 28, 2006)

Section 670.30 Statewide Legal Bow and Arrow

- a) The only legal hunting devices to take, or attempt to take, deer are: a long, recurved, or compound bow with minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches, and broadheads must be used. Broadheads may have fixed or expandable blades, but they must be a minimum $\frac{7}{8}$ inch in diameter when fully opened. Broadheads with fixed blades must be metal or flint-, chert-, or obsidian-knapped; broadheads with expandable blades must be metal. All other bows and arrows, including electronic arrow tracking systems, are illegal.
- b) A crossbow device is illegal except as provided by Section 2.26 of the Wildlife Code [520 ILCS 5/2.26]. It is unlawful to carry any firearm or sidearm while hunting deer with a bow and arrow.
- c) Any mechanical device capable of maintaining a drawn or partially drawn position on a bow without the hunter exerting full string tension is illegal, [unless authorized for eligible disabled persons by 17 Ill. Adm. Code 760](#)~~except as noted in subsection (b) above.~~
- d) Use of an unlawful device is a Class B misdemeanor (see 520 ILCS 5/2.24), except that unlawful use of a crossbow is a Class A misdemeanor with a minimum \$500 and maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(o)).

(Source: Amended at 30 Ill. Reg. 12196, effective June 28, 2006)

Section 670.40 Statewide Deer Hunting Rules

- a) The bag limit is one deer per legally authorized either-sex, antlered-only or antlerless-only permit. All either-sex permits and antlered-only permits are subject to the following restriction: no hunter, regardless of the quantity or type of permits in his/her possession, may harvest more than 2 antlered deer during a year, including the archery, muzzleloader and firearm seasons. For purposes of this subsection, deer seasons are considered to be in the same year if their opening dates fall within the same 12-month period that begins on July 1. A hunter in

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possession of an either-sex permit after having harvested 2 antlered deer during a year, as defined above, may only use the permit to harvest an antlerless deer. Subject to this restriction, an either-sex permit holder is allowed to take a deer with or without antlers; and an antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless-only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.

- b) Recipients of any type of Archery Deer Hunting Permit shall record their signature on the permit prior to hunting and must carry it on their person while hunting. ~~In addition, holders of combination permits (consisting of both either-sex and antlerless-only tags on a single form) shall record their name and complete address on the tag portions of their permit in the spaces provided prior to hunting.~~
- c) The temporary harvest tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer in the manner prescribed on the permit.
- d) Hunters shall not have in their possession, while in the field during archery deer season, any deer permit issued to another person (permits are non-transferable).
- e) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter. For those hunters participating in DNR's Chronic Wasting Disease Surveillance Program, a free permit will be made available (during either the current year or the subsequent year, at the discretion of the hunter) if their tested deer is determined to have chronic wasting disease.
- f) Unlawful take or possession of one deer is a Class B misdemeanor (see 520 ILCS 5/2.24); unlawful take or possession of two or more deer in a 90-day period is a Class 4 felony (see 520 ILCS 5/2.36a); unlawful take or possession of 2 or more deer as a single act or single course of conduct is a Class 3 felony (see 520 ILCS 5/2.36a); and any other violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. Reg. 12196, effective June 28, 2006)

Section 670.50 Rejection of Application/Revocation of Permits

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- a) In the event that an applicant for one of the permits available from the Permit Office is in violation of one of subsections (a)(1)-(4), in addition to other penalties the application shall be held in suspension, and any application fees shall be deposited, pending a determination by the permit office of whether the violation was knowing. If the permit office determines the violation was knowing, the application shall be rejected and any fee collected shall be retained by DNR. The applicant may request a hearing on this decision pursuant to 17 Ill. Adm. Code 2530. Should it be determined that the violation was without the knowledge of the applicant, the permit office will process only the number of applications allowed by Section 670.20 or 670.21 with additional applications rejected and fees returned.
- 1) Using a hunting rights lease, mineral rights lease or other lease for land that does not evidence a genuine farm tenancy to obtain an archery deer permit;
 - 2) Submitting more applications in the same name or by the same person for an archery deer permit than allowed for in Section 670.20 or 670.21;
 - 3) Providing false and/or deceptive information on the deer permit application form;
 - 4) Submitting an application when the applicant has a license or permit currently revoked pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36].
- b) In the event that the purchaser of ~~an over-the-counter combination~~ archery deer permit is in violation of one of subsections (b)(1) or (2), the permit will be revoked in addition to any other penalties. The applicant may request a hearing on this decision pursuant to 17 Ill. Adm. Code 2530.
- 1) Providing false and/or deceptive information on the deer permit form, which is a Class A misdemeanor (see 520 ILCS 5/2.38).
 - 2) Purchasing an archery deer permit when the applicant has a license or permit currently revoked pursuant to Section 3.36 of the Wildlife Code, which is a Class A misdemeanor (see 520 ILCS 5/3.36).
- c) Any violations of the Wildlife Code [520 ILCS 5] or administrative rules of the

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Department (17 Ill. Adm. Code, Chapter I), in addition to other penalties, may result in revocation of deer hunting permits as per 17 Ill. Adm. Code 2530.

(Source: Amended at 30 Ill. Reg. 12196, effective June 28, 2006)

Section 670.55 Reporting Harvest

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at <http://dnr.state.il.us/vcheck>. The hunter will be provided with a confirmation number to verify that he or she checked in the harvest. This number must be written by the hunter onto the temporary harvest tag (leg tag). [If the condition of the tag precludes writing on the tag in the appropriate space \(i.e., bloody, etc.\), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag.](#) The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:
- 1) For a buck: head with antlers attached to carcass, or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass, or attached udder (mammary) or vulva.
- b) The temporary harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer, the deer has been checked in, and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist. If the carcass is taken to a meat processor, the temporary harvest tag (leg tag) with confirmation number must remain with the deer while it is processed, and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written

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certification by the person from whom the deer was received that the specimen was legally taken or obtained.

- c) Site specific reporting requirements must be followed in addition to this Section.
- d) Failure to follow this Section constitutes illegal possession of deer, which is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. Reg. 12196, effective June 28, 2006)

Section 670.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.
- b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within archery range of one or more participating hunters.
- c) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that tree stands may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- e) Where standby hunters are used to fill quotas, a drawing will be held at sites indicated by a (3).
- f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).

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h) Statewide regulations shall apply at the following sites:

- * Anderson Lake Fish and Wildlife Area (2)
Apple River Canyon State Park – Thompson and Salem Units (2)
Argyle Lake State Park (2)
- * Banner Marsh Fish and Wildlife Area (2)
- * Beall Woods State Park (~~closed during the special site firearm deer seasons; antlerless deer only~~) (1) (2)
- * Big Bend State Fish and Wildlife Area (1) (2)
Big River State Forest (2)
Cache River State Natural Area (1) (2)
Campbell Pond Fish and Wildlife Area (1) (2)
Carlyle Lake Lands and Waters (Corps of Engineers managed lands)
Carlyle Lake Wildlife Management Area (except subimpoundment area is closed 7 days prior to and during the regular waterfowl season; lands bounded on the east by "C" levee, south by "D" levee, west by ACOE property line, and including the posted area west of parking lot #2, will be open the entire archery deer hunting season)
Castle Rock State Park (1) (2)
[Cedar Glen State Natural Area \(no hunting after December 15\) \(1\) \(2\)](#)
Crawford County Conservation Area (1) (2)
Cypress Creek National Wildlife Refuge
Cypress Pond State Natural Area (1) (2)
Deer Pond State Natural Area (1) (2)

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Devil's Island Wildlife Management Area

Dixon Springs State Park (1) (2)

Dog Island Wildlife Management Area (1) (2)

- * Eldon Hazlet State Park (Hunting is only permitted north of Allen Branch, north of Hazlet Park Road between the park boundary and its intersection with Allen Branch Road, north of Allen Branch Road between its intersection with Hazlet Park Road and Allen Branch Boat Access Area, and west of Peppenhorst Branch. Hunting is not permitted in the controlled pheasant area during the site's controlled pheasant season (except on days when controlled pheasant hunting is closed) and the five consecutive days following the site's controlled pheasant season, or in the North Allen Branch Waterfowl Management Unit after the opening of the statewide waterfowl season. Additionally, a limited hunting opportunity exists for persons with disabilities west of the main park road going towards the Illini Campground. Disabled hunters as defined in 520 ILCS 5/3.1(c) may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from pre-determined locations. Disabled hunters may hunt during the statewide archery season as described in Section 670.10, except on days when the site's controlled pheasant hunting is open and the 5 consecutive days following the site's controlled pheasant season.) (2)

Falling Down Prairie (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (1) (2)

[Fort Kaskaskia State Historic Site \(opens November 1; antlerless deer only\) \(2\)](#)

Fort Massac State Park (1) (2)

Franklin Creek State Natural Area ([antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season](#)~~antlerless only, except in Zone A from November 1 through the end of the archery~~)

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~~season, deer bow hunters may take an antlered deer) (2)~~

George S. Park Memorial Woods State Natural Area (2)

Giant City State Park (1) (2)

Green River State Wildlife Area (1) (2)

Hanover Bluff State Natural Area (2)

Horseshoe Lake Conservation Area – Alexander County (Controlled Goose Hunting Area – open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1) (2)

~~I-24 Wildlife Management Area (1) (2)~~

Ilo Dillin State Habitat Area (hunting allowed during October only) (2)

Iroquois County State Wildlife Area/Hooper Branch only (1) (2)

* Jubilee College State Park (2)

Kankakee River State Park (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season; a limited hunting opportunity for persons with disabilities, Class P2A, exists at the Davis Creek Bike Trail Area; disabled hunters must register to hunt at the site office and must sign in and out daily; disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during the disabled hunting season (November 1 to the day before the first firearm deer season, except campground blinds will remain open until the close of the archery deer season and do not require a partner to hunt)) (2)

Kaskaskia River Fish and Wildlife Area (no hunting within 50 yards of the Baldwin Lake Waterfowl Rest Area's main north-south road; within this defined waterfowl rest area and during the current year archery season, hunters must take an antlerless deer before taking an antlered deer; this

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defined waterfowl rest area is closed until the observed Columbus Day holiday (1) (2 – ~~)(except south of Highway 154 and north of Highway 13)~~)

Kidd Lake State Natural Area (1)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Kishwaukee River State Fish and Wildlife Area (2)

Lake Le Aqua Na State Park (antlerless deer only; November 1-30; hunting hours legal opening until 10:00 a.m.) (2)

Lincoln Trail State Park (November 1 through the end of statewide season; an antlerless deer must be taken on the site before an antlered deer is harvested) (2)

Lowden-Miller State Forest (1) (2)

Mackinaw River Fish and Wildlife Area (1) (2)

Marseilles Fish and Wildlife Area (closed Friday, Saturday, and Sunday in October only) (all tree stands must be removed from this area no later than the last day of the season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2)

Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (2)

Maytown Pheasant Habitat Area (hunting allowed during October only) (2)

Mazonia/Braidwood State Fish and Wildlife Area (2) (4)

Mermet Lake Conservation Area (1) (2)

Miller-Anderson Woods State Natural Area Nature Preserve (antlerless deer only; season ends the day before the second firearm deer season begins) (2)

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Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 (Batchtown, Crull Hollow, and Godar Rest Areas reopen to hunting the day after duck season closes) (1)

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Mitchell's Grove Nature Preserve (antlerless deer only [in October; either-sex deer from November 1 until the end of the statewide season](#); closed during the ~~muzzleloadingspecial-site-firearm~~ deer ~~season~~seasons; ~~deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange during the statewide firearm deer seasons~~) (2)

[Momence Wetlands State Natural Area \(1\) \(2\)](#)

* [Mt. Vernon Propagation Center \(1\) \(2\)](#)

Nauvoo State Park (Max Rowe Unit Only)

Oakford Conservation Area

* Peabody River King State Fish and Wildlife Area (East and North subunits close November 1) (1) (2)

Pere Marquette State Park (area east of Graham Hollow Road) (1) (2)

Pyramid State Park ~~(1)~~(2) (4)

* Randolph County Conservation Area (1) (2)

Ray Norbut Fish and Wildlife Area (2)

* Red Hills State Park (1) (2)

Rend Lake [Fish and Wildlife Area and Corps of Engineers managed areas](#)

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of Rend Lake (an antlerless deer must be taken on the site before an antlered deer is harvested)~~Project Lands and Waters~~ (1)

Rend Lake Fish and Wildlife Area~~Project Lands and Waters~~ (refuge only (south of site headquarters) from October 1 through October 31; an antlerless deer must be taken on the site before an antlered deer is harvested) (1) (2)

- * Rice Lake Fish and Wildlife Area (2)
- * Rock Cut State Park (only during the special firearm deer hunt on the site; hunting from DNR established blind sites only; hunting limited to holders of Class P2A disability cards and escorts) (2) (3)

~~Sahara Woods (1) (2)~~

Saline County Fish and Wildlife Area (1) (2)

- * Sam Parr State Park (1) (2)

Sandy Ford State Natural Area (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; archery deer hunting is closed during the muzzleloader deer season)~~Land and Water Reserve~~ (2)

Sangamon County Conservation Area

Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1)

- * Shabbona Lake State Park (2)

Sielbeck Forest Natural Area (1) (2)

Siloam Springs State Park (Fall Creek Unit)

- * Silver Springs State Park (2)

Skinner Farm State Habitat Area (1) (2)

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Spoon River State Forest (1) (2)

- * Starved Rock State Park/Matthiessen State Park/Margery C. Carlson Nature Preserve (~~hunting allowed only in Zone A;~~ antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; closed during the special site firearm deer seasons; deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange during the statewide firearm deer seasons; open to archery deer hunting during the statewide firearm deer season only in Zone A~~archery deer hunting is closed during the muzzleloader deer season~~) (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Controlled Goose Hunting Area – closed 7 days prior to the quota zone goose season through the close of the quota zone goose season) (1) (2)

Walnut Point Fish and Wildlife Area (1)

Wards Grove Nature Preserve (closed during the statewide Youth Deer Hunting Season and Muzzleloader Deer Hunting Seasons; antlerless deer only) (2)

- * Washington County Conservation Area (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season) (1) (2)

Weinberg-King State Park (2)

Weinberg-King State Park – Cecil White Unit

Weinberg-King State Park – Spunky Bottoms Unit (resident hunters only) (2)

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White Pines Forest State Park (antlerless deer only in October, either-sex deer from November 1 through the end of archery season; hunting allowed on Mondays, Tuesdays, Wednesdays and Thursdays only – excluding official State holidays and the Thursday of the second portion of the statewide firearm deer season; closed during the site's special firearm deer seasons) (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (opens October 15) (2)

- i) Statewide regulations shall apply at the following sites except that hunter quotas shall be filled by mail-in drawing:

Beaver Dam State Park

Horseshoe Lake State Park (Madison County) (hunting in designated areas at peninsula only; hunting will close at end of regular duck season) (1)

Hurricane Creek Habitat Area (hunter quotas filled by drawing; must have Fox Ridge site permit to be eligible)

~~Momence Wetland ((1) during permitted season only)~~

Pere Marquette State Park (hunting allowed in group camping areas only; season begins the first weekday after camps close)

Union County Conservation Area (refuge only; open first Friday, Saturday and Sunday in November)

- j) State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1)

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Clinton Lake State Recreation Area ([an antlerless deer must be taken on the site before an antlered deer is harvested](#)) (1)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (closed to archery deer hunting during the site's upland game hunting season) (2)

Des Plaines Game Propagation Center (2)

- * Eagle Creek State Park (disabled hunters are exempt from site's antler restrictions) (4)

Fox Ridge State Park (1)

[French Bluff State Natural Area](#)

Goose Lake Prairie State Natural Area/Heidecke State Fish & Wildlife Area

Hamilton County Conservation Area (1)

Harry "Babe" Woodyard State Natural Area (4)

Hidden Springs State Forest (1)

- * Horseshoe Lake State Park (Madison County – Gaberet, Mosenthein and Chouteau Island Units)

~~Kankakee River State Park (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season. Additionally, a limited hunting opportunity for persons with disabilities exists at the Davis Creek Bike Trail Area. Disabled hunters, as defined in 520 ILCS 5/3.1(e), may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during disabled hunting season (the first Friday in November to the day before the first firearm deer season, except two blinds will be available until the close of the archery deer season))~~

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Kickapoo State Park

Mautino State Fish and Wildlife Area (1)

~~Mazonia/Braidwood State Fish and Wildlife Area (4)~~

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters) (1)

Middle Fork Fish and Wildlife Area

- * Mississippi Palisades State Park (November 1 through December 31; closed during the first firearm deer season) (1)

Newton Lake Fish and Wildlife Area (check deer at site office)

- * Pekin Lake Fish and Wildlife Area (1)

Pyramid State Park – Captain Unit ~~(1)~~(4)

Pyramid State Park – Denmark Unit ~~(1)~~(4)

Pyramid State Park – East Conant Unit ~~(1)~~(4)

Pyramid State Park – Galum Unit ~~(1)~~(4)

Ramsey Lake State Park (1)

- * Sam Dale Lake Conservation Area (1)

Sand Ridge State Forest

Shelbyville Wildlife Management Area (1)

- * Siloam Springs State Park – Buckhorn Unit (resident hunters only) (2) (4)

Snakeden Hollow Fish and Wildlife Area (October 1 through start of the central zone goose season)

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* Spring Lake Fish and Wildlife Area (1)

* Stephen A. Forbes State Park (1)

Ten Mile Creek Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1); Belle Rive Unit only (4)

~~Volo Bog State Natural Area (hunting only from November 1 through December 31; Monday through Wednesday only; except State holidays) (2)~~

Weinberg-King State Park – Scripps Unit (resident hunters only) (2)

k) Statewide regulations shall apply except that no hunting is permitted Wednesday through Sunday of the site's permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes Tuesday following the close of the permit pheasant hunting season; season reopens on December 26 till close of regular season; an antlerless deer must be taken on site before an antlered deer is harvested) (2) (3)

Iroquois County Conservation Area (2)

Johnson Sauk Trail State Recreation Area (1) (2)

Moraine View State Park (1)

Wayne Fitzgerald State Recreation Area (no bowhunting during controlled hunts as posted at the site) (1) (2)

l) Statewide regulations shall apply at the following sites except that:

1) Nonresident hunter quotas shall be filled by mail-in drawing. Information about specific drawing dates and application procedures will be publicly announced. Successful applicants will be issued a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting

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privileges at that site for the following year.

- 2) Resident hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (4)

- * Sangchris Lake State Park (an antlerless deer must be taken on site before an antlered deer is harvested; site will be closed to archery deer hunting during the second firearm deer season) (1) (2) (4)

Siloam Springs State Park (2) (4)

~~Wolf Creek State Park (an antlerless deer must be taken on the site before an antlered deer is harvested) (2) (4)~~

- m) Statewide regulations shall apply at this site except that:

Hunter quotas for specific periods shall be filled by mail-in drawing. Only Illinois residents are eligible to apply. Information about drawing dates and application procedures will be publicly announced. Successful applicants will be issued a permit for the time period specified. This permit must be in possession while hunting and returned by February 15 to the site office. Failure to return the permit shall result in the forfeiture of hunting privileges at this site for the following year.

Moraine Hills State Park (an antlerless deer must be taken on the site before an antlered deer is harvested)

Sahara Woods State Fish and Wildlife Area (Illinois residents and non-residents are eligible for the drawing) (1) (2)

Volo Bog State Natural Area (an antlerless deer must be taken on the site before an antlered deer is harvested)

Weldon Springs State Park – Piatt County Unit (an antlerless deer must be taken on the site before an antlered deer is harvested)

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[Wolf Creek State Park \(an antlerless deer must be taken on the site before an antlered deer is harvested; Illinois residents and non-residents are eligible for the drawing\) \(2\) \(4\)](#)

- n) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 30 Ill. Reg. 12196, effective June 28, 2006)

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- 1) Heading of the Part: Youth Hunting Seasons
- 2) Code Citation: 17 Ill. Adm. Code 685
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
685.50	Amendment
685.110	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36]
- 5) Effective Date of Amendments: June 28, 2006
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5899; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to add language pertaining to recording of confirmation numbers on damaged harvest tags and to update regulations and site information for youth waterfowl hunting.
- 16) Information and questions regarding these adopted amendments shall be directed to:

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Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 685
YOUTH HUNTING SEASONS

Section

685.10	Statewide Season for White-Tailed Deer Hunting
685.20	Statewide Deer Permit Requirements
685.30	Statewide Firearm Requirements for Hunting the Youth Deer Season
685.40	Statewide Deer Hunting Rules
685.50	Reporting Harvest of Deer
685.60	Rejection of Application/Revocation of Deer Permits
685.70	Regulations at Various Department-Owned or -Managed Sites
685.80	Youth White-Tailed Deer Hunt
685.90	Heritage Youth Wild Turkey Hunt – Spring Season (Repealed)
685.100	Youth Pheasant Hunting (Repealed)
685.110	Youth Waterfowl Hunting
685.120	Youth Dove Hunting (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 20 Ill. Reg. 12452, effective August 30, 1996; amended at 21 Ill. Reg. 14548, effective October 24, 1997; amended at 25 Ill. Reg. 6904, effective May 21, 2001; amended at 26 Ill. Reg. 4418, effective March 11, 2002; amended at 26 Ill. Reg. 13828, effective September 5, 2002; amended at 27 Ill. Reg. 14332, effective August 25, 2003; amended at 29 Ill. Reg. 20469, effective December 2, 2005; amended at 30 Ill. Reg. 12222, effective June 28, 2006.

Section 685.50 Reporting Harvest of Deer

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at <http://dnr.state.il.us/vcheck>. They will be provided with a confirmation number to verify that they checked in their harvest. This number must be written by the hunter on the harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer

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along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:

- 1) For a buck: head with antlers attached to carcass or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass or attached udder (mammary) or vulva.
- b) The harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist's. If the carcass is taken to a meat processor, the harvest tag (leg tag) with confirmation number must remain with the deer while it is processed and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.
- c) Site specific reporting requirements must be followed in addition to this Section.
- d) Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 30 Ill. Reg. 12222, effective June 28, 2006)

Section 685.110 Youth Waterfowl Hunting

- a) Permit Requirements
 - 1) Permit reservations shall be accepted starting in September. Initial acceptance dates shall be publicly announced. Applicants must be between the ages of 10-15 inclusive on the date of the hunt.

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- 2) Only one permit per person shall be issued for the hunt on the first weekday after December 26 other than a Monday at Horseshoe Lake Conservation Area (Alexander County) and Union County Conservation Area and on the Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 at Donnelley/DePue State Wildlife Area (3 "i" unit), and on the first weekend and third Saturday of the Illinois Central Zone Waterfowl season at Donnelley State Wildlife Area, and on the second Sunday in November of the Illinois Central Zone Waterfowl season at Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit.
 - 3) The permit shall be for the use of the entire blind and it shall be the responsibility of the permit holder to bring one supervising adult who may also hunt. The supervising adult shall be criminally liable for the actions of the youth in the hunting party, and be subject to the criminal penalties provided by law.
 - 4) Permit reservations and transferability.
 - A) All duplicate permit reservations shall be rejected and the hunter shall forfeit his rights to a permit. Permits are not transferable. Previous participants are ineligible to apply for a permit.
 - B) For other information write to:

Illinois Department of Natural Resources
Youth Waterfowl Hunt
One Natural Resources Way
P.O. Box 19457
Springfield IL 62794-9457
 - 5) Permits for the Illinois Youth Waterfowl Hunt will be issued from the Springfield Permit Office.
- b) General Waterfowl Hunting Regulations at the Youth Waterfowl Hunting Areas
- 1) Hours, Permits and Stamp Charges
 - A) Hunting hours at Horseshoe Lake (Alexander County) and Union County are from legal opening until 12:00 Noon on the day of the

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Youth Goose Hunt. Hunting hours at Donnelley/DePue State Wildlife Area (3 "i" Unit), Banner Marsh State Fish and Wildlife Area, [Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit](#) and Snakeden Hollow State Fish and Wildlife Area are from statewide opening to 1:00 p.m. on the days of the youth waterfowl hunts.

- B) At Union County Conservation Area, Horseshoe Lake Conservation Area (Alexander County) and Snakeden Hollow State Fish and Wildlife Area, hunters with Illinois Youth Waterfowl Hunt Permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held on the morning of the hunt to allocate blind sites.
- C) At Donnelley/DePue State Wildlife Area (3 "i" Unit) and Banner Marsh Fish and Wildlife Area, hunters with Illinois Youth Waterfowl Hunt Permit reservations are required to check in one hour before shooting time. The blinds will be allocated by drawing. For the youth hunts other than the Illinois Youth Waterfowl Hunt, hunters with permit reservations must check in at the check station no later than one hour before shooting time or the permit is void.
- D) [At Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit, hunters with Illinois Youth Waterfowl Permit reservations are required to check-in at the check station no later than one hour before legal shooting time, after which time permits are void. A drawing shall be held on the morning of the hunt to allocate blind sites.](#)
- ED) There is no fee for the Illinois Youth Waterfowl Hunting Permit.
- 2) Hunting must be done from assigned blinds only and hunters, unless authorized, shall not move from blind to blind or leave the blind and return.
- 3) Guns must be unloaded and encased at all times when not hunting.
- 4) At Union County Conservation Area, Horseshoe Lake Conservation Area

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(Alexander County) and Snakeden Hollow State Fish and Wildlife Area, each youth shall not possess more than 25 shells. Each adult shall not possess more than 5 shells for each Canada goose allowed in the daily bag. Hunters without their guns may leave the blind to retrieve crippled waterfowl.

- 5) Each youth and supervising adult may be accompanied by a non-hunting guide. The maximum number of people in a blind is two hunting youth, two non-hunting adults and a non-hunting guide.
- 6) At Rend Lake, hunters participating in the youth hunt must sign in and out, no entry into subimpoundments before 4:30 a.m. and must be out of subimpoundments by 2:00 p.m.

c) Special Hunts

If, by regulation published in the Federal Register, the U.S. Fish and Wildlife Service sets any special dates for youth-only waterfowl hunting, the Department shall, by public announcement, open those Department sites that, under the circumstances prevailing at the time, the Department believes may be opened without unduly disturbing other Department programs.

- d) Violations of this Section are Class B misdemeanors (see 520 ILCS 5/2.18), except that hunting prior to ½ hour before sunrise is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 30 Ill. Reg. 12222, effective June 28, 2006)

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- 1) Heading of the Part: Squirrel Hunting
- 2) Code Citation: 17 Ill. Adm. Code 690
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
690.10	Amendment
690.30	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5]
- 5) Effective Date of Amendments: June 28, 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 all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5906; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to change the season dates to "August 1 through February 15" and to update the list of sites open for hunting and to update site-specific regulations.
- 16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

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Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 690
SQUIRREL HUNTING

Section

690.10	Hunting Seasons
690.20	Statewide Regulations
690.30	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8017, effective July 24, 1981; codified at 5 Ill. Reg. 10642; emergency amendment at 5 Ill. Reg. 11382, effective October 14, 1981, for a maximum of 150 days; emergency expired March 12, 1982; amended at 6 Ill. Reg. 9642, effective July 21, 1982; amended at 7 Ill. Reg. 8809, effective July 15, 1983; emergency amendment at 7 Ill. Reg. 9690, effective August 1, 1983, for a maximum of 150 days; emergency expired December 29, 1983; amended at 8 Ill. Reg. 16789, effective August 30, 1984; amended at 9 Ill. Reg. 11614, effective July 16, 1985; amended at 10 Ill. Reg. 15601, effective September 16, 1986; amended at 11 Ill. Reg. 9549, effective May 5, 1987; amended at 12 Ill. Reg. 12246, effective July 15, 1988; amended at 13 Ill. Reg. 10606, effective June 15, 1989; amended at 14 Ill. Reg. 10816, effective June 20, 1990; amended at 15 Ill. Reg. 10012, effective June 24, 1991; amended at 16 Ill. Reg. 11087, effective June 30, 1992; amended at 17 Ill. Reg. 10842, effective July 1, 1993; amended at 18 Ill. Reg. 8624, effective May 31, 1994; amended at 19 Ill. Reg. 10664, effective July 1, 1995; amended at 20 Ill. Reg. 10882, effective August 5, 1996; amended at 21 Ill. Reg. 9095, effective June 26, 1997; amended at 22 Ill. Reg. 14844, effective August 3, 1998; amended at 23 Ill. Reg. 9074, effective July 28, 1999; amended at 24 Ill. Reg. 8947, effective June 19, 2000; amended at 25 Ill. Reg. 9903, effective July 17, 2001; amended at 26 Ill. Reg. 13845, effective September 5, 2002; amended at 27 Ill. Reg. 12640, effective July 21, 2003; amended at 28 Ill. Reg. 11893, effective July 27, 2004; amended at 29 Ill. Reg. 9786, effective June 27, 2005; amended at 30 Ill. Reg. 12229, effective June 28, 2006.

Section 690.10 Hunting Seasons

Season dates: August 1 through ~~February 15~~~~January 20~~ (except closed during firearm deer seasons, as set by 17 Ill. Adm. Code 650, in those counties open to firearm deer hunting). Hunting outside the set season dates is a petty offense (see 520 ILCS 5/2.28).

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(Source: Amended at 30 Ill. Reg. 12229, effective June 28, 2006)

Section 690.30 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive. Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.28).
- b) Hunting with .22 caliber or smaller rimfire firearms or muzzleloading black powder rifles is allowed at those sites listed in the following subsections that are followed by a (1).
- c) Check-in, check-out and reporting of harvest is required at those sites listed in the following subsections that are followed by a (2).
- d) Statewide regulations apply at the following sites:
 - Anderson Lake Conservation Area (2)
 - Apple River Canyon State Park – Salem and Thompson Units (2)
 - Argyle Lake State Park (2)
 - Big Bend State Fish and Wildlife Area (2)
 - Big River State Forest (2)
 - Cache River State Natural Area (1) (2)
 - Campbell Pond Wildlife Management Area
 - Carlyle Lake Lands and Waters – Corps of Engineers managed lands (1)
 - Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) (1)
 - Chain O'Lakes State Park (opens Wednesday after permit pheasant season for 5 consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00

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p.m.; daily quota filled on first come-first served basis; DNR issued back patch must be worn while hunting; only shot size of No. 3 steel, No. 4 bismuth, No. 5 tungsten-iron, tungsten-matrix, tungsten-polymer or smaller may be used) (2)

Crawford County Conservation Area (1) (2)

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (1) (2)

Eldon Hazlet State Park (north of Allen Branch (2); and west of Peppenhorst Branch only)

Falling Down Prairie (2)

Ferne Clyffe State Park – Cedar Draper Bluffs Hunting Area (1) (2)

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only) (1) (2)

Fort Massac State Park (2)

Hanover Bluff State Natural Area (2)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season; [the defined Baldwin Lake Waterfowl Rest Area is closed](#)) (1) (2)

Kinkaid Lake Fish and Wildlife Area (1)

Lowden-Miller State Forest (hunting allowed from September 1 through September 30 only; hunting allowed only on the southern one-half of the site) (1) (2)

Marseilles State Fish and Wildlife Area (Monday through Thursday only)

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through October 31; during August, hunting allowed west of E. 2450 Road only; [open daily November 1 through the end of the site archery deer season; closed during the site firearm and muzzleloading deer seasons; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots](#)) (2)

Marshall State Fish and Wildlife Area [\(1\)](#)(2)

Mermet Lake Conservation Area (non-toxic shot only in waterfowl areas; squirrel hunting closes after September 30, except in upland game area) (1) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) (1)

Mississippi River Pools 16, 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Morrison Rockwood State Park (opens November 1 and closes the Thursday before the first statewide firearm deer season) (1) (2)

Nauvoo State Park (Max Rowe Unit only)

Oakford Conservation Area (1)

Peabody River King State Fish and Wildlife Area (east and north subunits close November 1) (2)

Randolph County Conservation Area (2)

Ray Norbut State Fish and Wildlife Area (1) (2)

Red Hills State Park (2)

Rend Lake Project Lands and Waters (1)

Sahara Woods State Fish and Wildlife Area (1) (2)

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Saline County Fish and Wildlife Area (1) (2)

Sam Dale Lake Conservation Area (2)

Sam Parr State Park (2)

Sangamon County Conservation Area

Shawnee National Forest – Oakwood Bottoms (non-toxic shot only) (1)

Sielbeck Forest Natural Area (1) (2)

Skinner Farm State Habitat Area (2)

Spoon River State Forest (1) (2)

Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2)

Walnut Point Fish and Wildlife Area (1) (2)

Washington County Conservation Area (2)

Weinberg-King State Park (1) (2)

Weinberg-King State Park – Cecil White Unit

Weinberg-King State Park – Scripps Unit (1) (2)

Weinberg-King State Park – Spunky Bottoms Unit (1) (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (opens after second firearm deer season)
(2)

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- e) Season dates shall be the day following Labor Day through the end of the statewide season at the following sites:
- Ferne Clyffe State Park – Ferne Clyffe Hunting Area (2)
 - Giant City State Park (rimfire cartridges allowed in Union County portion; no rimfire cartridges allowed in Jackson County portion only) (1) (2)
 - Hamilton County Conservation Area (2)
 - Pere Marquette State Park (2)
 - Pyramid State Park (2)
 - Siloam Springs State Park (2)
- f) Season dates shall be the day after Labor Day through September 30 at the following sites:
- Johnson-Sauk Trail State Park ([season reopens the day after the archery deer season closes and remains open until the end of the statewide season](#)) (2)
 - Jubilee College State Park (2)
 - Kankakee River State Park (2)
 - Sangchris Lake State Park (2)
 - Silver Springs State Park (2)
 - Spring Lake Fish and Wildlife Area (2)
- g) Statewide regulations apply at the following sites, except that hunters must obtain a free permit from the Department and variations in season dates are in parentheses. Permits must be in possession while hunting. The permit must be returned and harvest reported by [March](#)~~February~~ 15 or the hunter will forfeit privileges at that site for the following year:

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Chauncey Marsh (permit may be obtained at Red Hills State Park Headquarters) (1)

Clinton Lake State Recreation Area – North Fork Management Area, North of the County Road at the North Fork Boat Ramp and handicapped upland game area (1)

Coffeen Lake State Fish and Wildlife Area (statewide opening through September 30)

Fox Ridge State Park (1)

Harry "Babe" Woodyard State Natural Area

Hidden Springs State Forest (.22 rimfire firearms and muzzleloading blackpowder rifles prohibited until October 1) (1)

Horseshoe Lake State Park – Gabaret, Mosenthein and Chouteau Island Units (Madison County)

Hurricane Creek Habitat Area (season closes October 31)

Jim Edgar Panther Creek State Fish and Wildlife Area (the Quality Unit and Controlled Unit close October 31) (1)

Kickapoo State Park (season opens day after Labor Day)

Lake Shelbyville – Eagle Creek State Park (closes opening day of site's pheasant season)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (1)

Matthiessen State Park (season opens on statewide opening day and closes the day before the archery deer season opens; permits available at the Starved Rock State Park office; hunting in designated areas only)

Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters)

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Middle Fork Fish and Wildlife Area (season opens day after Labor Day)

Momence Wetlands (season opens day after Labor Day; closes September 30; shotgun only, non-toxic shot only)

Moraine View State Park

Newton Lake Fish and Wildlife Area (closes September 30)

Pyramid State Park – Captain Unit (1)

Pyramid State Park – Denmark Unit (1)

Pyramid State Park – East Conant Unit (1)

Pyramid State Park – Galum Unit (1)

Ramsey Lake State Park

Sand Ridge State Forest (closes October 31) (1)

Sanganois State Fish and Wildlife Area (1)

Siloam Springs State Park – Buckhorn Unit (1) (2)

Ten Mile Creek Fish and Wildlife Area (1)

- h) Season dates shall be statewide opening through September 30 at the following sites:

Beaver Dam State Park (2)

Castle Rock State Park (2)

Iroquois County Wildlife Management Area (1) (2)

Mackinaw State Fish and Wildlife Area (2)

Mt. Vernon Game Propagation Center (2)

Sandy Ford Land and Water Reserve (2)

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Weldon Springs – Piatt County Unit (2)

Woodford County Fish and Wildlife Area (2)

- i) Season dates shall be statewide opening through October 31 at the following sites:

Green River State Wildlife Area (2)

Horseshoe Lake Conservation Area (season on the controlled goose hunting area shall close October 31, remainder of the public hunting area statewide season; non-toxic shot only) (1)

Union County Conservation Area (season on the controlled goose hunting area closes October 31; firing line unit – statewide closing; non-toxic shot only) (1)

(Source: Amended at 30 Ill. Reg. 12229, effective June 28, 2006)

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- 1) Heading of the Part: The Taking of Wild Turkeys – Fall Archery Season
- 2) Code Citation: 17 Ill. Adm. Code 720
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
720.30	Amendment
720.40	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11]
- 5) Effective Date of Amendments: June 28, 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 all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5917; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to add language identifying illegal bows and to update the list of open sites and site-specific regulations.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price, Legal Counsel

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Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 720
THE TAKING OF WILD TURKEYS – FALL ARCHERY SEASON

Section

720.10	Hunting Seasons and Counties Open to Hunting
720.20	Statewide Turkey Permit Requirements
720.25	Turkey Permit Requirements – Landowner/Tenant Permits
720.30	Turkey Hunting Regulations
720.40	Regulations at Various Department-Owned or -Managed Sites
720.50	Releasing or Stocking of Turkeys (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].

SOURCE: Adopted and codified at 8 Ill. Reg. 7825, effective May 22, 1984; emergency amendments at 8 Ill. Reg. 20086, effective October 12, 1985, for a maximum of 150 days; emergency expired March 2, 1985; amended at 9 Ill. Reg. 14311, effective September 5, 1985; amended at 11 Ill. Reg. 9556, effective May 5, 1987; amended at 12 Ill. Reg. 12254, effective July 15, 1988; amended at 13 Ill. Reg. 12831, effective July 21, 1989; amended at 14 Ill. Reg. 12413, effective July 20, 1990; amended at 15 Ill. Reg. 11611, effective August 2, 1991; amended at 16 Ill. Reg. 11093, effective June 30, 1992; amended at 16 Ill. Reg. 15442, effective September 28, 1992; amended at 17 Ill. Reg. 281, effective December 28, 1992; amended at 17 Ill. Reg. 10850, effective July 1, 1993; amended at 18 Ill. Reg. 10104, effective June 21, 1994; amended at 19 Ill. Reg. 11799, effective August 3, 1995; amended at 20 Ill. Reg. 10890, effective August 5, 1996; amended at 21 Ill. Reg. 9102, effective June 26, 1997; amended at 22 Ill. Reg. 14856, effective August 3, 1998; amended at 23 Ill. Reg. 9082, effective July 28, 1999; amended at 24 Ill. Reg. 8956, effective June 19, 2000; amended at 25 Ill. Reg. 11448, effective August 14, 2001; amended at 26 Ill. Reg. 13867, effective September 5, 2002; amended at 27 Ill. Reg. 12658, effective July 21, 2003; amended at 28 Ill. Reg. 13612, effective September 24, 2004; amended at 29 Ill. Reg. 18345, effective August 26, 2005; amended at 29 Ill. Reg. 18944, effective November 4, 2005; amended at 30 Ill. Reg. 12240, effective June 28, 2006.

Section 720.30 Turkey Hunting Regulations

- a) It is unlawful:

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- 1) to use live or electronic turkey decoys, recorded calls, dogs or bait. An area is considered as baited during the presence of and for 10 consecutive days following the removal of bait;
 - 2) to take, or attempt to take, more than 1 wild turkey per valid permit during the fall archery season (either sex may be harvested);
 - 3) to use any weapon except a long, recurved or compound bow with a minimum pull of 40 pounds at some point within a 28 inch draw. Minimum arrow length is 20 inches, and broadheads must be used. Broadheads may have fixed or expandable blades, but they must have a minimum $\frac{7}{8}$ inch diameter when fully opened. Broadheads with fixed blades must be metal or flint-, chert-, or obsidian-napped; broadheads with expandable blades must be metal. All other bows and arrows, including electronic arrow tracking systems, are illegal. Any mechanical device capable of maintaining a drawn or partially drawn position on a bow without the hunter exerting full string tension is illegal, unless authorized for eligible disabled persons by 17 Ill. Adm. Code 760. Crossbows may be used as provided by 520 ILCS 5/2.33;
 - 4) for any person having taken the limit of wild turkeys to further participate with a weapon in any hunting party for the purpose of taking additional turkeys;
 - 5) for any person to hunt wild turkeys without having a signed Archery Wild Turkey Hunting Permit in possession, except that a person without a weapon may accompany a turkey hunter as a caller or observer;
 - 6) to transport or move a wild turkey without first affixing and properly sealing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey immediately upon kill. No person shall leave any turkey that has been killed without properly attaching the turkey permit around the leg; and
 - 7) to possess, while in the field during archery turkey season, any turkey permit issued to another person.
- b) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the turkey was taken by calling the toll-free telephone check-in system, and will be provided with a confirmation number to verify that they checked in their

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harvest. The confirmation number must be written by the hunter onto the leg tag. The leg tag must remain attached to the leg of the turkey until it is at the legal residence of the person who legally took or possessed the turkey and the turkey has been checked in. The turkey must remain whole (or field dressed) until it has been checked in.

- c) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.9).

(Source: Amended at 30 Ill. Reg. 12240, effective June 28, 2006)

Section 720.40 Regulations at Various Department-Owned or -Managed Sites

Statewide regulations shall apply for the following sites, except those sites designated below by asterisk (*) shall be open to archery turkey hunting without regard to firearm deer season. Those sites followed by (1) require hunters to check in and check out. Violation of a site specific regulation is a Class B misdemeanor (see 520 ILCS 5/2.9). Those sites followed by a (2) require hunters to obtain a permit from the site before hunting:

- * Anderson Lake Conservation Area (1)
- Apple River Canyon State Park – Salem and Thompson Units (1)
- Argyle Lake State Park (1)
- Beaver Dam State Park (2)
- Big Bend State Fish and Wildlife Area (1)
- Big River State Forest (1)
- Cache River State Natural Area (1)
- Campbell Pond Wildlife Management Area
- Carlyle Lake Lands and Waters – Corps of Engineers Managed Lands
- Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)
- Castle Rock State Park (1)

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Chain O'Lakes State Park (closed Wednesday through Sunday of pheasant season; opens Monday prior to pheasant season and closes Tuesday following close of pheasant season; reopens December 26 through the close of regular season) (1)

Chauncey Marsh (permit available at Red Hills State Park) (2)

Clinton Lake State Recreation Area (2)

Coffeen Lake State Fish and Wildlife Area (2)

Crawford County Conservation Area (1)

Cypress Pond State Natural Area (1)

| [Deer Pond State Natural Area \(1\)](#)

Devil's Island State Fish and Wildlife Area

Dixon Springs State Park (1)

Dog Island Wildlife Management Area (1)

Eagle Creek State Park (2)

Falling Down Prairie (1)

Ferne Clyffe State Park (1)

Fort de Chartres Historic Site

| * [Fort Kaskaskia Historic Site \(opens November 1\) \(1\)](#)

Fort Massac State Park (1)

| * Franklin Creek State Park (hunting in designated area only) (1)

Giant City State Park (1)

Green River State Wildlife Area (1)

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Hamilton County Conservation Area (must possess valid site archery permit) (2)

Hanover Bluff State Natural Area (1)

Harry "Babe" Woodyard State Natural Area (2)

Horseshoe Lake Conservation Area (Alexander County) (controlled goose hunting area closed 7 days prior to the Quota Zone goose season through the close of the Quota Zone goose season; remainder of the public hunting area open during the statewide season) (1)
(2)

* Horseshoe Lake State Park – Gabaret, Mosenthein and Chouteau Island Units (Madison County) (2)

Iroquois County State Wildlife Area

Jim Edgar Panther Creek State Fish and Wildlife Area (2)

Johnson-Sauk Trail State Park (closed Wednesday through Sunday during site's pheasant permit season) (1)

Jubilee College State Park (1)

Kaskaskia River State Fish and Wildlife Area ([no hunting within 50 yards of the Baldwin Lake Waterfowl Rest Area's main north-south road; this defined waterfowl rest area is closed until the Columbus Day holiday](#)) (1 – [except south of Highway 154 and north of Highway 13](#))

Kickapoo State Park (2)

Kinkaid Lake Fish and Wildlife Area

Kishwaukee River State Fish and Wildlife Area (1)

Lowden-Miller State Forest (1)

Mackinaw River State Fish and Wildlife Area (1)

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Marseilles State Fish and Wildlife Area (closed each Friday, Saturday, and Sunday in October; [unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots](#)) (1)

Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (1)

* Matthiessen State Park (hunting in designated areas only; must have valid archery deer permit in possession to hunt turkeys; open concurrent with site archery deer season; during the statewide firearm deer seasons, hunters must meet orange clothing requirements) (1)

Mautino State Fish and Wildlife Area (2)

Meeker State Habitat Area (obtain permit at Sam Parr State Park) (2)

Mernet Lake State Fish and Wildlife Area (1)

Middle Fork State Fish and Wildlife Area (2)

Mississippi Palisades State Park (November 1 through December 31) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22 and 24

Moraine View State Park (closed Wednesday through Sunday during site's controlled pheasant season) (2)

Nauvoo State Park (Max Rowe Unit only)

Newton Lake Fish and Wildlife Area (must possess valid site archery permit) (2)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (east and north subunits closed November 1) (1)

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- Pere Marquette State Park (1)
- Pyramid State Park
- Pyramid State Park – East Conant Unit (2)
- * Ramsey Lake State Park (2)
- * Randolph County Conservation Area
- Ray Norbut State Fish and Wildlife Area (1)
- * Red Hills State Park (1)
- * Rend Lake Project Lands and Waters
- Sahara Woods State Fish and Wildlife Area (1)
- Saline County Conservation Area (1)
- * Sam Dale Lake Conservation Area (2)
- * Sam Parr State Park (1)
- Sand Ridge State Forest (2)
- * Sandy Ford Land and Water Reserve (1)
- Sanganois State Fish and Wildlife Area (2)
- Sangchris Lake State Park (1) (2)
- * Shabbona Lake State Park (1)
- Shelbyville Lake – Corps of Engineers Managed Lands
- Shelbyville Wildlife Management Area (2)
- Sielbeck Forest Natural Area (1)

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Siloam Springs State Park (1) (2)

Siloam Springs State Park – Buckhorn Unit (resident hunters only) (1)(2)

Skinner Farm State Habitat Area (1)

Spoon River State Forest (1)

* Spring Lake State Fish and Wildlife Area (2)

* Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (1)

Ten Mile Creek Fish and Wildlife Area (2)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area (firing line unit – Statewide season, Public Hunting Area October 1 through October 31, reopens with the close of the Quota Zone goose season) (1)

* Washington County Conservation Area (1)

Wayne Fitzgerald State Park (no hunting during controlled hunts as posted at the site) (1)

Weinberg-King State Park [\(1\)](#)

Weinberg-King State Park – Cecil White Unit

Weinberg-King State Park – Scripps Unit (resident hunters only) (1)

Weinberg-King State Park – Spunky Bottoms Unit (resident hunters only) (1)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (1)

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(Source: Amended at 30 Ill. Reg. 12240, effective June 28, 2006)

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Dove Hunting
- 2) Code Citation: 17 Ill. Adm. Code 730
- 3) Section Number: 730.20 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11]
- 5) Effective Date of Amendment: June 28, 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 amendment, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5928; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to update sites open for hunting and to update site-specific regulations.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources

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One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 730
DOVE HUNTING

Section

730.10	Statewide Regulations
730.20	Regulations at Various Department-Owned or -Managed Sites
730.30	Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites (Repealed)
730.40	Youth Dove Hunting

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].

SOURCE: Adopted at 5 Ill. Reg. 8792, effective August 25, 1981; codified at 5 Ill. Reg. 10644; amended at 6 Ill. Reg. 9631, effective July 21, 1982; emergency amendment at 6 Ill. Reg. 10040, effective August 2, 1982, for a maximum of 150 days; emergency expired December 30, 1982; amended at 7 Ill. Reg. 10767, effective August 24, 1983; emergency amendment at 7 Ill. Reg. 10999, effective August 24, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 13680, effective July 25, 1984; amended at 9 Ill. Reg. 11601, effective July 16, 1985; emergency amendment at 9 Ill. Reg. 14025, effective September 4, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 15590, effective September 16, 1986; amended at 11 Ill. Reg. 9526, effective May 5, 1987; amended at 11 Ill. Reg. 11346, effective June 10, 1987; amended at 12 Ill. Reg. 12186, effective July 15, 1988; amended at 13 Ill. Reg. 10513, effective June 15, 1989; amended at 14 Ill. Reg. 11193, effective June 29, 1990; amended at 15 Ill. Reg. 9951, effective June 24, 1991; amended at 16 Ill. Reg. 11041, effective June 30, 1992; amended at 17 Ill. Reg. 10761, effective July 1, 1993; amended at 18 Ill. Reg. 10009, effective June 21, 1994; amended at 19 Ill. Reg. 10588, effective July 1, 1995; amended at 20 Ill. Reg. 10861, effective August 5, 1996; amended at 21 Ill. Reg. 11700, effective August 12, 1997; amended at 22 Ill. Reg. 14792, effective August 3, 1998; amended at 23 Ill. Reg. 9043, effective July 28, 1999; amended at 24 Ill. Reg. 8911, effective June 19, 2000; amended at 25 Ill. Reg. 11373, effective August 14, 2001; amended at 26 Ill. Reg. 13590, effective September 3, 2002; amended at 27 Ill. Reg. 12666, effective July 21, 2003; amended at 28 Ill. Reg. 12865, effective September 1, 2004; amended at 29 Ill. Reg. 9797, effective June 24, 2005; amended at 30 Ill. Reg. 12251, effective June 28, 2006.

Section 730.20 Regulations at Various Department-Owned or -Managed Sites

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- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) General Regulations
 - 1) Hunters shall possess only bismuth or lead shot size #7½, 8, 9 or size #6 steel or smaller for taking of doves, except as noted under subsection (b)(2), and except these restrictions do not apply during the November portion of dove season.
 - 2) Only non-toxic shot (as defined by the U.S. Fish and Wildlife Service in 50 CFR 20), #6 steel shot or #7½ bismuth shot or smaller may be possessed on the following areas:
 - Anderson Lake Conservation Area
 - Banner Marsh State Fish and Wildlife Area
 - Big Bend State Fish and Wildlife Area (#)
 - Cache River State Natural Area
 - Carlyle Lake Wildlife Management Area (subimpoundments only)
 - Chain O'Lakes State Park
 - Clinton Lake State Recreation Area (dove management fields only)
 - Des Plaines Conservation Area
 - Double T State Fish and Wildlife Area
 - Eldon Hazlet State Park
 - Green River State Wildlife Area
 - Hennepin Canal Parkway State Park
 - Horseshoe Lake Conservation Area (Alexander County)

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Horseshoe Lake State Park (Madison County) (#)

Horseshoe Lake State Park (Madison County) Gabaret,
Mosenthein, Chouteau Island Unit (#)

Johnson-Sauk Trail State Park

Jubilee College State Park

Kankakee River State Park (#)

Kaskaskia River State Fish and Wildlife Area (designated areas)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management
Areas (waterfowl management units and designated non-toxic shot units
only)

Mackinaw River State Fish and Wildlife Area

Mautino State Fish and Wildlife Area

Mazonia State Fish and Wildlife Area (#)

Mississippi River State Fish and Wildlife Area (Pools 25 and 26)

Moraine View State Park

Mt. Vernon Game Propagation Center (~~hunting hours are 12 noon
to 5:00 p.m.~~) (#)

Peabody River King State Fish and Wildlife Area

Pyramid State Park – Captain Unit

Pyramid State Park – Denmark Unit

Pyramid State Park – Galum Unit

~~Rend Lake Project Lands and Waters~~

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Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake

Sand Prairie Pheasant Habitat Area

Sanganois State Fish and Wildlife Area

Sangchris Lake State Park

Shabbona Lake State Park

Silver Springs State Fish and Wildlife Area

Snakeden Hollow State Fish and Wildlife Area/Victoria Pheasant Habitat Area

Spoon River State Forest

Ten Mile Creek State Fish and Wildlife Area (areas posted as rest area on the Eads and Belle Rive Units)

Union County Conservation Area

- 3) On areas where hunters are required to hunt from marked or staked sites, hunters must hunt within 10 feet of the marked site.
- 4) No hunting is allowed within 100 yards of a designated dove management field except for hunters who are part of the hunter quota for that field.
- 5) At sites indicated by (#), hunters are required to check in and/or sign out as provided ~~for~~ in 17 Ill. Adm. Code 510.
- 6) At sites where additional regulations apply, they are noted in parentheses after the site name.
- 7) Hunting hours and hunting dates at all sites that are open during the upland game season shall coincide with hunting hours and hunting dates listed for the respective sites listed in 17 Ill. Adm. Code 530.

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- c) Statewide season regulations as provided for in this rule shall apply at the following sites:

Argyle Lake State Park (season opens day after Labor Day)(#)

Cache River State Natural Area (#)

Campbell Pond Wildlife Management Area (#)

Carlyle Lake Lands and Waters – Corps of Engineers managed lands (#)

Chauncey Marsh (permit required; may be obtained at Red Hills State Park headquarters; permits must be returned by 15 February)

Cypress Pond State Natural Area (#)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (#)

Ferne Clyffe State Park (#)

Ft. de Chartres State Historic Site (muzzleloading shotgun only) (#)

Ft. Massac State Park (#)

Freeman Mine (permit required)

~~Horseshoe Lake Conservation Area (season closes at the end of the first statewide split season) (#)~~

~~Horseshoe Lake State Park (Madison County) Gabaret, Mosenthein, Chouteau Island Unit (site permit required)~~

Marshall State Fish and Wildlife Area (#)

Mazonia State Fish and Wildlife Area (season closes September 30) (#)

Meeker State Habitat Area (permit required; may be obtained at Sam Parr State Park headquarters; must be returned by February 15)

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Mermet Lake State Fish and Wildlife Area (#)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22, 24

Mississippi River State Fish and Waterfowl Management Area (Pools 25 and 26)

Oakford Conservation Area

Red Hills State Park (#)

~~Rend Lake Project Lands and Waters (#)~~

Sahara Woods State Fish and Wildlife Area (#)

Sand Ridge State Forest (permit required; must be returned by February 15)

Sangamon County Conservation Area

Sielbeck Forest Natural Area (#)

Spoon River State Forest (#)

Tapley Woods State Natural Area (#)

Ten Mile Creek State Fish and Wildlife Area (permit required; must be returned by February 15)

Trail of Tears State Forest (#)

Weinberg-King State Park – Spunky Bottoms Unit (#)

Wildcat Hollow State Forest

- d) Statewide regulations as provided in this Part shall apply at the following sites except that hunting hours are 12 noon to 5 p.m. daily September 1-5; season

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closes September 30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Banner Marsh State Fish and Wildlife Area (sunrise to noon daily September 1-5, drawing one hour before sunrise; black powder firearms only on September 2) (#)

Double T State Fish and Wildlife Area (#)

Hennepin Canal State Park (#)

Iroquois County Wildlife Management Area (#)

Matthiessen State Park (#)

Mautino State Fish and Wildlife Area (#)

Morrison Rockwood State Park (#)

Sanganois State Fish and Wildlife Area

Snakeden Hollow State Fish and Wildlife Area/Victoria Pheasant Habitat Area

- e) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Anderson Lake Conservation Area (#)

Big Bend State Fish and Wildlife Area

Big River State Forest (#)

Carlyle Lake Wildlife Management Area (#)

Chain O'Lakes State Park (closes September 5) (#)

Clinton Lake State Recreation Area (dove management fields only) (#)

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Eldon Hazlet State Park (closes October 14) (#)

Fox Ridge State Park (dove management fields only)

Harry "Babe" Woodyard State Natural Area (permit required) (#)

Hidden Springs State Forest (dove management fields only)

Horseshoe Lake State Fish and Wildlife Area (Alexander County) (season closes at the end of the first statewide split season) (#)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closes October 14; the defined Baldwin Lake Waterfowl Rest Area is closed) (#)

Kinkaid State Fish and Wildlife Area (#)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (dove management fields only)

Marseilles State Fish and Wildlife Area (after Labor Day, site is closed on Fridays, Saturdays, and Sundays through October; hunters must leave their guns at the stake site when retrieving downed birds; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (#)

Middle Fork State Fish and Wildlife Area (dove management fields only) (#)

Moraine View State Park (dove management fields only; season closes October 14) (#)

Newton Lake Fish and Wildlife Area (dove management units) (#)

Peabody River King State Fish and Wildlife Area (east subunit closes October 14) (#)

Pyramid State Park (no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field, except for hunters who are

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part of the hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting) (#)

Pyramid State Park – Captain Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; unsuccessful lottery participants and other hunters not participating in the lottery drawing may only hunt in designated areas during September 1-5 (i.e., all land west of the Western Haul Road and all land east of the Eastern Haul Road to the shore of Super Lake to South Haul Road); all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting))

Pyramid State Park – Denmark Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; unsuccessful lottery participants and other hunters not participating in the lottery drawing may only hunt in designated areas during September 1-5 (i.e., all land south of Quonset Hut Road to Tangen Cemetery Road to Brushy Creek Road); all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting))

Pyramid State Park – East Conant Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field except for hunters who are part of the hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting))

Pyramid State Park – Galum Unit (permit required; permit must be returned by February 15)

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Randolph County State Conservation Area (#)

Ray Norbut State Fish and Wildlife Area (#)

Siloam Springs State Park (#)

Turkey Bluffs State Fish and Wildlife Area (#)

Union County State Fish and Wildlife Area (season closes at the end of the first statewide split season) (#)

Washington County Conservation Area (closes October 14) (#)

Weinberg-King State Park (#)

- f) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Crawford County State Fish and Wildlife Area (#)

Hamilton County State Fish and Wildlife Area (#)

Jubilee College State Park (#)

Lake Le Aqua Na State Park (#)

Saline County State Fish and Wildlife Area (#)

Sam Dale Lake Conservation Area (#)

Sam Parr State Park (#)

Shabbona Lake State Park (#)

Skinner Farm State Habitat Area (#)

Stephen A. Forbes State Park (season opens day after Labor Day) (#)

- g) Statewide regulations as provided for in this Part shall apply at the following sites,

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except that hunting hours are 12 noon to 5 p.m. daily. Hunting is allowed on opening day, Wednesday, and Saturday only. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Giant City State Park (#)

~~Horseshoe Lake Conservation Area (Alexander County) (#)~~
~~Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake~~

Saline County State Fish and Wildlife Area (#)

- h) Statewide regulations apply except that hunting hours are 12 noon to 5 p.m. from September 1-5; hunters must obtain a free permit from the Department; permits must be in possession while hunting on the site. Permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following season.

Clinton Lake State Recreation Area (except dove management fields)

Fox Ridge State Park (except dove management units; shooting hours after September 5 are 12 noon to sunset)

Hidden Springs State Forest (except dove management fields)

Kickapoo State Park

Lake Shelbyville – Eagle Creek State Park (season opens day after Labor Day; closes October 14; shooting hours are 12 noon to sunset)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (except dove management fields; shooting hours after September 5 are 12 noon to sunset)

Middle Fork State Fish and Wildlife Area (except dove management units)

Moraine View State Park (except dove management fields; season closes October 14)

Newton Lake Fish and Wildlife Area (except dove management units)

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~~Snakeden Hollow State Fish and Wildlife Area/Victoria Pheasant Habitat Area~~

- i) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are sunrise to 11:30 a.m. daily September 1-5; season closes September 30. A drawing will be held one hour before sunrise if more hunters show up than can be accommodated.

Johnson-Sauk Trail State Recreation Area (#)

Mt. Vernon Game Propagation Center (#)

- j) Permit Areas

- 1) Permit Season Regulations

A) Permit season dates shall be September 1-5 and hunting hours are 12 noon to 5 p.m. at the sites listed at the end of this subsection.

- B) Permit Applications

Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Applicants making reservations will be sent confirmation. Up to 6 reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted; further, persons attempting to make multiple reservations will forfeit the privilege to obtain a reservation for that season.

C) Each person may apply for only one area and receive one permit per season. An applicant may reapply only if his previous application was unsuccessful.

D) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting these sites, except at Jim Edgar Panther Creek State Fish and Wildlife Area as indicated in subsection (i)(3). All permits will be issued from Springfield and not from the site, except at Panther Creek State Fish and Wildlife Area as indicated in subsection

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(i)(3).

- E) Check in time for registration shall be between 9 a.m. and 11 a.m. each day. Openings after 11 a.m. will be filled by drawing for standbys if more hunters register than there are vacancies.
- F) All hunters must wear a DNR issued backpatch.

2) Non-Permit Season Regulations

- A) Non-permit season shall be September 6-30 except as indicated in parentheses.
- B) Non-permit hunting hours shall be 12 noon to sunset except as indicated in parentheses.
- C) No permits are required except as indicated in parentheses.
- D) Check in and check out is required except as indicated in parentheses.
- E) Hunter quotas will be filled on a first come-first served basis.

3) Sites

Coffeen Lake State Fish and Wildlife Area (non-permit hunting hours are 12 noon to 5:00 p.m.)

Des Plaines Conservation Area (non-permit hunting hours are 12 noon to 5 p.m.)

Edward R. Madigan State Park

Green River State Wildlife Area/Sand Prairie Habitat Area (non-permit hunting hours are sunrise to sunset)

Horseshoe Lake State Park (Madison County) (non-permit hunting hours are 12 noon to 5 p.m.)

Horseshoe Lake State Park (Madison County) Gabaret, Mosenthein,

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Chouteau Island Unit (non-permit hunting hours are 12 noon to 5:00 p.m.)

Jim Edgar Panther Creek State Fish and Wildlife Area (for days 6 through 10 of the season, hunting hours are noon to 6:00 p.m. and hunters must check in and out at the site office; permit required as indicated in subsection (i) ~~above~~ for days 11 through the end of the statewide dove season; hunting hours for days 11 through the end of the statewide dove season are sunrise to sunset; on the Controlled Unit only those hunters engaged in the controlled pheasant hunting program may take doves during the November portion of the dove season; on the Quail Management Unit only those hunters with Quail Management Unit Permits may take doves during the November portion of the dove season)

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area (non-permit hunting hours 12 noon to 5 p.m.; each permit authorizes the holder to bring one hunting partner)

Ramsey Lake State Park (non-permit hunting hours are 12 noon to 5 p.m.)

Sangchris Lake State Park (closed after Sunday of the third weekend in September)

Silver Springs State Park (closed during National Hunting and Fishing Day Weekend)

k) Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.20).

(Source: Amended at 30 Ill. Reg. 12251, effective June 28, 2006)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Crow, Woodcock, Snipe, Rail and Teal Hunting
- 2) Code Citation: 17 Ill. Adm. Code 740
- 3) Section Number: 740.20 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5] and Migratory Bird Hunting (50 CFR 20, August 25, 1987)
- 5) Effective Date of Amendment: June 28, 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 amendment, including all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 30 Ill. Reg. 5944; March 31, 2006
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to update the list of sites open to hunting and to update site-specific regulations.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Jack Price, Legal Counsel

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 740
CROW, WOODCOCK, SNIPE, RAIL AND TEAL HUNTING

Section

740.10 Statewide Regulations

740.20 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5] and Migratory Bird Hunting (50 CFR 20, August 25, 1987).

SOURCE: Adopted at 5 Ill. Reg. 8896, effective August 25, 1981; codified at 5 Ill. Reg. 10645; amended at 6 Ill. Reg. 357, effective December 23, 1981; amended at 6 Ill. Reg. 9648, effective July 21, 1982; amended at 7 Ill. Reg. 8815, effective July 15, 1983; amended at 8 Ill. Reg. 16796, effective August 30, 1984; amended at 9 Ill. Reg. 11620, effective July 16, 1985; peremptory amendments at 9 Ill. Reg. 14383, effective September 5, 1985; amended at 10 Ill. Reg. 15607, effective September 16, 1986; amended at 11 Ill. Reg. 9575, effective May 5, 1987; emergency amendments at 11 Ill. Reg. 15253, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12261, effective July 15, 1988; amended at 13 Ill. Reg. 12869, effective July 21, 1989; amended at 14 Ill. Reg. 11207, effective June 29, 1990; amended at 15 Ill. Reg. 10057, effective June 24, 1991; amended at 16 Ill. Reg. 11162, effective June 30, 1992; amended at 17 Ill. Reg. 10877, effective July 1, 1993; amended at 18 Ill. Reg. 9998, effective June 21, 1994; amended at 19 Ill. Reg. 10577, effective July 1, 1995; amended at 20 Ill. Reg. 10851, effective August 5, 1996; amended at 21 Ill. Reg. 9061, effective June 26, 1997; amended at 22 Ill. Reg. 14782, effective August 3, 1998; amended at 23 Ill. Reg. 9033, effective July 28, 1999; amended at 24 Ill. Reg. 8901, effective June 19, 2000; amended at 25 Ill. Reg. 11364, effective August 14, 2001; amended at 26 Ill. Reg. 13605, effective September 3, 2002; amended at 28 Ill. Reg. 12882, effective September 1, 2004; amended at 29 Ill. Reg. 9814, effective June 27, 2005; amended at 30 Ill. Reg. 12267, effective June 28, 2006.

Section 740.20 Regulations at Various Department-Owned or -Managed Sites

- a) All the rules in 17 Ill. Adm. Code 510 apply in this Section, unless this Section is more restrictive. Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.20).

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- b) Woodcock, snipe and rail hunting; statewide regulations as provided for in this Part shall apply at the following areas (exceptions are in parentheses):

Anderson Lake Conservation Area (closed 7 days before duck season)

Big Bend State Fish and Wildlife Area

Big River State Forest

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters – Corps of Engineers managed lands

Carlyle Lake Wildlife Management Area (sub-impoundment area closes 7 days prior to the southern zone waterfowl season)

Crawford County Conservation Area

Cypress Pond State Natural Area

Deer Pond State Natural Area

Devil's Island

Dog Island Wildlife Management Area

Eldon Hazlet State Park (North of Allen Branch and west of Peppenhorst Branch only)

Ferne Clyffe State Park

Ft. de Chartres Historic Site (hunting with muzzle loading shotgun only)

Ft. Massac State Park

Giant City State Park

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Hamilton County Conservation Area (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Horseshoe Lake Conservation Area (public hunting area except controlled goose hunting area)

Iroquois County Wildlife Management Area (season closes the day before permit pheasant season; 4:00 p.m. daily closing; sign in/out required; closed to snipe hunting)

Jubilee College State Park (season coincides with Jubilee Upland season, 17 Ill. Adm. Code 530.110)

Kankakee River State Park (woodcock only; during the controlled pheasant hunting season, hunters must abide by those portions of 17 Ill. Adm. Code 530.105 and 530.110 which pertain to Kankakee River State Park)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to waterfowl season; [the defined Baldwin Lake Waterfowl Rest Area is closed](#))

Kinkaid Lake Fish and Wildlife Area

Marseilles State Fish and Wildlife Area (woodcock only; Monday – Thursday only through October; [unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots](#))

Mermet Lake Fish and Wildlife Area

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, and 18

Mississippi River Pools 21, 22 and 24

Oakford Conservation Area

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Peabody River King State Fish and Wildlife Area (West subunit only;
woodcock only)

Pyramid State Park

Ramsey Lake State Park (statewide hours until rabbit season begins; then
8:00 a.m. to 4:00 p.m.)

Randolph County Conservation Area (woodcock only)

Ray Norbut State Fish and Wildlife Area

Red Hills State Park

Rend Lake Project Lands and Waters

Rice Lake Wildlife Area (season open during teal season only; sunrise
until 1:00 p.m.)

Sahara Woods State Fish and Wildlife Area

Saline County Fish and Wildlife Area

Sam Dale Lake Conservation Area (statewide hours until rabbit season,
then 8:00 a.m. to 4:00 p.m.)

Sam Parr State Park (statewide hours until rabbit season, then 8:00 a.m. to
4:00 p.m.)

Sand Ridge State Forest (During the controlled pheasant hunting season,
hunters must abide by those portions of 17 Ill. Adm. Code 530.105 and
530.110 which pertain to Sand Ridge State Forest)

Sielbeck Forest Natural Area

Skinner Farm State Habitat Area

Snake Den Hollow Fish and Wildlife Area/Victoria Pheasant Habitat Area
(closes September 30)

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Stephen A. Forbes State Park (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Tapley Woods State Natural Area (closed during firearm deer season)

Trail of Tears State Forest

Turkey Bluffs Fish and Wildlife Area

Union County Conservation Area (Firing Line Management Area only)

Washington County Conservation Area (woodcock only)

Weinberg-King State Park

Weinberg-King State Park – Spunky Bottoms Unit (check-in/check-out required)

Wildcat Hollow State Forest

- c) Woodcock, snipe and rail hunting permitted, exceptions as noted in parentheses. Hunters must obtain a permit from site office and permit must be in possession while hunting. Failure to report harvest by February 15 will result in loss of hunting privileges at that site for the following year.

Chauncey Marsh

Clinton Lake State Recreation Area (4:00 p.m. daily closing)

Fox Ridge State Park (woodcock only; 4:00 p.m. daily closing)

Harry "Babe" Woodyard State Natural Area (woodcock only; closes October 31)

Hidden Springs State Forest (4:00 p.m. daily closing)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit (permit required)

Jim Edgar Panther Creek State Fish and Wildlife Area (hunters are

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restricted to the Open Units portion of the site during the controlled pheasant season, except those hunters who possess a valid Quality Unit or Controlled Unit permit)

Kickapoo State Park (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)

Lake Shelbyville – Eagle Creek State Park (woodcock only; 4:00 p.m. daily closing; closes opening day of site's pheasant season)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

Middle Fork Fish and Wildlife Area (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)

Moraine View State Park (woodcock only; 4:00 p.m. daily closing; season closes the day before site's controlled pheasant season)

Pyramid State Park – Captain Unit (open to hunters with a quality upland permit, daily draw waterfowl permit and site permit)

Pyramid State Park – Denmark Unit (open to hunters with a quality upland permit, daily draw waterfowl permit and site permit)

Pyramid State Park – East Conant Unit (open to hunters with a quality upland permit, daily draw waterfowl permit and site permit)

Pyramid State Park – Galum Unit (permit required; must be returned by February 15)

Newton Lake Fish and Wildlife Area (woodcock only; closed during firearm deer season)

Sanganois State Fish and Wildlife Area

Ten Mile Creek Fish and Wildlife Area (non-toxic shot only for woodcock hunting in waterfowl rest areas)

- d) Teal hunting; statewide regulations as provided for in this Part shall apply on the

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following sites, except no permanent blinds allowed except as authorized in 17 Ill. Adm. Code 590.15, 590.20, 590.40 and 590.50 (exceptions are in parentheses):

Anderson Lake Conservation Area

Blanding Wildlife Area

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters – Corps of Engineers managed lands (waters of Peppenhorst Branch and Allen Branch north of the buoys only)

Carlyle Lake Wildlife Management Area (teal hunting prohibited east of Kaskaskia River from the Cox's Bridge Access north to DNR property boundary)

Chain O'Lakes State Park (hunting is allowed only from numbered blind sites; the blinds need not be completed)

Chauncey Marsh (permit required)

Clinton Lake State Recreation Area (hunting in waterfowl areas East of Parnell Bridge and North of Route 54 only)

Coffeen Lake State Fish and Wildlife Area (hunters must sign in prior to hunting and sign out reporting harvest at the end of each day; hunting from staked sites only; no permanent blinds; hunting by boat access only; no cutting vegetation on site; hunting north of County Road N6th only; four hunters per blind site; no fishing north of County Road N6th during this season)

Cypress Pond State Natural Area

Deer Pond State Natural Area

Des Plaines Conservation Area (hunting is allowed only from numbered blind sites; the blinds need not be completed)

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Devil's Island

Dog Island Wildlife Management Area

Eldon Hazlet State Park – North Allen Branch Waterfowl Management Area

Ft. de Chartres Historic Site (hunting is allowed from anchored, portable boat blinds only)

Horseshoe Lake Conservation Area – Public Hunting Area (Alexander County)

Horseshoe Lake State Park (Madison County) (hunting is allowed only from numbered blind sites; blind builders must claim their blinds ½ hour before shooting time each day or blind is open to the public; blinds need not be completed)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit (permit required)

Kaskaskia River State Fish and Wildlife Area [\(the defined Baldwin Lake Waterfowl Rest Area is closed\)](#)

Kidd Lake State Natural Area (hunters must check in and out and report harvest each day; hunter quota filled on a first come-first served basis; cutting of vegetation is prohibited)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (site permit described in subsection (c) applies)

Lake Shelbyville – Corps of Engineers Managed Lands and Waters

Lake Sinnissippi Fish and Wildlife Area (hunting is allowed only from numbered blind sites; blind builders must claim their blinds ½ hour before shooting time each day or blind is open to the public; blinds need not be completed)

Marshall State Fish and Wildlife Area – all management units

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Meredosia Lake

Mississippi River Fish and Waterfowl Management Area (Mississippi River Pools 25 and 26) (blind builders must claim their blinds ½ hour before shooting time or the blind is open for that day's hunt; no hunting allowed in the designated Batchtown waterfowl rest area, Crull Hollow waterfowl rest area and Godar waterfowl rest area)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22 and 24

Oakford Conservation Area

Pyramid State Park – Captain Unit (permit required; must be returned by February 15; hunting not allowed in Captain Unit waterfowl rest area)

Pyramid State Park – Denmark Unit (permit required; must be returned by February 15; hunting not allowed in Denmark Unit waterfowl rest area)

Pyramid State Park – Galum Unit (permit required; must be returned by February 15)

Ray Norbut Fish and Wildlife Area

Rend Lake Project Lands and Waters

Rice Lake Fish and Wildlife Area (check in and check out required; sunrise until 1:00 p.m.)

Saline County Fish and Wildlife Area

Sanganois State Fish and Wildlife Area (permit required)

Snake Den Hollow Fish and Wildlife Area/Victoria Pheasant Habitat Area

Stephen A. Forbes State Park (walk-in hunting in the subimpoundment only)

Ten Mile Creek State Fish and Wildlife Area (permit required)

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Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area (public hunting area and firing line unit only)

Weinberg-King State Park – Spunky Bottoms Unit (check-in/check-out required)

Woodford Fish and Wildlife Area

e) Crow Hunting

1) Statewide regulations as provided for in this Part shall apply at the following sites (season dates in parentheses):

Anderson Lake Conservation Area

Big Bend State Fish and Wildlife Area

Big River State Forest

Green River State Wildlife Area (January 1 through statewide closing)

Hamilton County State Fish and Wildlife Area

Jim Edgar Panther Creek State Fish and Wildlife Area (East and West Open Units)

Mississippi River Pools 16, 17, 18

Mississippi River State Fish and Wildlife Area (Pools 25 and 26)

Pyramid State Park – Captain Unit (no hunting in waterfowl rest area; permit required, must be returned by February 15)

Pyramid State Park – Denmark Unit (no hunting in waterfowl rest area; permit required, must be returned by February 15)

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Pyramid State Park – East Conant Unit (no hunting in waterfowl rest area; permit required, must be returned by February 15)

Pyramid State Park – Galum Unit (no hunting in waterfowl rest area; permit required, must be returned by February 15)

Ray Norbut Fish and Wildlife Area

Sanganois State Fish and Wildlife Area (day after Canada goose season closes through statewide closing; nontoxic shot only; permit required)

Spoon River State Forest (all hunters must sign in/sign out)

Stephen A. Forbes State Park

Weinberg-King State Park – Spunky Bottoms Unit (check-in/check-out required)

- 2) Crow hunting permitted, exceptions as noted in parentheses. Hunters must obtain a permit from site office and permit must be in possession while hunting. Failure to report harvest by March 15 will result in loss of hunting privileges at that site for the following year:

[Horseshoe Lake State Park \(Madison County\) \(begins the day after controlled pheasant hunting closes through the end of February\)](#)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit

Ten Mile Creek Fish and Wildlife Area (non-toxic shot only for crow hunting in waterfowl rest areas)

- 3) All hunters must make a reasonable effort to retrieve downed birds. All crows must be removed from the site by the hunter.

(Source: Amended at 30 Ill. Reg. 12267, effective June 28, 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) Section Numbers: Adopted Action:
 1910.20 Amended
 1910.30 Amended
 1910.88 New Section
- 4) Statutory Authority: 35 ILCS 200/Art.7 and 16-180 through 16-195
- 5) Effective Date of Rulemaking: June 30, 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 Proposals Published in the Illinois Register: March 24, 2006; 30 Ill. Reg. 5499
- 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 included editing and formatting changes recommended by the Joint Committee on Administrative Rules. The agency also made other technical, non-substantive changes concerning information about the Board.
- 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

<u>Section Number</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
1910.67	Amended	April 28, 2006; 30 Ill. Reg. 7844
1910.79	New Section	June 16, 2006; 30 Ill. Reg. 10599

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1910.90	Amended	April 28, 2006; 30 Ill. Reg. 7844
1910.95	Amended	June 16, 2006; 30 Ill. Reg. 10599
1910.99	New Section	April 28, 2006; 30 Ill. Reg. 7844

- 15) Summary and Purpose of Rulemaking: This rulemaking amends two existing sections and adds one new section to streamline and expedite the appeal process through procedural changes and mechanisms designed to assist the parties.
- 16) Information and questions regarding these adopted amendments shall be directed to:

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

217/782-6076
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 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	Board Information – Correspondence
1910.25	Computing Time Limits
1910.30	Petitions – Application
1910.31	Amendments
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
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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	Board Publications – Distribution
1910.77	Withdrawals and Substitutions of Attorneys
1910.78	Consolidation of Appeals
1910.80	Forms
1910.88	Use of Facsimile Machines
1910.90	Practice Rules
1910.91	Business Records
1910.92	Rules of Pleading, Practice and Evidence

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1910.93	Request for Witnesses
1910.94	Inspection of Subject Property – Effect of Denial by Taxpayer or Property Owner
1910.95	Separability (Renumbered)
1910.96	Evidence Depositions
1910.98	Transcription of Hearings – Official Record
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. 10103, effective May 16, 2006; amended at 30 Ill. Reg. 12280, effective June 30, 2006.

Section 1910.20 Board Information – Correspondence

- a) All communications to the Illinois Property Tax Appeal Board shall be addressed to the Clerk of the Property Tax Appeal Board, 402 William G. Stratton Building, 401 S. Spring Street, Springfield, Illinois 62706-0002, unless otherwise directed. The main telephone number is (217)782-6076. The facsimile number is (217)785-4425. The office of the Clerk of the Property Tax Appeal Board at Springfield, Illinois is the official location of the Board for the filing of papers for all counties ~~other than Cook.~~
- b) The regional office of All communications to the Illinois Property Tax Appeal Board in Cook County is located at shall be addressed to the Clerk of the Property Tax Appeal Board, 9511 West Harrison Street, Suite 171, Des Plaines, Illinois 60016, ~~unless otherwise directed.~~ The main telephone number is (847)294-41214360. The office of the Clerk of the Property Tax Appeal Board at Des Plaines, Illinois is the official location of the Board for the filing of papers for Cook County.

PROPERTY TAX APPEAL BOARD

NOTICE OF ADOPTED AMENDMENTS

- c) The website address of the Illinois Property Tax Appeal Board is www.state.il.us/agency/ptab.
- d) The official business hours of the Illinois Property Tax Appeal Board are 8:30 a.m. to 5:00 p.m., Monday through Friday.

(Source: Amended at 30 Ill. Reg. 12280, effective June 30, 2006)

Section 1910.30 Petitions – Application

- a) In counties with less than 3,000,000 inhabitants, petitions for appeal shall be filed within 30 days after the postmark date or personal service date of the written notice of the decision of the board of review. In counties with 3,000,000 or more inhabitants, petitions for appeal shall be filed within 30 days after the postmark date or personal service date of the written notice of the decision of the board of review or within 30 days after the date that the board of review transmits to the county assessor pursuant to Section 16-125 its final action on the township in which the property is located, whichever is later. ~~Faxed petitions and evidence will not be accepted by the Board.~~
- b) Petitions for appeal shall be filed within 30 days after the postmark date or personal service date of written notice of the application of final adopted township equalization factors by the board of review. ~~Faxed petitions and evidence will not be accepted by the Board.~~
- c) The petition for appeal shall be on the prescribed form and a separate petition must be filed for each separately assessed parcel except for condominium buildings or unless a written request is made to the Board for the filing of a single petition for multiple parcels. ~~The Such~~ request, together with the petition, shall be filed within 30 days after the postmark date or personal service of written notice of the decision of the board of review. Each petition shall identify and describe the particular property including the PIN or plate number, if any, assigned to the subject parcel by the county. In appeals where multiple parcels are consolidated into a single petition, the assessed values and the relief requested for each individual parcel must be separately listed.
- d) Each copy of petitions filed with the Property Tax Appeal Board shall bear an original signature of the contesting party or ~~the contesting party's~~ attorney, and shall be filed with the Clerk of the Property Tax Appeal Board.

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- e) A copy of the written notice of the decision of the board of review shall be filed with the petition, if one has been issued.
- f) Petitions for appeal shall be filed in triplicate and all copies of the same shall be properly signed as stated in subsection (d) of this Section. In every case in which~~where~~ a change in assessed valuation of less than \$100,000 is sought, all written and documentary evidence must be submitted in duplicate with the petition. In every case where a change in assessed valuation of \$100,000 or more is sought, all written and documentary evidence must be submitted in triplicate with the petition. A photograph of the subject property should be submitted with the petition if it aids the contesting party in explaining the appeal.
- g) If the contesting party is unable to submit written or documentary evidence with the petition, the contesting party~~he~~ must submit a letter requesting an extension of time with the petition. Upon receipt of this~~such a~~ request, the Board shall grant a 30 day extension of time. The Board shall grant additional or longer extensions for good cause shown. Good cause may include but is not limited to the inability to submit evidence for a cause beyond the control of the contesting party, such as the pendency of court action affecting the assessment of the property or the death or serious illness of a valuation witness. Without a written request for an extension, no evidence will be accepted after the petition is filed. Evidence sent by mail shall be considered as filed on the date postmarked.
- h) Every petition for appeal shall state the facts upon which the contesting party bases an~~his~~ objection to the decision of the board of review, together with a statement of the contentions of law the contesting party~~which he~~ desires to raise. Each petition must also set forth the assessment for the subject property which~~the~~ the contesting party considers to be correct. If contentions of law are raised, the contesting party shall submit a brief in support of his position with the petition. Extensions of time shall be granted in accordance with subsection (g) of this Section. Failure to do so shall result in dismissal of the appeal.
- i) Every petition for appeal shall give the post office address where mail addressed to the contesting party may be received by the contesting party or his or her~~him or his~~ attorney, together with the contesting party's~~his~~ telephone number. Notice to the contesting party's attorney shall be deemed notice to the contesting party. The Property Tax Appeal Board must be notified in writing by any party of a change of address within 60 days after the~~of any such~~ change.
- j) The petition shall in all cases state the assessed value of the land, and the assessed

PROPERTY TAX APPEAL BOARD

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value of the improvements (structures), and the total assessed value as placed on the property by the local assessor and by the board of review. The petition must also state the assessed valuation which the contesting party claims to be correct.

- k) All information required to fully complete the petition shall be furnished by the contesting party at the time the petition is filed. Incomplete petitions and/or a letter shall be returned with an explanation of the reasons for the rejection. The contesting party must resubmit the corrected petition within 30 days after the date of the return of the petition. If the returned petition is not resubmitted within the 30 day period, the appeal will be dismissed from consideration by the Board. Petitions ~~that which~~ are not signed, petitions ~~that which~~ do not state the assessed valuation assigned by the local assessor and the board of review, petitions ~~that which~~ do not state the assessed valuation considered correct by the contesting party, and petitions not containing all information as required in this Section herein, shall be treated as incomplete petitions. Written or documentary evidence will be accepted after receipt of a completed petition only when a letter requesting an extension of time was received and granted.
- l) Upon receipt of a completed petition, including the written and documentary evidence from the contesting party, the Clerk of the Property Tax Appeal Board shall send a copy of the petition, including all documentary evidence, to the board of review and shall only forward a copy of the petition to the State's Attorney of the county in which the property is located. The Clerk shall cause the petition to become a part of such appeal proceedings and record.
- m) If the petition for appeal is filed by an interested taxing body, rather than by the taxpayer whose assessment is in question, the taxing body must furnish the name and address of the owner of the property in question. A copy of ~~thesueh~~ completed petition shall then be sent to the owner of the property. Any petition filed without the name and address of the owner of the property in question shall be treated as an incomplete petition in accordance with subsection (k) of this Section.

(Source: Amended at 30 Ill. Reg. 12280, effective June 30, 2006)

Section 1910.88 Use of Facsimile Machines

Any document containing 100 pages or less may be filed by facsimile transmission sent to the Property Tax Appeal Board at its designated number, provided that, within 5 days after the facsimile filing, the original document is submitted to the Board. The date imprinted on the

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document by the Board's telefax machine shall have the same effect as the United States Postal Service's postmark. The party filing a document by facsimile transmission bears the risk that the transmission will not be successful. The date imprinted on the transmission confirmation document by the sender's telefax machine may be presented as evidence of successful transmission and the filing of the document. The facsimile filer shall ensure that any document is filed with the Board in a timely manner. For purposes of this Section, "facsimile document" means a paper document transmitted to the Board from either a facsimile machine or a personal computer with facsimile capability.

(Source: Added at 30 Ill. Reg. 12280, effective June 30, 2006)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Heartsaver AED Grant Code
- 2) Code Citation: 77 Ill. Adm. Code 530
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
530.100	New Section
530.200	New Section
530.300	New Section
530.400	New Section
530.500	New Section
530.600	New Section
530.700	New Section
530.800	New Section
530.900	New Section
530.1000	New Section
530.1100	New Section
- 4) Statutory Authority: Section 2310-371 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-371]
- 5) Effective Date of Rulemaking: June 28, 2006
- 6) Do these rules contain an automatic repeal date? No
- 7) Do these rules contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: April 14, 2006; 30 Ill. Reg. 6294
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Differences between proposal and final version:

The following changes were made in response to comments received during the First Notice or public comment period:

1. The text in Section 530.600(a) was deleted and the following new text was added:
"The grant cycle runs from July 1 – June 30. Applications for grants from the Fund

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may be submitted to the Department beginning on July 1 of each year."

2. In Section 530.600(e), "state fiscal" was added before "year"; the following text was added after "funding.": "Applications are only applicable to the state fiscal year in which they were received."

The following changes were made in response to comments and suggestions of JCAR:

In Section 530.600(e), "state" was capitalized and "they" was changed to "the applications."

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

- 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 rules replace any emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: Public Act 93-1085 created the Heartsaver AED Fund. This law gives the Department of Public Health the power to make matching funds from the Fund to any public school, public park district, public college or public university required to have an AED pursuant to the Physical Fitness Facility Medical Emergency Preparedness Act [210 ILCS 74] and the Physical Fitness Facility Medical Emergency Preparedness Code [77 Ill. Adm. Code 527].
- 16) Information and questions regarding these adopted rules shall be directed to:

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield Illinois 62761

217/782-2043
e-mail: rules@idph.state.il.us

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

DEPARTMENT OF PUBLIC HEALTH

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETYPART 530
HEARTSAVER AED GRANT CODE

Section	
530.100	Definitions
530.200	Referenced Materials
530.300	Eligibility for Grants
530.400	Grant Requirements
530.500	Application Requirements
530.600	Review of Applications
530.700	Use of Grant Funds
530.800	Termination
530.900	Denial, Suspension or Revocation
530.1000	Grant Funds Recovery
530.1100	Hearings

AUTHORITY: Implementing and authorized by Section 2310-371 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-371].

SOURCE: Adopted at 30 Ill. Reg. 12288, effective June 28, 2006.

Section 530.100 Definitions

Act – the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

Automated External Defibrillator (AED) – a medical device heart monitor and defibrillator that:

has received approval of its pre-market notification, filed pursuant to 21 USC 360(k), from the United States Food and Drug Administration;

is capable of recognizing the presence or absence of ventricular fibrillation and rapid ventricular tachycardia, and is capable of

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determining, without intervention by an operator, whether defibrillation should be performed;

upon determining that defibrillation should be performed, either automatically charges and delivers an electrical impulse to an individual or charges and delivers an electrical impulse at the command of the operator; and

in the case of a defibrillator that may be operated in either an automatic or manual mode, is set to operate in the automatic mode. (Section 10 of the Automated External Defibrillator Act)

Department – the Department of Public Health.

Division – the Division of Emergency Medical Systems and Highway Safety, Department of Public Health.

Fund – the Heartsaver AED Fund.

Physical fitness facility or facility – includes any indoor establishment that meets all of the following requirements:

In whole or in part, is owned or operated by a park district or by a public elementary or secondary school, college, or university.

Is supervised by one or more persons, other than maintenance or security personnel, employed by the park district or public school, college, or university for the purpose of directly supervising the physical fitness activities taking place at any indoor facilities listed in this definition. (Section 5.25 of the Physical Fitness Facility Medical Emergency Preparedness Act)

Serves a total of 100 or more individuals. In calculating the number of individuals served by a facility, the greater of the seating capacity, the capacity of the facility under applicable fire code, pool, or similar standards, or the number of members of the facility shall be included in the final determination. The number of members of the facility includes the complete facility membership, whether or not these members are present at the facility at the same time.

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Is a swimming pool; stadium; athletic field; track and field facility; tennis court; basketball court; volleyball court; aerobics studio; dance studio; boxing gym; martial-arts or self-defense studio; wrestling gym; weight-lifting facility; treadmill or stationary bicycle facility; velodrome; racquetball court; gymnastics facility; or any other indoor establishment focusing primarily on cardiovascular exertion where participants engage in relatively continuous active physical exercise that uses large muscle groups and that substantially increases the heart rate.

Section 530.200 Referenced Materials

The following materials are referenced in this Part:

- a) Illinois Statutes
 - 1) Physical Fitness Facility Medical Emergency Preparedness Act [210 ILCS 74]
 - 2) Automated External Defibrillator Act [410 ILCS 4]
 - 3) Illinois Funds Recovery Act [30 ILCS 705]
- b) Illinois Administrative Rules
 - 1) Physical Fitness Facility Medical Emergency Preparedness Code (77 Ill. Adm. Code 527)
 - 2) Automated External Defibrillator Code (77 Ill. Adm. Code 525)
 - 3) Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

Section 530.300 Eligibility for Grants

In order to be eligible to receive a grant from the Fund, the applicant must meet all of the following criteria:

- a) Must be a public school, public park district, public college or public university;
- b) Must meet the definition of physical fitness facility in Section 530.100 of this Part; and

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- c) Must be willing and able to pay 50 percent of the total cost of an AED as determined by the State Master Contract or in the absence of a State Master Contract as determined by the Department.

Section 530.400 Grant Requirements

- a) Grant recipients must comply with all applicable provisions of the Physical Fitness Facility Medical Emergency Preparedness Act, the Physical Fitness Facility Medical Emergency Preparedness Code, the Automated External Defibrillator Act and the Automated External Defibrillator Code.
- b) Grant recipients shall match the grant award received and shall spend the grant award on the purchase of an AED to be housed at the facility.
- c) Grant recipients shall return a signed contract to the Department in the specified time period and shall comply with the provisions of the contract.

Section 530.500 Application Requirements

- a) Applications may be submitted to the Department through the website established for this purpose or at the following address:

Heartsaver AED Grants
Illinois Department of Public Health
Division of Emergency Medical Systems & Highway Safety
500 East Monroe Street, 8th Floor
Springfield IL 62701

- b) Applications shall be submitted on the form prescribed by the Department and shall include, at a minimum, the following:
 - 1) The name, address and phone number of the primary contact and the secondary contact designated by the facility to be responsible for administering the grant funds.
 - 2) An agreement that the organization submitting the application is required to have an AED pursuant to the Physical Fitness Facility Medical Emergency Preparedness Act.

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- 3) An agreement by the applicant that, if awarded a grant, the grant will be matched by the facility.

Section 530.600 Review of Applications

- a) The grant cycle runs from July 1-June 30. Applications for grants from the Fund may be submitted to the Department beginning on July 1 of each year.
- b) Applications will be reviewed by the Department for compliance with the requirements of this Part. During the course of its review, the Department may contact the applicant for additional information if the information provided is incomplete, inconsistent or unclear.
- c) Applicants whom the Department determines not to be eligible for grant funds will be notified in writing of this decision.
- d) Distribution of grants is dependent on available funding. Available grant funds will be distributed on a "first come, first served" basis, based on when the application was received by the Department. If several applications are received by the Department on the same date and funds are not available to award each of these applicants, a random drawing of applications will be used to determine awardees.
- e) Applicants must submit a new application each State fiscal year in order to be considered for funding. Applications are only applicable to the State fiscal year in which the applications were received.

Section 530.700 Use of Grant Funds

- a) The entire amount of the grant award, plus matching funds from the facility, shall be used to purchase an AED to be kept in that facility.
- b) Grants are *limited to one AED per eligible physical fitness facility*. (Section 317 of the Act)

Section 530.800 Termination

- a) Except as otherwise provided in this Section, the grant agreement may be terminated by either party upon 30 calendar days written notice to the other party, as specified in the grant agreement.

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- b) The agreement may be terminated immediately without penalty of further payment being required if the General Assembly fails to appropriate or otherwise make available sufficient funds for the award, or if sufficient funds are not available in the Heartsaver AED Fund, a special fund in the State Treasury.
- c) The Department may immediately suspend funding or terminate the contract of a grantee who has substantially failed or continually failed to comply with the Act, this Part, or the grant agreement.

Section 530.900 Denial, Suspension or Revocation

- a) The Director may deny the application for grant funds or may suspend or revoke the grant agreement of a grantee when finding substantial or continued failure to comply with the Act, this Part, or the grant agreement. Except as provided in subsection (b), the Director shall provide notice and an opportunity for a hearing to the party before executing the denial, suspension, or revocation.
- b) If the Director finds that the public interest, health, safety, or welfare requires emergency action, then the Director may immediately order summary suspension of a grant agreement pending proceedings for revocation. The Director's order shall be written and shall include the reasons for the public emergency. The proceedings shall be promptly instituted and promptly determined.
- c) The notice of denial, suspension, or revocation shall be made by certified mail or by personal service, shall state the reasons for the proposed action, and shall provide the opportunity to request a hearing. If a written hearing request is not received within 10 days after receipt of the notice, then the right to a hearing is deemed to be waived.
- d) A denial or termination due to the General Assembly's failure to appropriate funds is not subject to this Section.

Section 530.1000 Grant Funds Recovery

Grants made under this Part are subject to the provisions of the Illinois Grant Funds Recovery Act. If a provision of this Part conflicts with a provision of the Illinois Grant Funds Recovery Act, then the provision of the Illinois Grant Funds Recovery Act controls.

Section 530.1100 Hearings

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The Department's Rules of Practice and Procedure in Administrative Hearings apply to proceedings conducted under this Part. Where the terms "license" and "licensing" are used in those rules, the definitions of those terms shall be expanded to include a grant applicant, a grantee awarded funds, and a grant agreement executed under this Part.

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- 1) Heading of the Part: Employee Blood Donation Leave Code
- 2) Code Citation: 77 Ill Am. Code 985
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
985.100	New Section
985.200	New Section
985.300	New Section
985.400	New Section
985.500	New Section
985.600	New Section
- 4) Statutory Authority: Employee Blood Donation Leave Act [820 ILCS 149]
- 5) Effective Date of Rulemaking: June 28, 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 rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposed Rules Published in Illinois Register: January 20, 2006; 30 Ill. Reg. 778
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Differences between proposal and final version: No comments were received, and no changes were made during the First Notice or public comment period.

The following changes were made in response to comments and suggestions of JCAR:

1. In Section 985.300, a new subsection (d) was added as follows:
 - "d) The employer's policy shall include whether the one-hour period may be retained by the employee if the attempt to donate blood is unsuccessful, as determined by the blood bank."
2. In Section 985.600, the following was added after the last sentence:

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"Upon adopting a blood leave policy under this Part, an employer shall also adopt a grievance procedure, if none exists, for remediation of possible blood leave disputes."

- 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 rules replace any emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: These rules implement the Employee Blood Donation Leave Act, which allows employees of units of local government, boards of election commissioners, or private employers in the State to take up to one hour of paid leave to donate blood, after obtaining approval from the employer. The rules include definitions, referenced materials, employer policies, procedures for leave, the impact of leave on accumulated or future benefit time, and grievance procedures.
- 16) Information and questions regarding these adopted rules shall be directed to:

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield, Illinois 62761

217/782-2043
e-mail: rules@idph.state.il.us

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER u: MISCELLANEOUS PROGRAMS AND SERVICESPART 985
EMPLOYEE BLOOD DONATION LEAVE CODE

Section

985.100	Definitions
985.200	Referenced Materials
985.300	Employer Policy
985.400	Procedure for Leave
985.500	Impact on Accumulated or Future Benefit Time
985.600	Grievance

AUTHORITY: Implementing and authorized by the Employee Blood Donation Leave Act [820 ILCS 149].

SOURCE: Adopted at 30 Ill. Reg. 12297, effective June 28, 2006.

Section 985.100 Definitions

The following terms have the meaning ascribed to them whenever the term is used in this Part:

Act – the Employee Blood Donation Leave Act [820 ILCS 149].

Blood – whole human blood or components of human blood, including plasma, that are prepared from whole human blood by physical rather than chemical processes, but does not include blood derivatives manufactured or processed for industrial use. (Section 2-128 of the Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25])

Blood bank – any institution, building, or place that provides, through its ownership or operation, a system for the collection, processing, storage, distribution, or administration of whole human blood or its component parts. (Section 2-124 of the Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25])

Board of Election Commissioners – board established under Article 6 or Article 6A of the Election Code [10 ILCS 5].

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Department – the Illinois Department of Public Health. (Section 3 of the Act)

Employer – any unit of local government; any board of election commissioners; or any private employer in the State who has 51 or more employees. (Section 3 of the Act)

Industrial use – use of blood in which the blood is modified by physical or chemical means to produce derivatives for therapeutic or pharmaceutical biologicals and laboratory reagents or controls. (Section 2-131 of the Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25])

"Municipalities" – cities, villages and incorporated towns.

Participating employee – a full-time employee who has been employed by an employer for a period of six months or more and who donates or attempts to donate blood. (Section 3 of the Act)

"Unit of local government" – counties, municipalities, townships, special districts, and units, designated as units of local government by law, that exercise limited governmental powers or powers in respect to limited governmental subjects, but does not include school districts.

Section 985.200 Referenced Materials

The following materials are referenced in this Part:

State of Illinois Statutes

- a) Election Code [10 ILCS 5]
- b) Blood Donation Act [210 ILCS 15]
- c) Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25]

Section 985.300 Employer Policy

- a) An employer has the authority to establish a policy allowing participating employees paid leave to donate or attempt to donate blood in accordance with Section 985.400. The employer's policy may reference the nationally recognized

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medical standards for blood donation eligibility of the community blood bank as operated by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other blood bank.

- b) If the employer has adopted a policy authorizing paid leave for blood donation, then any participating employee *17 years of age or older may donate blood, if the donation be completely voluntary, without the necessity of obtaining the permission or authorization of his or her parent or guardian. Any participating employee 16 years of age may donate blood, if that employee obtains written permission or authorization from his or her parent or guardian.* (Section 1 of the Blood Donation Act [210 ILCS 15/1])
- c) This Part does not affect agreements entered into between the employer and the employee's exclusive representative for collective bargaining purposes.
- d) The employer's policy shall include whether the one-hour period may be retained by the employee if the attempt to donate blood is unsuccessful, as determined by the blood bank.

Section 985.400 Procedure for Leave

- a) If the employer allows paid leave for blood donation, then the participating employee shall submit to the employer a request for leave before donating or attempting to donate blood. After receiving approval from the employer for the paid leave, a participating employee may be entitled to use one hour or less of leave to donate or attempt to donate blood every 56 days or more.
- b) A participating employee also shall submit to the employer the medical documentation of the appointment to donate before donating or attempting to donate blood. The medical documentation shall be submitted with the request for leave. The medical documentation may consist of a written statement from the blood bank indicating that the participating employee has an appointment to donate or attempt to donate blood.
- c) The employer may request that the participating employee provide a written statement from the blood bank confirming that the employee kept the appointment.

Section 985.500 Impact on Accumulated or Future Benefit Time

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If the employer adopts a policy allowing paid leave for blood donation, then a participating employee will not be required to use accumulated or future sick or vacation benefit time for the period used to donate or attempt to donate blood.

Section 985.600 Grievance

If a participating employee is charged leave or denied leave for blood donation or attempted blood donation by an employer who has established a policy of paid leave for blood donation, the employee may seek to remediate the dispute through the employer's established grievance procedure or through the grievance procedure agreed to between the employer and the employee's exclusive representative for collective bargaining purposes. Upon adopting a blood leave policy under this Part, an employer shall also adopt a grievance procedure, if non exists, for remediation of possible blood-leave disputes.

STATE EMPLOYEES RETIREMENT SYSTEM OF ILLINOIS

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Claims Division Manager
State Employees' Retirement System
2101 South Veterans Parkway
Springfield IL 62794-9276

217/785-7260
Fax: 217/524-2293

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

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

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE D: RETIREMENT SYSTEMS

CHAPTER I: STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

PART 1540

THE ADMINISTRATION AND OPERATION OF THE
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

Section	
1540.5	Introduction
1540.10	Appointment of Retirement System Coordinator
1540.20	Member's Contribution and Service Credit
1540.30	Determination of Rate of Compensation
1540.40	Prior Service Credit
1540.50	Credit for Service for Which Contributions are Permitted
1540.60	Severance of Employment – A Condition to the Payment of a Refund or Retirement Annuity
1540.70	Death Benefits
1540.80	Disability Claims
1540.90	Benefit Offset
1540.100	Birth Date Verification
1540.110	Marriage Verification
1540.120	Level Income Option
1540.130	Pension Credit for Unused Sick Leave
1540.140	Removal of Children from Care of Surviving Spouse
1540.150	Proof of Dependency
1540.160	Investigations of Benefit Recipients
1540.170	Interest on Member Contributions
1540.180	Date of Application – Retirement Annuity, Occupational and Nonoccupational and Temporary Disability Benefits, and Resignation Refund Payments
1540.190	Lump Sum Salary Payments
1540.200	Removal from the Payroll
1540.210	Latest Date of Membership
1540.220	Period for Payment and Amount of Payment of Contributions
1540.230	Contributions by the State (Repealed)
1540.240	Actuarially Funded Basis (Repealed)
1540.250	Payments to Establish Credit for Service for Which Contributions are Permitted
1540.255	Pick-up Option for Optional Service Contributions
1540.260	Contributions and Service Credit During Nonwork Periods
1540.270	Written Appeals and Hearings

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1540.280	Availability for Public Inspection (Recodified)
1540.290	Procedure for Submission, Consideration and Disposition of Petitions Seeking the Promulgation, Amendment or Repeal of these Rules and Regulations (Recodified)
1540.300	Organization of the State Employees' Retirement System (Recodified)
1540.310	Amendments
1540.320	Optional Forms of Benefits – Basis of Computation
1540.330	Board Elections
1540.340	Excess Benefit Arrangement
1540.350	Qualified Illinois Domestic Relations Orders (QILDRO)
1540.TABLE A	Optional Forms of Benefits – Basis of Computation

AUTHORITY: Implementing and authorized by Article 14 of the Illinois Pension Code [40 ILCS 5/Art. 14].

SOURCE: Filed December 20, 1977, effective December 31, 1977; filed and effective February 28, 1978; emergency rule at 4 Ill. Reg. 2, page 246, effective January 1, 1980; amended at 4 Ill. Reg. 12, pages 530, 532, 534, effective March 11, 1980; emergency rule at 4 Ill. Reg. 46, page 1300, effective November 1, 1980; amended at 5 Ill. Reg. 3454, effective March 19, 1981; amended at 5 Ill. Reg. 7225, effective July 1, 1981; amended at 5 Ill. Reg. 12846, effective October 30, 1981; amended at 6 Ill. Reg. 2114, effective January 29, 1982; amended at 6 Ill. Reg. 5505, effective April 16, 1982; codified at 6 Ill. Reg. 10935; emergency amendment at 6 Ill. Reg. 11084, effective August 31, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 677, effective December 30, 1982; amended at 7 Ill. Reg. 8831, effective July 15, 1983; emergency amendment at 8 Ill. Reg. 359, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4144, effective March 26, 1984; Sections 1540.280, 1540.290 and 1540.300 recodified to 2 Ill. Adm. Code 2375 at 8 Ill. Reg. 15902; amended at 9 Ill. Reg. 12375, effective July 30, 1985; emergency amendment at 9 Ill. Reg. 19752, effective December 5, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 8889, effective May 14, 1986; amended at 11 Ill. Reg. 11155, effective June 15, 1987; amended at 14 Ill. Reg. 10498, effective June 19, 1990; amended at 15 Ill. Reg. 7379, effective April 26, 1991; amended at 16 Ill. Reg. 14407, effective September 4, 1992; amended at 20 Ill. Reg. 8033, effective June 15, 1996; emergency amendment at 21 Ill. Reg. 476, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4992, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 13187, effective September 15, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 967, effective December 22, 1997; amended at 22 Ill. Reg. 15363, effective August 10, 1998; amended at 23 Ill. Reg. 3824, effective March 9, 1999; amended at 23 Ill. Reg. 11313, effective September 1, 1999; amended at 24 Ill. Reg. 6975, effective April 20, 2000; amended at 24 Ill. Reg. 18090, effective December 1, 2000; amended at 25 Ill. Reg. 5632, effective April 4, 2001; emergency amendment at 26 Ill. Reg. 11133, effective June 28, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16575, effective October 22, 2002; emergency amendment at 28 Ill. Reg. 8775,

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effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 15628, effective November 18, 2004; amended at 29 Ill. Reg. 15554, effective October 1, 2005; amended at 30 Ill. Reg. 12303, effective July 1, 2006.

Section 1540.350 Qualified Illinois Domestic Relations Orders (QILDRO)

a) Definitions

- 1) The definitions in Section 1-119(a) of the Illinois Pension Code (the Act) [40 ILCS 5/1-119(a)(2)] shall apply to this Section.
- 2) The phrase "death benefit" in Section 1-119(a)(2) of the Act [40 ILCS 5/1-119(a)(2)] includes a lump sum payment described in Sections 14-116, 14-117 and 14-128 of the Act.
- 3) The phrase "member's refund" in Section 1-119(a)(5) of the Act [40 ILCS 5/1-119(a)(5)] does not include an error refund as defined in subsection (a)(4) of this Section.
- 4) The phrase "error refund" as used in this Section includes:
 - A) a refund paid to a member as the result of an error in a payment to the System;
 - B) an interest rebate; or
 - C) a refund paid to a member as the result of the member's failing to complete the required contributions necessary to purchase or reinstate service credit.
- 5) The phrase "disability benefit" in Section 1-119(a)(3) of the Act [40 ILCS 5/1-119(a)(3)] includes:
 - A) an occupational disability benefit under Section 14-123 of the Act [40 ILCS 5/14-123];
 - B) a temporary disability benefit under Section 14-123.1 of the Act [40 ILCS 5/14-123.1]; or
 - C) a nonoccupational disability benefit under Section 14-124 of the

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Act [40 ILCS 5/14-124].

- 6) The phrase "member's retirement benefit" as used in this Section means the total amount of the retirement benefit as defined in Section 1-119(a)(8) of the Act [40 ILCS 5/1-119(a)(8)] that would be payable to the member in the absence of a QILDRO.
 - 7) The phrase "partial member's refund" as used in this Section includes:
 - A) a refund of widow/survivor benefit contributions;
 - B) a refund of alternative formula contributions as a result of the member not completing sufficient service to qualify for the alternative formula retirement benefit; or
 - C) a refund of early retirement contributions.
 - 8) The phrase "permissive service" in Section 1-119(a)(5.5) of the Act includes credit purchased by the member for military service, leaves of absence, early retirement incentives, contractual service, federal or out-of-state service, visually handicapped service, legislative staff intern service and unused sick and vacation time.
 - 9) The phrase "regular service" in Section 1-119(a)(7.5) of the Act includes service for which compensation was paid on a State payroll and purchased by the member for a qualifying period, short periods of employment, full or partial refund, emergency or temporary employment, and service credit where the member previously opted not to participate in the System and subsequently opted to purchase the service credit for the participation.
- b) Requirements for a Valid Qualified Illinois Domestic Relations Order
The System will accept a court order as a valid Qualified Illinois Domestic Relations Order, or QILDRO, that meets all of the following requirements:
- 1) The order must be accompanied by a \$50 non-refundable processing fee, by check payable to the State Employees' Retirement System.
 - 2) If the order applies to a person who became a member of the System before July 1, 1999, the order must be accompanied by the original Consent to Issuance of QILDRO signed by the member.

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- 3) The order must be a certified copy of an original order dated on or after July 1, 1999.
- 4) The order must have been issued by an Illinois court of competent jurisdiction in a proceeding for declaration of invalidity of marriage, legal separation, or dissolution of marriage that provides for the distribution of property, or any proceeding to amend or enforce such a property distribution.
- 5) The order must contain the name, residence address, and Social Security number of the member.
- 6) The order must contain the name, residence address, and Social Security number of the alternate payee.
- 7) The order must identify the State Employees' Retirement System as the retirement system to which it is directed.
- 8) The order must express any amount to be paid to the alternate payee from a member's retirement benefit as a dollar amount per month or as a percentage per month.
- 9) The order must express any amount to be paid to the alternate payee from a member's refund or partial refund as a dollar amount or as a percentage of the refund.
- 10) The order must express any amount to be paid to the alternate payee from a member's death benefit as a dollar amount or as a percentage of the death benefit.
- ~~10) The order must not contain formulas or percentages.~~
- 11) The order must apply only to benefits that are statutorily subject to QILDROs as provided in Section 1-119(b)(1) of the Act [40 ILCS 5/1-119(b)(1)].
- 12) The order and, if applicable, the Consent to Issuance of QILDRO must be in the form adopted by the System ~~as of the date the order is received.~~

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- 13) No language may be added to, or omitted from, the QILDRO form or the consent form adopted by the System.

c) Requirement for a Valid QILDRO Calculation Order
The System will accept a court order as a valid QILDRO Calculation Order or as a QILDRO Calculation Order that meets all of the following requirements:

- 1) The order must be accompanied by a \$50 non-refundable processing fee, with the check made payable to the State Employees' Retirement System.
- 2) The order must be a certified copy of an original order dated on or after July 1, 2006.
- 3) The order must have been issued by an Illinois court of competent jurisdiction in a proceeding for declaration of invalidity of marriage, legal separation, or dissolution of marriage that provides for the distribution of property, or any proceeding to amend or enforce such a property distribution.
- 4) The order must contain the name, residence address, and Social Security number of the member.
- 5) The order must contain the name, residence address, and Social Security number of the alternate payee.
- 6) The order must identify the State Employees' Retirement System as the retirement system to which it is directed.
- 7) The order must apply only to benefits that are statutorily subject to QILDRO Calculation Orders as provided in Section 1-119(b)(1) of the Act.
- 8) The order must be in the form directed by Section 1-119 of the Act.
- 9) No language may be added to, or omitted from, the QILDRO Calculation Order form adopted by the System.
- 10) The QILDRO Calculation Order must not be completed in a manner that changes the intent of the QILDRO to which it relates.

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~~e) Curing Minor Deficiencies~~

- ~~1) An order containing one or more of the deficiencies enumerated in subsection (c)(2) of this Section may be corrected and resubmitted within 60 days after the date the System sends notice of the deficiency or deficiencies. Such 60-day period is referred to in this Section as the cure period.~~
- ~~2) Only the following deficiencies may be corrected during the cure period:
 - ~~A) The order is not accompanied by a \$50 non-refundable processing fee, by check payable to the State Employees' Retirement System.~~
 - ~~B) The order applies to a person who became a member of the System before July 1, 1999, and is not accompanied by the original Consent to Issuance of QILDRO signed by the member.~~
 - ~~C) The consent form accompanying the order is not in the form adopted by the System.~~
 - ~~D) The order is not a certified copy of the original.~~
 - ~~E) The order omits or inaccurately states the member's name, address, or Social Security number.~~
 - ~~F) The order omits or inaccurately states the alternate payee's name, address, or Social Security number.~~
 - ~~G) Any other deficiency determined by the System, in its sole discretion, to be of a minor nature.~~~~
- ~~3) If the System receives an order containing one or more deficiencies identified in subsection (c)(2) of this Section, and the order applies to a member who is currently receiving a monthly benefit payment or has a refund application pending, the System will hold the portion of the member's retirement benefit or refund that would be payable to the alternate payee if the QILDRO were valid, until one of the following occurs:
 - ~~A) The System determines that all deficiencies have been corrected~~~~

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~~during the cure period; or~~

~~B) The cure period expires and one or more deficiencies have not been corrected.~~

~~4) If the System determines that all deficiencies have been corrected during the cure period, the QILDRO will be deemed received as of the date the original order was received.~~

~~5) If the cure period expires and the System determines that one or more deficiencies have not been corrected, the order will be deemed invalid, and any amounts held during the cure period will be paid to the member payee.~~

d) Required Form

1) A QILDRO/QILDRO Calculation Order must be in the form directed by Section 1-119 of the Act~~adopted by the System as of the date that the QILDRO is received~~. The required QILDRO/QILDRO Calculation Order form is available from the System upon request or in PDF at www.state.il.us/srs.

2) A QILDRO/QILDRO Calculation Order that is not in the form adopted by the System is invalid.

3) A Consent to Issuance of QILDRO must be in the form adopted by the System as of the date that the QILDRO is received. The required consent form is available from the System upon request or in PDF at www.state.il.us/srs.

4) A consent form that is not in the form adopted by the System is invalid.

e) Filing a QILDRO with the System

1) A QILDRO should be sent to the System's Springfield Office/~~Claims Division~~, accompanied by the consent form, if applicable, and ~~at~~ the \$50 non-refundable processing fee.

2) A QILDRO will be deemed received by the System on the date that it is received in the System's Springfield Office/~~Claims Division~~.

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- 3) Within ~~4530~~ calendar days after receipt of a QILDRO, the System will review the order and notify the member and each alternate payee by first class mail that it has received the order, and whether the order is a valid QILDRO. If the System determines that the order is not a valid QILDRO, the notice will specify the reason or reasons.
- 4) A QILDRO that has been modified by the issuing court should be submitted in the same manner as the original QILDRO. A separate \$50 non-refundable processing fee is required for each modified QILDRO.

f) Filing a QILDRO Calculation Order with the System

- 1) A QILDRO Calculation Order should be sent to the System's Springfield Office, accompanied by a \$50 non-refundable processing fee.
- 2) A QILDRO Calculation Order will be deemed received by the System on the date that it is received in the System's Springfield Office.
- 3) Within 45 calendar days after receipt of a QILDRO Calculation Order, the System will review the order and notify the member and each alternate payee by first class mail that it has received the order, and whether the order is a valid QILDRO Calculation Order. If the System determines that the order is not a valid QILDRO Calculation Order, the notice will specify the reason or reasons.
- 4) A QILDRO Calculation Order that has been modified by the issuing court should be submitted in the same manner as the original QILDRO Calculation Order. A separate \$50 non-refundable processing fee is required for each modified QILDRO Calculation Order. A modified QILDRO Calculation Order will not affect the priority of the QILDROs on file.

gf) Benefits Affected by a QILDRO

- 1) A QILDRO may apply only to the following benefits administered by the System:
 - A) a monthly retirement benefit;
 - B) a member's termination refund; ~~and~~

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- C) a member's partial refund; ~~and-~~
- D) a member's death benefit.
- 2) If a QILDRO specifies a dollar amount or percentage payable to an alternate payee from any partial member's refund that becomes payable, the aggregate amount paid to the alternate payee from all partial member's refunds shall not exceed the dollar amount or percentage specified in the QILDRO.
- 3) A QILDRO shall not apply to any of the following:
- ~~A) a death benefit;~~
- AB) a reversionary annuity that becomes payable following the death of the member;
- BC) a survivor benefit;
- CD) any disability benefit;
- DE) an error refund; and
- EF) any other benefit paid under Article 14 [40 ILCS 5/Art. 14] not specifically listed in subsection (~~gf~~)(1) of this Section.
- 4) If the space provided on the QILDRO form for the dollar amount or percentage the alternate payee is to receive from the member's retirement benefit, member's refund, ~~or~~ partial member's refund or death benefit is left blank, then the alternate payee will receive no portion of the benefit or refund for which the space is left blank.
- hg) Effect of a Valid QILDRO
- 1) Retirement Benefit
- A) After the System has determined that a QILDRO applying to a retirement benefit on a dollar basis is valid, one of the following will occur:

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- i) If the member has not yet started receiving benefits, the QILDRO will be placed in the member's file and will be implemented when the first affected benefit payment commences; or
 - ii) If the member is already receiving benefits subject to the QILDRO, payment to the alternate payee will begin with the first payment to the member occurring at least 30 days after the QILDRO is received.
- ~~1) After the System has determined that a QILDRO applying to periodic benefits is valid, one of the following will occur:~~
 - ~~A) If the member has not yet started receiving benefits, the QILDRO will be placed in the member's file and will be implemented when the first affected benefit payment commences; or~~
 - ~~B) If the member is already receiving benefits subject to the QILDRO, payment to the alternate payee will begin with the first payment to the member occurring at least 30 days after the QILDRO was received.~~
- ~~2) After the System has determined that a QILDRO applicable to a member's refund or partial member's refund is valid, one of the following will occur:~~
 - ~~A) If the member has not applied for a refund the QILDRO will be placed in the member's file and will be implemented when payment of the affected refund is made;~~
 - ~~B) After the System has determined that a QILDRO applying to a retirement benefit on a percentage basis is valid, that the member has not retired, and that a QILDRO Calculation Order will be needed, the following will occur:~~
 - i) Within 45 days, the System will provide the information required in Section 1-119(h)(1.5)(B) of the Act;
 - ii) When the member requests a retirement benefit, within 45 days after the System receives all information necessary to

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determine the actual benefit payable, the System will provide the information required in Section 1-119(h)(1.5)(C) of the Act; and

- iii) When the member requests a retirement benefit and there is no QILDRO Calculation Order on file, the System will advise the member and alternate payee of the need for a QILDRO Calculation Order. The System will determine an anticipated payment to the alternate payee based on information in the QILDRO, if it is possible to do so. The System will hold the alternate payee's anticipated payment and pay the member's monthly retirement benefit, less the amount held for the alternate payee, pending receipt of the QILDRO Calculation Order. Once the QILDRO Calculation Order is received, the System will adjust the amounts payable in accordance with the QILDRO Calculation Order and begin paying the alternate payee. However, if it is not possible for the System to determine an anticipated payment based only on the QILDRO, then neither the member nor the alternate payee will be paid until the QILDRO Calculation Order is received.

- C) After the System has determined that a QILDRO applying to a retirement benefit on a percentage basis is valid, and that the member is receiving a retirement benefit, the following will occur:

- i) Within 45 days, the System will provide the information required in Section 1-119 (h)(1.5)(C) of the Act; and
- ii) If there is no QILDRO Calculation Order on file, the System will advise the member and alternate payee of the need for a QILDRO Calculation Order. The System will determine an anticipated payment to the alternate payee based on information in the QILDRO, if it is possible to do so. The System will hold the alternate payee's anticipated payment and pay the member's monthly retirement benefit, less the amount held for the alternate payee, pending receipt of the QILDRO Calculation Order. Once the QILDRO Calculation Order is received, the System will adjust the amounts payable in accordance with the

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QILDRO Calculation Order and begin paying the alternate payee. However, if it is not possible for the System to determine an anticipated payment based only on the QILDRO, then neither the member nor the alternate payee will be paid until the QILDRO Calculation Order is received.

2) Refund or Partial Refund

A) After the System has determined that a QILDRO applicable to a member's refund or partial member's refund is valid, one of the following will occur:

- i) If the QILDRO provides that the refund or partial refund will be allocated on a dollar amount basis and the member has not applied for a refund or partial refund, the QILDRO will be placed in the member's file and will be implemented when payment of the affected refund or partial refund is made;
- ii) If the QILDRO provides that the refund or partial refund will be allocated on a percentage basis and a QILDRO Calculation Order is not on file when the member requests a refund or partial refund, the System will provide the refund or partial refund amount to the member and alternate payee and will advise of the need for a QILDRO Calculation Order. The System will hold the refund or partial refund until the QILDRO Calculation Order is received;
- iii) If a refund application is pending when the System receives a QILDRO that purports to apply to the refund but the refund payment has not yet been vouchered, the System will hold the portion of the refund that would be payable to the alternate payee until it receives clarification from the court as to whether the QILDRO is effective against that pending refund. It is the member's or alternate payee's responsibility to obtain ~~such~~ clarification from the court and to notify the System of the court's clarification; or

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~~iv~~) If a refund payment has already been vouchered when the System receives a QILDRO that purports to apply to the refund, the QILDRO shall not be effective against that refund.

~~B3~~) "Vouchered", as used in subsection ~~(h)(2)(A)(g)(2)~~, of this Section means that the voucher has been signed and dated, even though the warrant has not been issued by the Office of the State Comptroller.

3) Death Benefit

A) After the System has determined that a QILDRO applicable to a member's death benefit is valid, one of the following will occur:

i) If the QILDRO provides that the death benefit will be allocated on a dollar amount basis and if the System has not received notice of the member's death, the QILDRO will be placed in the member's file and will be implemented when payment of the affected death benefit is made;

ii) If the QILDRO provides that the death benefit will be allocated on a percentage basis and a QILDRO Calculation Order is not on file when the System is notified of the death of the member, the System will provide the death benefit amount to the beneficiary on file and the alternate payee and will advise of the need for a QILDRO Calculation. The System will hold the death benefit until the QILDRO Calculation Order is received.

- If a death benefit application is pending when the System receives a QILDRO that purports to apply to the death benefit but the death benefit payment has not yet been vouchered, the System will hold the portion of the death benefit that would be payable to the alternate payee until it receives clarification from the court as to whether the QILDRO is effective against that pending death benefit. It is the beneficiary or alternate payee's responsibility to obtain clarification from the

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court and to notify the System of the court's clarification;

- If a death benefit payment has already been vouchered when the System receives a QILDRO that purports to apply to the death benefit, the QILDRO shall not be effective against that death benefit;

B) "Vouchered", as used in subsection (h)(3)(A), means that the voucher has been signed and dated, even though the warrant has not been issued by the Office of the State Comptroller.

ih) Termination of QILDRO
The System will consider a QILDRO as having been terminated in any of the following situations:

- 1) Upon receipt of a certified copy of a court order terminating the QILDRO;
- 2) Upon payment of all amounts provided for in the QILDRO; or
- 3) When the person to whom the QILDRO applies ceases to be a member or annuitant of the System.

jh) QILDROs Against Persons Who Became Members Prior to July 1, 1999

- 1) A QILDRO that applies to a person who became a member of the System prior to July 1, 1999, must be accompanied by the original Consent to Issuance of QILDRO signed by the member. If the original is unavailable, a certified copy of the consent form filed with the court that issued the QILDRO is acceptable in lieu of the original.
- 2) The Consent to Issuance of QILDRO must be in the form adopted by the System (including judicial district and county, case number and caption, member's name and SSN, alternate payee's name and SSN, member's signature and date) as of the date the QILDRO is received. ~~The required consent form is available from the System upon request.~~ A consent form that is not in the form adopted by the System is invalid.
- 3) In accordance with Section 1-119(m)(1) of the Act [40 ILCS 5/1-

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119(m)(1)], a consent form must be signed by the member to whom the QILDRO applies. A consent form signed by a judge in lieu of the member is invalid.

kj) Alternate Payee's Address

- 1) An alternate payee is responsible to report to the System in writing each change in his or her name and residence address.
- 2) When a member's retirement benefit ~~or~~ refund or death benefit subject to a QILDRO becomes payable, the System will send notice to the last address of the alternate payee reported to the System that the benefit ~~or~~ refund or death benefit is payable. Other than sending such notice, the System shall have no duty to take any other action to locate an alternate payee.
- 3) The 180-day period during which the System will hold the retirement benefit ~~or~~ refund or death benefit as provided in Section 1-119(e)(2) of the Act [40 ILCS 5/1-119(e)(2)] begins on the date that the notice described in subsection (j)(2) of this Section is sent to the last address of the alternate payee reported to the System, or on the date that the retirement benefit ~~or~~ refund or death benefit becomes payable, whichever is later.

lk) Electing Form of Payment

- 1) A member's election either to receive or forego a proportional annuity under the Retirement Systems Reciprocal Act [40 ILCS 5/20] is not a prohibited election under Section 1-119(j)(1) of the Act [40 ILCS 5/1-119(j)(1)].
- 2) A member's election to take a refund is not a prohibited election under Section 1-119(j)(1) of the Act.
- 3) A member's election of a form of payment of annuity that reduces the member's total benefit, while still allowing full payment to the alternate payee under a QILDRO at the date of the election, is not a prohibited election under Section 1-119(j)(1) of the Act.

ml) Automatic Annual Increases

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- 1) The alternate payee will or will not receive a proportionate share of any automatic annual increase in the member's retirement benefit under Section 14-114 ~~or 14-115~~ of the Act [40 ILCS 5/14-114, ~~14-115~~], according to the designation in the QILDRO. If the QILDRO fails to designate whether the alternate payee is intended to receive a proportionate share of the automatic annual increase, then the System will presume that the alternate payee is not entitled to a proportionate share of the automatic annual increase in the member's share.
 - 2) The initial increase in the amount due the alternate payee under the QILDRO is payable with the next succeeding increase due the member after the date the QILDRO first took effect.
 - 3) The System will calculate the amount of any increase payable to the alternate payee under the QILDRO.
 - 4) The amount of any increase payable to the alternate payee is the percentage of increase due the member under Sections 14-114 or 14-115 of the Act [~~ILCS 5/14-114, 14-115~~], multiplied by the alternate payee's monthly benefit as of the date of the increase.
- ~~mm~~) Providing Benefit Information for Divorce Purposes
- 1) Within 45 days after receiving a subpoena or request from a member, the System will provide ~~the information required in Section 1-119(h)(1) of the Act a statement for divorce purposes regarding the amount of a member's retirement benefit based on the most current information on file with the System.~~
 - 2) Information provided by the System for divorce purposes does not include the amount of a member's retirement benefit for which no information is yet on file with the System. The System will not provide a retirement benefit amount if the member is not vested. The System will not project earnings or future service. The System will not assume future eligibility for special formula employees or elections by members.
 - 3) Information provided by the System for divorce purposes does not reflect an actuarial opinion as to the present value of a member's retirement benefit, refund, death benefits or other interests.

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- 4) Except as otherwise indicated by the System in a statement regarding a member's benefits, information provided by the System for divorce purposes reflects the member's total service career for which service credit in the System has accrued, and is not isolated as to the marital period only. The System will not provide benefit information for the marital period or specific years.
- 5) The System does not calculate the amount of a member's retirement benefit, ~~or~~ refund or death benefit that would be payable to a former spouse pursuant to a divorce decree or dissolution judgment.
- 6) While the System makes every effort to provide accurate information for divorce purposes, benefit estimates are by their nature approximate and subject to revision due to errors, omissions, erroneous assumptions, or future changes in the rules and laws governing the System.
- 7) The System does not disclose information for divorce purposes to spouses, former spouses, relatives, or other third parties including the member's attorney, except in response to the member's written authorization to release such information, or in response to a subpoena.

(Source: Amended at 30 Ill. Reg. 12303, effective July 1, 2006)

DEPARTMENT OF AGRICULTURE

NOTICE OF EMERGENCY RULES

- 1) Heading of the Part: Anhydrous Ammonia Security Grant Program
- 2) Code Citation: 8 Ill. Adm. Code 217
- 3)

<u>Section Numbers:</u>	<u>Emergency Action:</u>
217.10	New Section
217.20	New Section
217.30	New Section
217.40	New Section
217.50	New Section
217.60	New Section
217.70	New Section
217.80	New Section
217.90	New Section
217.100	New Section
217.110	New Section
217.120	New Section
217.130	New Section
217.140	New Section
217.150	New Section
217.160	New Section
217.170	New Section
217.180	New Section
217.190	New Section
217.200	New Section
- 4) Statutory Authority: Authorized by Section 205-450 of the Department of Agriculture Law of the Civil Administrative Code [20 ILCS 205/205-450].
- 5) Effective Date of Rules: June 29, 2006
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: None
- 7) Date Filed with the Index Department: June 29, 2006
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

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- 9) Reason for Emergency: Funds were appropriated for the implementation of this program for the first time in the agency's FY07 budget. The agency is filing emergency rules so the program can begin and safety and security enhancements can be made in time for the fall anhydrous ammonia application season, which will begin in late September.
- 10) A Complete Description of the Subjects and Issues Involved: This rulemaking involves the implementation of a pilot grant program to improve safety and security at anhydrous ammonia facilities in an effort to prevent anhydrous ammonia theft. In addition this Part will help promote safety for farmers, agribusinesses, farmworkers, neighbors, law enforcement, first responders and members of the public in the event of an emergency involving anhydrous ammonia leaks or spills.
- 11) Are there any proposed rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 13) Information and questions regarding this emergency rule shall be directed to:

Kim Janssen
Illinois Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield, IL 62794-9281

217/785-5848

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

DEPARTMENT OF AGRICULTURE

NOTICE OF EMERGENCY RULES

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER e: FERTILIZERS

PART 217
ANHYDROUS AMMONIA SECURITY GRANT PROGRAM

SUBPART A: GENERAL PROVISIONS

Section

- 217.10 Purpose
EMERGENCY
- 217.20 Applicability
EMERGENCY
- 217.30 Severability
EMERGENCY
- 217.40 Definitions
EMERGENCY
- 217.50 Application Requirements
EMERGENCY
- 217.60 Application Procedures
EMERGENCY
- 217.70 Eligibility
EMERGENCY
- 217.80 Fund Availability and Submission Deadlines
EMERGENCY
- 217.90 Computation of Time
EMERGENCY
- 217.100 Review of Grant Applications
EMERGENCY
- 217.110 Award of Grants
EMERGENCY
- 217.120 Grant Agreement
EMERGENCY
- 217.130 Equity Contribution
EMERGENCY
- 217.140 Maintenance of Records and Audit
EMERGENCY
- 217.150 Inspection
EMERGENCY

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217.160 Default or Termination of Grant Agreement

EMERGENCY

217.170 Administrative Standards for Grant Recipients

EMERGENCY

217.180 Prevailing Wage

EMERGENCY

SUBPART B: REVIEW COMMITTEE

217.190 Review Committee

EMERGENCY

217.200 Conflict of Interest

EMERGENCY

AUTHORITY: Authorized by Section 205-450 of the Department of Agriculture Law of the Civil Administrative Code [20 ILCS 205/205-450].

SOURCE: Emergency rule adopted at 30 Ill. Reg. 12323, effective June 29, 2006, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 217.10 Purpose

EMERGENCY

This Part provides regulations for the implementation and operation of a grant program for the purpose of improving safety and security at anhydrous ammonia facilities to prevent anhydrous ammonia theft and inhibit the use of anhydrous ammonia for the purpose of manufacturing methamphetamine while promoting safety for farmers, agribusinesses, farmworkers, neighbors, law enforcement, first responders and members of the public.

Section 217.20 Applicability

EMERGENCY

This Part applies to anhydrous ammonia facilities located in Illinois for which a grant application has been filed with the Department to pay a portion of the costs associated with obtaining and implementing approved facility safety and security measures including the utilization of anhydrous ammonia additives, installing tank locking devices, and installation of other security measures to prevent the use of anhydrous ammonia in the illegal manufacture of methamphetamine. [20 ILCS 205/205-450]

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**Section 217.30 Severability
EMERGENCY**

If any provision of this Part or its application to any person or under any other circumstances is adjudged invalid, such adjudication does not affect the validity of this Part as a whole or of any portion not adjudged invalid.

**Section 217.40 Definitions
EMERGENCY**

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as that applied to the same word or terms in the Civil Administrative Code of Illinois [20 ILCS 205/Art. 205]. For the purposes of this Part, the terms included in this Section shall have the following meanings:

"Act" means Public Act 94-553, effective 8-12-05 [20 ILCS 205/205-450].

"Agreement" means a written document executed between the grantee and the Department setting forth the terms and conditions of the grant.

"Agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation, or cooperative that operates or will operate a facility or agricultural process located within the State of Illinois that is related to the processing of agricultural commodities (including, but not limited to, the products of aquaculture, hydroponics, and silviculture) or the manufacturing, production, or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production.

"Agribusiness" includes but is not limited to the following:

grain handling and processing, including grain storage, drying, treatment, conditioning, milling, and packaging;

seed and feed grain development and processing;

fruit and vegetable processing, including preparation, canning, and packaging;

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processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apiarian products, including slaughter, shearing, collecting, preparation, canning, and packaging;

fertilizer and agricultural chemical manufacturing, processing, application and supplying;

farm machinery, equipment, and implement manufacturing and supplying;

manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning, or packaging of agricultural commodities;

farm building and farm structure manufacturing, construction, and supplying;

construction, manufacturing, implementation, supplying, or servicing of irrigation, drainage, and soil and water conservation devices or equipment;

fuel processing and development facilities that produce fuel from agricultural commodities or by-products;

facilities and equipment for processing and packaging agricultural commodities specifically for export;

facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of prefabricated buildings, paper, furniture, or other goods from forestry products; and

facilities and equipment for research and development of products, processes, and equipment for the production, processing, preparation, or packaging of agricultural commodities and by-products.

"Anhydrous Ammonia Facility" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation, or cooperative that owns, operates or manages an enterprise located within the State of Illinois that is related to the processing or use of anhydrous ammonia.

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"Applicant" means a person submitting an application for program funds appropriated under the Act.

"Application" means a written request for program funds containing the required information and attachments.

"Department" means the Illinois Department of Agriculture.

"Director" means the Director of the Illinois Department of Agriculture.

"Eligible Project" means a project that is eligible or approved for funding as defined in Sections 217.70 and 217.100 of this Part.

"Fiscal year" means July 1 of one year through June 30 of the following year, the fiscal year of the State of Illinois.

"Grant" means an Illinois Anhydrous Ammonia Program grant authorized by the Act and this Part.

"Grant Amount" means an amount that the Department shall pay to a grantee for its use on an eligible project.

"Grantee" means an Illinois person or agribusiness that has been awarded a grant in accordance with the Act and this Part.

"Implements of Husbandry" means a farm wagon-type tank vehicle of not over 3000 gallons capacity, used as a nurse tank supplying the anhydrous ammonia to a field applicator, and moved on highways only for transporting anhydrous ammonia from a local source of supply to farms or fields or from one farm or field to another.

"Nurse Tank" means a vessel designed and constructed for the storage and handling of anhydrous ammonia for legal purposes.

"Person" means, unless limited to a normal person by the context in which it is used, a person, corporation, association, trust, partnership, limited partnership, joint venture or cooperative.

"Project" means the activity or program of activities described by the applicant in the application and approved by the Department.

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"Review Committee" means the committee appointed by the Director to review and evaluate grant applications and make recommendations to the Director for the award of grants.

"State" means the State of Illinois.

"Total project cost" means all necessary and reasonable costs related to the completion of the project as identified in the budget of the grant agreement.

Section 217.50 Application Requirements
EMERGENCY

- a) All communications relating to the application procedures defined in this Subpart shall be sent to the Illinois Department of Agriculture, Division of Agricultural Industry Regulation, Bureau of Agricultural Products Inspection, State Fairgrounds, P. O. Box 19281, Springfield, Illinois 62794-9281.
- b) An application shall be typed or computer generated using the approved format provided by the Department. The application will include identifying information about the applicant, project name and cost estimates, funding request, a description of matching funds and in-kind contributions, and related information.
- c) An application shall contain one original and the designated number of copies as required by the Department.
- d) An applicant must complete and sign an application before it is submitted to the Department. The application must include information and supporting documents that will enable the application to be evaluated based on the criteria described in Section 217.120 of this Part.

Section 217.60 Application Procedures
EMERGENCY

- a) The Department may require the applicant to submit other information reasonably related to a determination of applicant or project eligibility or project feasibility.
- b) The Department may request the applicant or representative to present an oral presentation to the Review Committee of the project. Such presentation must be made by the project applicant.

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**Section 217.70 Eligibility
EMERGENCY**

Any person or agribusiness that owns, operates or manages an anhydrous ammonia facility in Illinois that sells and distributes anhydrous ammonia for agricultural purposes in Illinois is eligible to receive a grant. Based on availability of funding the Department may establish pilot programs.

**Section 217.80 Fund Availability and Submission Deadlines
EMERGENCY**

- a) Upon request, the Department will supply applicants with an application package.
- b) Applications for funding under the Act will be made available on a schedule determined by the Department. Public notice of the availability of funding and the application due dates will be published in the State newspaper and on the Department's website. Applications received after 5:00 p.m. on the appropriate submission date will be held for consideration during the next review cycle.

**Section 217.90 Computation of Time
EMERGENCY**

Computation of any period of time prescribed by this Part shall begin with the first business day following the day on which the act, event or development initiating that period of time occurs, and shall continue until the end of the last day, or the end of the next business day if the last day is a Saturday, Sunday or federal or State holiday. When the period of time is 5 days or less, Saturday, Sunday and federal or State holidays shall be excluded in the computation of time. Computation of time shall be determined by the postmark date or the date of hand delivery.

**Section 217.100 Review of Grant Applications
EMERGENCY**

- a) Those applications that are deemed complete by the application submission deadline by the Department will be sent to a Review Committee for the review of the grant applications.
- b) The Review Committee may meet and review and evaluate the applications in accordance with the criteria listed in this Section, as applicable:

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- 1) The project has a reasonable assurance of enhancing the safety and security of anhydrous ammonia tanks and storage facilities in Illinois.
 - 2) The applicant demonstrates a personal commitment by providing an equity contribution to the project.
 - 3) There is an adequate and realistic budget projection.
 - 4) Brief history of the anhydrous ammonia facility and description of problems with anhydrous ammonia theft at the facility and previous attempts to stop the theft.
 - 5) There is favorable community support for the project including support from local law enforcement officials.
 - 6) The application meets the eligibility requirements and the project costs are eligible under the Act.
 - 7) The applicant has established a need for the grant.
 - 8) Geographic location of project.
- c) Preference for grants will be given to, but is not limited to the following:
- 1) Proposals for improving the safety and security at anhydrous ammonia storage facilities and tanks.
 - 2) Proposals that demonstrate that the applicant has invested his or her own funds, time, and/or other valued consideration in the project.
 - 3) Proposals that are reasonably expected to result in an increase in security at anhydrous ammonia storage facilities and those that improve the security of nurse tanks in an effort to deter the production of methamphetamine.
 - 4) Proposals that demonstrate that the applicant will install or utilize more than one type of safety or security device or measure that will result in providing a layer of security for ammonia storage tanks or nurse tanks at the facility.

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- d) If an applicant has received a grant in previous grant cycles and the Department experienced any problems with the applicant's handling of the grant, the Review Committee may evaluate an application based upon the applicant's previous grant performance in the areas of:
 - 1) Accountability;
 - 2) Timeliness; and
 - 3) Effectiveness.
- e) After the Review Committee has completed evaluating each application, the Review Committee will submit its recommendations for awarding the grants to the Director. The Director will determine whether an eligible application is awarded a grant, as outlined in Section 217.110.
- f) The Review Committee may also recommend to the Director that conditions be placed on certain grants deemed necessary by the Review Committee.

**Section 217.110 Award of Grants
EMERGENCY**

- a) The Director may accept or reject the Review Committee's recommendations. The Director may impose additional or lesser requirements for the grant as deemed necessary and may change the amount of the grant recommended by the Review Committee. The Director has final decision-making authority on the awarding of grants. The Director's decision on the granting of funds is not appealable under 8 Ill. Adm. Code 1.
- b) If the Review Committee recommends to award a grant less than the amount requested, and the Director concurs, the Department shall confer with the applicant to determine whether a reduction in the grant request will preclude the applicant from performing the project's stated or modified scope of work. The Director will consider the applicant's response in deciding whether to award a grant for that project.

**Section 217.120 Grant Agreement
EMERGENCY**

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- a) When a grant has been awarded, the grantee and the Department or the Director's designee shall execute an agreement. The grant will be subject to the requirements of the Illinois Grant Funds Recovery Act [30 ILCS 705]. The project shall not be initiated and costs shall not be incurred prior to a grant agreement being executed and the Department approving the application for funding eligibility.
- b) The agreement shall contain substantive provisions, including, but not limited to, the following:
 - 1) A recitation of legal authority pursuant to which the agreement is made;
 - 2) An identification of the project scope and schedule, and the work or services to be performed or conducted by the grantee;
 - 3) An identification of the grant amount;
 - 4) The conditions, timing, and manner in which the Department shall pay the grant amount subject to annual appropriation by the General Assembly;
 - 5) The irrevocable promise of the grantee to pay the equity contribution of the total project cost;
 - 6) A promise by the grantee not to assign or transfer any of the rights, duties or obligations of the grantee without the written consent of the Department;
 - 7) A promise by the grantee not to amend the agreement without the written consent of the Department. Failure to do so will result in cost disallowance;
 - 8) A covenant that the grantee shall expend the grant amount and any accrued interest only for the purposes of the project as stated in the grant agreement and approved by the Department;
 - 9) A covenant that the grantee shall refrain from entering into any written or oral agreement or understanding with any party that might be construed as an obligation of the State of Illinois or the Department for the payment of any funds under the Act;

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- 10) The starting and termination dates of the agreement; and
 - 11) Dates for submitting progress reports and other requirements.
- c) At a minimum, the grant agreement must also:
- 1) Be signed by the Department and all grantees of the grant;
 - 2) Specify how payment shall be made, what constitutes permissible expenditures of the grant funds, and the financial controls applicable to the grant;
 - 3) Contain a provision that all funds remaining at the end of the grant agreement or the expiration of the period of time grant funds are available for expenditures or obligation by the grantee shall be returned to the Department within 45 days.

**Section 217.130 Equity Contribution
EMERGENCY**

As specified in the grant agreement, the grantee must provide at least a percentage of the total cost of the project for which the grant will be spent that is:

- a) identified as allowable costs in the application of the grant program;
- b) not funds from other Department or State funded grant programs; and
- c) necessary and irrevocably obligated to the project.

**Section 217.140 Maintenance of Records and Audit
EMERGENCY**

- a) The grantee must keep records of all activities undertaken in connection with implementation of the grant proposal. The books, records, documents, and accounting procedures and practices of the grantee related to the grant are subject to review by the Director or the Director's designee. The grantee must give the Director or the Director's designee access during normal business hours to all business records related to the project.

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- b) All financial documents, books, receipts, orders, expenditures, electronic data and accounting procedures and practices of the grantee are subject to examination by or for the Department at any time for 3 years following the completion of the grant or as required by statute. The grantee may not assess any costs against the Director or the Director's designee under the terms of this provision.

**Section 217.150 Inspection
EMERGENCY**

During the term of a grant, the Director, or the Director's designee, may inspect the operation of the business, and any of the grant projects. The grantee may not assess any costs against the Director or the Director's designee under the terms of this provision.

**Section 217.160 Default or Termination of Grant Agreement
EMERGENCY**

- a) If the grantee violates any of the terms of the grant agreement, the Department shall send a written notice to the grantee that he is in default and will be given the opportunity to correct the violations. If the violation is not corrected within 15 calendar days after receipt of the notification, the Director may do one or more of the following:
- 1) Cease additional grant payments not yet made to the grantee;
 - 2) Terminate the grant agreement;
 - 3) Institute recovery of the grant funds under the Illinois Grant Funds Recovery Act [30 ILCS 705];
 - 4) Take any other action considered appropriate to protect the Department's interest in the project.
- b) A grant may be terminated under, but termination is not limited to, any of the following circumstances: failure to comply with the terms and conditions of the grant agreement; repeated failure to submit required reports; misapplication of grant funds; failure to provide required percentage Department funds; evidence of fraud and abuse; failure to maintain required records; repeated failure to meet performance timelines or standards; failure to resolve negotiated points of the agreement; and failure to develop and implement a corrective action plan within 15 calendar days after the Department's notice.

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- c) The Department may terminate the grant in whole, or in part, when the Department determines that the continuation of the project would not produce beneficial results commensurate with the continual expenditures of funds.
- d) The Department may terminate the grant in whole, or in part, when the Illinois General Assembly or federal funding source fails to make an appropriation sufficient to pay such obligation or to allow the Department to operate as required to fulfill its obligations under the grant or funds are deappropriated or not allocated, or if the funds needed by the Department are insufficient for any reason.
- e) The recipient may refuse or elect not to complete the grant agreement and terminate the grant. The recipient shall notify the Department within 10 days after the date upon which performance ceases. The Department shall declare due and payable the total amount of the grant and may cease additional grant payments not yet made to the grantee.

**Section 217.170 Administrative Standards for Grant Recipients
EMERGENCY**

- a) The grant shall have a period of completion as determined by the Department.
- b) Grant funds must be expended or obligated within the period of the grant agreement and liquidated within the period of time in accordance with the Illinois Grant Funds Recovery Act [30 ILCS 705].
- c) Payments to the recipient pursuant to a grant are subject to the initiation of an invoice voucher and receipt of an expenditure summary or documentation of expenses.
- d) In accordance with Section 10 of the Illinois Grant Funds Recovery Act [30 ILCS 705/10], all interest earned under the grant shall become part of the grant when earned. Any interest earned during the term of the grant, and not expended as grant principal during the term of the grant, shall be returned to the Department.
- e) If the grant recipient expends funds contrary to the provisions of the grant agreement, such action shall require the repayment of those funds.

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- f) Grantees and their subcontractors, if any, must permit any agent authorized by the Department, upon presentation of credentials, to have full access to and the right to examine any documents, papers and records of the recipient involving transactions related to a grant from the Department, without cost or expense to the Department.
- g) Grantee must submit, as specified in the grant agreement, reports on the financial status of the project and provide narrative reports on the activities and achievement results based on the objectives of the project.
- h) In accordance with Section 4 of the Illinois Grant Funds Recovery Act [30 ILCS 705/4], all funds, including any interest, remaining at the end of the grant period or at the expiration of the period of time grant funds are available for expenditure or obligation by the grantee, shall be returned to the Department within 45 days after the end of the relevant period. The grantee agrees to repay the Department for any funds that are determined by the Department to have been spent in violation of the grant agreement.
- i) Grantee shall permit any agent authorized by the Department, upon presentation of credentials, in accordance with the constitutional limitation on administrative searches, to have full access to and the right to examine any documents, papers, and records of the grantee involving transactions related to a grant from the Department. Once the Department has concluded its monitoring activities, the grantee will be notified of the Department's findings and be given an opportunity for at least one informal hearing to determine the facts and issues and to resolve any conflicts as amicable as possible before taking formal recovery actions. If the Department determines that certain grant funds are to be recovered, the Department will undertake the formal procedures for recovery pursuant to the Grant Funds Recovery Act [30 ILCS 705/8].

**Section 217.180 Prevailing Wage
EMERGENCY**

Grants awarded under this Subpart may be subject to the Prevailing Wage Act [820 ILCS 130].

SUBPART B: REVIEW COMMITTEE

**Section 217.190 Review Committee
EMERGENCY**

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- a) The Review Committee shall review and evaluate all grant applications based upon the criteria specified in this Part and make recommendations to the Director for the award of grants.
- b) The Review Committee shall consist of the Director, or his designee, various employees of the Department selected by the Director, and others deemed appropriate by the Director. The Director or his designee shall be the Chairman of the Committee.
- c) The Review Committee shall not have any oral or written communication with applicants other than that outlined by Section 217.60(b).

**Section 217.200 Conflict of Interest
EMERGENCY**

No member of the Review Committee may participate in, or vote on, a decision of the Review Committee relating to an organization or entity in which that individual has a direct financial interest.

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

<u>Section Numbers:</u>	<u>Emergency Action:</u>
310.100	Amendment
310.490	Amendment
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 5) Effective Date of Amendments: July 1, 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: Not applicable
- 7) Date filed with the Index Department: June 30, 2006
- 8) This and other Pay Plan amendments are on file and available in the Division of Technical Services of the Bureau of Personnel.
- 9) Reason for Emergency: These emergency amendments effective July 1, 2006 permit the implementation of the pay policy changes from the beginning of the fiscal year, as opposed to on a retroactive basis. The costs of implementing retroactive payments are a burden on the State agencies and include costs associated with compliance and audits. These costs are saved through emergency amendments and that is in the public interest. The same pay policy changes are in proposed amendments, which will still provide the public the traditional opportunity for input to the Department of Central Management Services and the Joint Committee on Administrative Rules.
- 10) A Complete Description of the Subjects and Issues Involved: In Section 310.100, subsection (d)(4), the language is identical to that in the proposed amendments at 30 Ill. Reg. 6444 on the agenda for the July 11, 2006 Joint Committee on Administrative Rules meeting, except in light of the interim assignment pay in these emergency amendments the opening sentence after the heading to subsection (d)(4)(A) clarifies to which employees the temporary assignment applies when assigned to a higher-level position classification applies.

Also in Section 310.100, a new subsection (e) is added explaining interim assignment pay. Interim assignment is defined in emergency and proposed amendments to the

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Personnel Rules (80 Ill. Adm. Code 302) Section 302.150, where the emergency amendments are also effective July 1, 2006.

Also in Section 310.100, the subsections following the new subsection (e) are renumbered.

Also in Section 310.100, the renumbered subsection (f)(3) has a change to the compensation of equivalent earned time to permit only equivalent earned time accrued during June of one fiscal year to be carried over for use prior to August of the immediately following fiscal year.

Also in Section 310.100, the renumbered subsection (j) has a change, which is to add the leave to serve in an interim assignment and thereby establishing the salary treatment upon the employee's return from the leave.

In Section 310.490(e)(3) has a change to the compensation of equivalent earned time to permit only equivalent earned time accrued during June of one fiscal year to be carried over for use prior to August of the immediately following fiscal year.

Also in Section 310.490(i) has a change, which is to add the leave to serve in an interim assignment and thereby establishing the salary treatment upon the employee's return from the leave.

Also in Section 310.490(k) has a change, which is to properly name what was called extra duty pay as temporary assignment pay when required to use second language ability and explain it.

Also in Section 310.490, a change is to add a new subsection (p) to explain interim assignment pay within the merit compensation system.

11) Are there any proposed amendments to this Part pending? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
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

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310.220	Amendment	30 Ill. Reg. 6444, 4/21/06
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

- 12) Statement of Statewide Policy Objective: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.
- 13) Information and questions regarding these emergency amendments shall be directed to:

Mr. Jason Doggett

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF EMERGENCY AMENDMENTS

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

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

- 14) Does this amendment require the review of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code [30 ILCS 500/5-25]? No

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

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NOTICE OF EMERGENCY AMENDMENTS

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section

310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions

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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	Daily or Hourly Rate Conversion
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate

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

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310.TABLE G	RC-045 (Automotive Mechanics, IFPE)
310.TABLE H	RC-006 (Corrections Employees, AFSCME)
310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.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,

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1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for

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a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 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

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at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, 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;

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peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; peremptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a

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maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; peremptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 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; peremptory 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; peremptory 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; peremptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; peremptory 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; peremptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; peremptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; peremptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; peremptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; peremptory 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; peremptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; peremptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; peremptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; peremptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; peremptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; peremptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; peremptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; peremptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; peremptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; peremptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; peremptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; peremptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; peremptory amendment at 29 Ill. Reg. 8418, effective

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

SUBPART A: NARRATIVE

Section 310.100 Other Pay Provisions**EMERGENCY**

- 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 Base Salary –
 - 1) Qualifications Only Meet Minimum Requirements – When a candidate only meets the minimum requirements of the class specification upon entry to State service, an employee's entrance base salary is the in-hiring rate or the minimum base salary of the pay grade.
 - 2) Qualifications Above Minimum Requirements – If a candidate possesses directly-related education and experience in excess of the minimum requirements of the class specification, the employing agency may offer the candidate an entrance base salary that is not more than 10% above the

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candidate's current base salary. An entrance base salary offer more than 10% above the candidate's current base salary requires documentation in the candidate's CMS employment application (CMS-100) to support the higher entrance base salary offer and prior approval from the Director of Central Management Services. The approval is based on the candidate's documented directly-related education and experience exceeding the minimum requirements in the class specification, prior base salary history, staffing needs and requirements of the employing agency, and labor market influences on the recruitment for the position classification or position.

- 3) 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.
- c) Geographical Transfer – 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.
- d) 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

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by labor contracts, Federal Fair Labor Standards Act, or State law or regulations. Overtime shall be paid in accordance with the labor 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) **Temporary Assignment Pay** –
- A) **When Assigned to a Higher-Level Position Classification** – **A bargaining unit employee may be temporarily assigned to a bargaining unit position in a position classification having a higher pay grade and shall be eligible for temporary assignment pay. To be eligible for temporary assignment pay, the employee must be**

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directed to perform the duties that distinguish the higher-level position classification and be held accountable for the responsibility of the higher classification. Employees shall not receive temporary assignment pay for paid days off except if the employee is given the assignment for 30 continuous days or more, the days off fall within the period of time and the employee works 75% of the time of the temporary assignment. Temporary assignment pay shall be calculated as if the employee received a promotion into the higher pay grade. In no event is the temporary assignment pay to be lower than the minimum rate of the higher pay grade or greater than the maximum rate of the higher pay grade.

B) When Required to Use Second Language Ability – Employees who are bilingual or have the ability to use sign language, Braille, or another second language (e.g., Spanish) and whose job descriptions do not require that they do so shall be paid temporary assignment pay when required to perform duties requiring the ability. The temporary assignment pay received is prorated based on 5% or \$100 per month, whichever is greater, in addition to the employee's base rate.

e) Interim Assignment Pay – On the effective date of the certified non-bargaining unit employee' interim assignment (80 Ill. Adm. Code 302.150(j)), the employee shall receive an adjustment as if the employee received a promotion into the higher pay grade. This means that the employee shall be advanced to the lowest step in the higher pay grade that represents at least a full step increase in the lower pay grade. When the employee's current rate is Step 8 in the lower pay grade, the employee shall be paid at the lowest step rate in the higher pay grade 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 higher pay grade that is at least equivalent to that amount. Upon interim assignment, the employee's creditable service date shall change to the effective date of the interim assignment unless the adjustment results in less than at least a full step increase.

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.

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~~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.~~

fe) 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, except that equivalent earned time accrued during June of one fiscal year may be carried over for use prior to August of the immediately following fiscal year. At no time is equivalent earned time to be converted into cash payment or transferred from one agency to another agency.

gf) 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.

hg) Out-of-State Assignment – Employees who are assigned to work out-of-state on a temporary basis may receive an appropriate differential during the period of the

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

- i) 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 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.

- ii) 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, ~~or~~ Leave to serve in domestic peace or job corps (80 Ill. Adm. Code 302.230) or Leave to serve in an interim assignment 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.

- iii) Salary Treatment Upon Reemployment –

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- 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 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.

lk) 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.

ml) 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.)

nm) Bi-lingual Pay – Individual positions whose job descriptions require the use of sign language, 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.

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NOTICE OF EMERGENCY AMENDMENTS

(Source: Amended by emergency rulemaking at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days)

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.490 Other Pay Provisions**EMERGENCY**

- 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 Base Salary –
 - 1) When a candidate only meets the minimum requirements of the class specification upon entry to State service, an employee's entrance base salary is the in-hiring rate or the minimum base salary of the salary range.
 - 2) Qualifications Above Minimum Requirements – If a candidate possesses directly-related education and experience in excess of the minimum requirements of the class specification, the employing agency may offer the candidate an entrance base salary that is not more than 10% above the candidate's current base salary. An entrance base salary offer more than 10% above the candidate's current base salary requires documentation in the candidate's CMS employment application (CMS-100) to support the higher entrance base salary offer and prior approval from the Director of Central Management Services. The approval is based on the candidate's documented directly-related education and experience exceeding the minimum requirements in the class specification, prior base salary history, staffing needs and requirements of the employing agency, and labor market influences on the recruitment for the position classification or position.
 - 3) 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.

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- c) Geographical Transfer – 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.
- d) 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 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

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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 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.
- e) **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.

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- 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, except that equivalent earned time accrued during June of one fiscal year may be carried over for use prior to August of the immediately following fiscal year. At no time is equivalent earned time to be converted into cash payment or transferred from one agency to another agency.
- f) 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.
- g) 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 circumstance.
- h) 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.
- i) Salary Treatment upon Return from Leave – An employee returning from Administrative Leave (80 Ill. Adm. Code 302.795), Military Leave (80 Ill. Adm.

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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, ~~or~~ Leave to serve in domestic peace or job corps (80 Ill. Adm. Code 302.230) or Leave to serve in an interim assignment 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.

- j) 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.
- k) Temporary Assignment Pay When Required to Use Second Language Ability – Employees who are bilingual or have the ability to use sign language, Braille, or another second language (e.g., Spanish) and whose job descriptions do not require that they do so shall be paid temporary assignment pay when required to perform duties requiring the ability. The temporary assignment pay received is prorated based on 5% or \$100 per month, whichever is greater, in addition to the employee's base rate.~~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.~~
- l) 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

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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.
- m) 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.
- n) Bilingual Pay – Individual positions whose job descriptions require the use of sign language, 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.
- o) 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 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.
- p) Interim Assignment Pay – On the effective date of the employee's interim assignment (80 Ill. Adm. Code 302.150(j)), the employee shall receive an adjustment as if the employee received a promotion into the higher pay grade, which is an amount equivalent to between 8 and 15% of the employee's current base salary. In no event is the resulting salary to be lower than the minimum rate or greater than the maximum rate of the salary range to which the employee is being assigned. Upon interim assignment, the employee's creditable service date shall change to the effective date of the interim assignment unless the adjustment results in less than an 8% increase.

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(Source: Amended by emergency rulemaking at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Merit and Fitness
- 2) Code Citation: 80 Ill. Adm. Code 302
- 3) Section Number: 302.150 Emergency Action: Amendment
- 4) Statutory Authority: Implementing and authorized by the Personnel Code [20 ILCS 415].
- 5) Effective Date of Amendments: July 1, 2006
- 6) If this emergency rulemaking is to expire before the end of the 150-day period, please specify the date on which it is to expire: This rulemaking has no earlier effective date specified.
- 7) Date Filed with the Index Department: June 30, 2006
- 8) A copy of the emergency rulemaking, 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: Temporary assignments have been performed at the employing agency level as a function of Payroll rather than Personnel. Creation of a personnel transaction addressing interim assignment will permit CMS to monitor and control the prevalence in use of these assignments. The State requires the ability to monitor, control and track such assignments for its Merit-Compensation workforce in order to fulfill its responsibilities to the people of the State of Illinois and its requirements under the law while operating at more efficient staffing levels.
- 10) A Complete Description of the Subjects and Issues Involved: This amendment creates a new type of appointment status for certified non-bargaining unit employees. Interim assignment status will be used to monitor, control and track such employees performing on a full-time interim basis, the higher-level duties of another non-bargaining unit position.
- 11) Are there any proposed amendments to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking will not create a State mandate for units of local government.
- 13) Information and questions regarding this emergency amendment shall be directed to:

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NOTICE OF EMERGENCY AMENDMENT

Gina Wilson
Illinois Department of Central Management Services
720 Stratton Office Building
Springfield, Illinois 62706

217/785-1793

OR

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF EMERGENCY AMENDMENT

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 302
MERIT AND FITNESS

SUBPART A: APPLICATION AND EXAMINATION

- Section
- 302.10 Examinations
- 302.20 Time, Place, Conduct, Cancellation, Postponement and Suspension of Examinations
- 302.30 Veterans Preference
- 302.40 Announcement of Examination
- 302.52 Notice to Eligibles
- 302.55 Grading Examinations
- 302.60 Retaking or Regrading Examinations
- 302.70 Application and Eligibility

SUBPART B: APPOINTMENT AND SELECTION

- Section
- 302.80 Eligible Lists
- 302.90 Appointments
- 302.91 Alternative Employment
- 302.100 Geographic Preference
- 302.105 Pre-Employment Screening
- 302.110 Appointment From Eligible List
- 302.120 Responsibilities of Eligibles
- 302.130 Removal of Names From Eligible Lists
- 302.140 Replacement of Names on Eligible List
- 302.150 Appointment and Status
- [EMERGENCY](#)
- 302.160 Extension of Jurisdiction B

SUBPART C: TRAINEES

Section

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- 302.170 Programs
- 302.175 Appointments
- 302.180 Limitations on Trainee Appointments

SUBPART D: CONTINUOUS SERVICE

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

SUBPART E: PERFORMANCE REVIEW

- Section
- 302.260 Performance Records
- 302.270 Performance Evaluation Forms

SUBPART F: PROBATIONARY STATUS

- Section
- 302.300 Probationary Period
- 302.310 Certified Status
- 302.320 Status Change in Probationary Period
- 302.325 Intermittent Status

SUBPART G: PROMOTIONS

- Section
- 302.330 Eligibility for Promotion
- 302.335 Limitations On Promotions
- 302.340 Failure to Complete Probationary Period

SUBPART H: EMPLOYEE TRANSFERS

Section

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302.400	Transfer
302.410	Intra-Agency Transfer
302.420	Inter-Agency Transfer
302.425	Merit System Transfer
302.430	Geographical Transfer (Agency Directed)
302.431	Geographical Transfer (Agency Directed) Procedures
302.432	Notice To Employee
302.433	Effective Date of Geographical Transfer (Agency Directed)
302.435	Employee-Requested Geographical Transfer
302.440	Rights of Transferred Employees
302.445	Transfer of Duties
302.450	Limitations on Transfers
302.460	Employee Records

SUBPART I: DEMOTION

Section	
302.470	Demotion
302.480	Notice to Employee
302.490	Employee Obligations
302.495	Salary and Other Benefits of Employee
302.496	Appeal by Certified Employee
302.497	Demotion of Other Employees
302.498	Status of Demoted Employees

SUBPART J: VOLUNTARY REDUCTION AND LAYOFFS

Section	
302.500	Voluntary Reduction of Certified and Probationary Employees
302.505	Limitations in Voluntary Reduction
302.507	Definition of Layoff
302.510	Temporary Layoff
302.512	Use of Accrued Benefits During Temporary Layoff
302.514	Notice of Temporary Layoff
302.516	Return From Temporary Layoff
302.518	Scheduling of Temporary Layoffs
302.519	Deferral of Wages
302.520	Indeterminate Layoff Procedure
302.523	Voluntary Indeterminate Layoff
302.525	Disapproval

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302.530	Order of Layoff
302.540	Effective Date of Layoff
302.550	Employee Opportunity to Seek Voluntary Reduction
302.560	Order of Preference in Voluntary Reduction
302.570	Reemployment Lists
302.580	Employment From Reemployment List
302.590	Removal of Names From Reemployment List
302.595	Laid Off Probationary Employee
302.596	Appeal by Employee
302.597	Reinstatement from Layoff
302.600	Resignation
302.610	Reinstatement

SUBPART K: DISCHARGE AND DISCIPLINE

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302.625	Definition of Certified Employee
302.626	Progressive Corrective Discipline
302.628	Prohibited Disciplinary Action
302.630	Disciplinary Action Warning Notice
302.640	Suspension Totaling Not More Than Thirty Days in any Twelve Month Period
302.660	Suspension Totaling More than Thirty Days in any Twelve Month Period
302.670	Approval of Director of Central Management Services
302.680	Notice to Employee
302.690	Employee Obligations
302.700	Cause for Discharge
302.705	Pre-Termination Hearing
302.710	Suspension Pending Decision on Discharge
302.720	Discharge of Certified Employee
302.730	Notice to Employee
302.750	Appeal by Employee
302.780	Discharge of Probationary Employees
302.781	Reinstatement from Suspension or Discharge
302.785	Suspension Resulting From Arrest or Criminal Indictment/Suspension Pending Judicial Verdict
302.790	Prohibition of Discrimination
302.795	Administrative Leave

SUBPART L: TERM APPOINTMENTS

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Section	
302.800	Definition of Terms
302.810	Positions Subject to Term Appointments
302.820	Appointment
302.821	Effect of Loss of Federal Funding on Employees Excluded from Term Appointment by Reason of Being Federally Funded (Repealed)
302.822	Appointees Under Term Appointments
302.823	No Promotion to Positions Covered by Term Appointments (Repealed)
302.824	No Reallocation to Term Positions
302.825	Reemployment Rights to Term Appointment
302.830	Expiration of Term Appointment
302.840	Renewal Procedures
302.841	Renewal Procedures for Incumbents on the Effective Date of Section 8b18 of the Personnel Code (Repealed)
302.842	Effective Date of Reappointment or Termination (Repealed)
302.846	Change in Position Factors Affecting Term Appointment Exclusion
302.850	Reconsideration Request
302.860	Renewal Procedure for Incumbents Subject to Public Act 83-1369
302.863	Renewal of Certified or Probationary Incumbents in Exempted Positions

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

SOURCE: Filed May 29, 1975; amended at 2 Ill. Reg. 33, p. 24, effective September 1, 1978; amended at 3 Ill. Reg. 1, p. 63, effective January 1, 1979; amended at 3 Ill. Reg. 22, p. 78, effective June 1, 1979; emergency amendment at 3 Ill. Reg. 48, p. 188, effective January 1, 1980, for a maximum of 150 days; emergency amendment at 4 Ill. Reg. 1, p. 76, effective January 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 11, p. 67, effective March 1, 1980; amended at 4 Ill. Reg. 15, p. 216, effective March 31, 1980; amended at 4 Ill. Reg. 22, p. 227, effective June 1, 1980; amended at 5 Ill. Reg. 8029, effective August 1, 1981; amended at 7 Ill. Reg. 654, effective January 5, 1983; codified at 7 Ill. Reg. 13198; amended at 8 Ill. Reg. 7788, effective May 23, 1984; emergency amendment at 9 Ill. Reg. 241, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 7907, effective May 15, 1985; amended at 10 Ill. Reg. 13940, effective September 1, 1986; amended at 12 Ill. Reg. 5634, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 16214, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. 3722, effective March 13, 1989; amended at 13 Ill. Reg. 10820, effective June 23, 1989; amended at 13 Ill. Reg. 12970, effective August 1, 1989; amended at 15 Ill. Reg. 17974, effective November 27, 1991; amended at 16 Ill. Reg. 8375, effective May 21, 1992; emergency amendment at 16 Ill. Reg. 11645, effective July 6, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 13489, effective August 19, 1992; amended at 16 Ill. Reg. 17607, effective November 6, 1992; amended

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at 17 Ill. Reg. 3169, effective March 1, 1993; amended at 18 Ill. Reg. 1892, effective January 25, 1994; amended at 18 Ill. Reg. 17183, effective November 21, 1994; amended at 19 Ill. Reg. 8145, effective June 7, 1995; amended at 20 Ill. Reg. 3507, effective February 13, 1996; amended at 21 Ill. Reg. 15462, effective November 24, 1997; amended at 22 Ill. Reg. 14735, effective August 3, 1998; amended at 26 Ill. Reg. 15285, effective October 15, 2002; amended at 29 Ill. Reg. 11800, effective July 14, 2005; emergency amendment at 30 Ill. Reg. 12366, effective July 1, 2006, for a maximum of 150 days.

SUBPART B: APPOINTMENT AND SELECTION

Section 302.150 Appointment and Status**EMERGENCY**

The following types of appointment [and status](#) may be made by the Director:

- a) Exempt: For persons in positions not subject to Jurisdiction B. If an exempt employee's position becomes subject to Jurisdiction B by reason of extension of Jurisdiction B, pursuant to Section 4b of the Personnel Code, such employee shall establish eligibility for such position by passing satisfactorily a qualifying examination prescribed by the Director within 6 months after the extension of Jurisdiction B to such position. In all other cases, if an exempt employee's position becomes subject to Jurisdiction B, such employee shall establish eligibility for such position within 6 months by successfully competing in the open competitive examination and receiving a probationary appointment according to applicable rules.
- b) Emergency: For persons selected by agencies to meet emergency situations. Such appointments shall not exceed 60 days, shall not be renewed and may be made without regard to an eligible list. Notices of selections and terminations shall be reported immediately to the Director.
- c) Temporary: For persons in positions to perform temporary or seasonal work. No position shall be filled by temporary appointment for more than 6 months out of any 12-month period.
- d) Provisional: For persons in positions for which there are fewer than 3 available eligibles on the open competitive eligible list. No positions shall be filled by provisional appointment for more than 6 months out of any 12-month period. If a provisional employee's position is allocated to a class for which there are available eligibles, eligibility for such position shall be established within 90 days

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through successfully competing in the open competitive examination and receiving a probationary appointment according to the applicable rules herein.

- e) Probationary: For persons appointed from an eligible list, for persons receiving a promotion and for persons being reinstated. If a probationary employee's position is declared exempt from Jurisdiction B, the balance of the probationary period shall be served after which certified status shall be attained.
- f) Certified: For persons having successfully completed the required probationary period. If a certified employee's position is declared exempt from Jurisdiction B, certified status shall be retained in that position.
- g) Trainee: For persons in positions pursuant to established trainee and apprenticeship programs.
- h) Term: For persons appointed for a four year term. At the expiration of four years, the appointment automatically terminates unless renewed by the Director or Chairman of the employing department, commission or board. During the term of appointment, these persons shall be subject to Jurisdictions A, B, and C of the Personnel Code.
- i) Intermittent: For persons appointed pursuant to subsections (e) or (f) above whose work schedule varies from the regular work schedule of the operating agency as provided in an intermittent program established pursuant to Section 302.325. Incumbents in positions given intermittent status pursuant to such programs shall be allowed to remain in the position at the time the intermittent status is given.
- j) Interim Assignment: For a certified non-bargaining unit employee assigned to perform on a full-time interim basis and be accountable for the higher-level duties and responsibilities of a non-bargaining unit position. The position shall have higher-level duties and responsibilities within the same broadband position classification or a position classification with a higher pay grade or range. The interim assignment shall be to a position within the same agency. The agency shall provide written justification of the need for the interim assignment and the interim assignment occurs upon the approval of the Director of Central Management Services. The initial interim assignment of the employee to the position shall not exceed six months, but may be extended in six-month increments upon the approval of the Director of Central Management Services. The employee shall be qualified for the position with higher-level duties and

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[responsibilities, and request a leave of absence from the current position to accept the interim assignment.](#)

(Source: Amended by emergency rulemaking at 30 Ill. Reg. 12366, effective July 1, 2006, for a maximum of 150 days)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Emergency Action:
140.490 Amendment
140.492 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date: July 1, 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: Not Applicable
- 7) Date Filed with the Index Department: June 28, 2006
- 8) A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: These emergency amendments concerning medical transportation services are being filed pursuant to the enactment of the State's budget implementation plan for fiscal year 2007. This methodology change recognizes the increasing costs to provide non-emergency transportation to the Medicaid population. Section 5-45 of Public Act 94-838 specifically authorizes emergency rulemaking for the implementation of this change for FY07.
- 10) Complete Description of the Subjects and Issues Involved: These emergency amendments allow payment for an employee attendant for taxicab and service car providers and change the mileage reimbursement policy for service car and medicar to allow payment from the first mile. The estimated cost of this program is \$4 million annually.
- 11) Are there any other amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.534	Amendment	30 Ill. Reg. 6230; 4/14/06
140.560	Amendment	30 Ill. Reg. 6230; 4/14/06
140.569	Amendment	30 Ill. Reg. 1231; 1/27/06

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 12) Statement of Statewide Policy Objectives: These emergency amendments neither create nor expand any State mandate affecting units of local government.
- 13) Information and questions regarding these emergency amendments shall be directed to:

Tamara Tanzillo Hoffman
Chief of Administration and Rules
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, 3rd Floor
Springfield IL 62763-0002

217/557-7157

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

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Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under Medical Assistance Programs
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under General Assistance
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Recovery of Money
- 140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.18 Effect of Termination on Individuals Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 140.20 Submittal of Claims
- 140.21 Reimbursement for QMB Eligible Medical Assistance Recipients and QMB Eligible Only Recipients and Individuals Who Are Entitled to Medicare Part A or Part B and Are Eligible for Some Form of Medicaid Benefits
- 140.22 Magnetic Tape Billings (Repealed)
- 140.23 Payment of Claims
- 140.24 Payment Procedures
- 140.25 Overpayment or Underpayment of Claims
- 140.26 Payment to Factors Prohibited
- 140.27 Assignment of Vendor Payments
- 140.28 Record Requirements for Medical Providers
- 140.30 Audits
- 140.31 Emergency Services Audits
- 140.32 Prohibition on Participation, and Special Permission for Participation
- 140.33 Publication of List of Terminated, Suspended or Barred Entities
- 140.35 False Reporting and Other Fraudulent Activities
- 140.40 Prior Approval for Medical Services or Items
- 140.41 Prior Approval in Cases of Emergency
- 140.42 Limitation on Prior Approval
- 140.43 Post Approval for Items or Services When Prior Approval Cannot Be Obtained
- 140.55 Recipient Eligibility Verification (REV) System
- 140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments
- 140.72 Drug Manual (Recodified)
- 140.73 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER ASSESSMENTS

- Section
- 140.80 Hospital Provider Fund
- 140.82 Developmentally Disabled Care Provider Fund
- 140.84 Long Term Care Provider Fund
- 140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
- 140.95 Hospital Services Trust Fund
- 140.96 General Requirements (Recodified)
- 140.97 Special Requirements (Recodified)
- 140.98 Covered Hospital Services (Recodified)
- 140.99 Hospital Services Not Covered (Recodified)
- 140.100 Limitation On Hospital Services (Recodified)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 140.101 Transplants (Recodified)
- 140.102 Heart Transplants (Recodified)
- 140.103 Liver Transplants (Recodified)
- 140.104 Bone Marrow Transplants (Recodified)
- 140.110 Disproportionate Share Hospital Adjustments (Recodified)
- 140.116 Payment for Inpatient Services for GA (Recodified)
- 140.117 Hospital Outpatient and Clinic Services (Recodified)
- 140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
- 140.201 Payment for Hospital Services After June 30, 1982 (Repealed)
- 140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)
- 140.203 Limits on Length of Stay by Diagnosis (Recodified)
- 140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
- 140.350 Copayments (Recodified)
- 140.360 Payment Methodology (Recodified)
- 140.361 Non-Participating Hospitals (Recodified)
- 140.362 Pre July 1, 1989 Services (Recodified)
- 140.363 Post June 30, 1989 Services (Recodified)
- 140.364 Prepayment Review (Recodified)
- 140.365 Base Year Costs (Recodified)
- 140.366 Restructuring Adjustment (Recodified)
- 140.367 Inflation Adjustment (Recodified)
- 140.368 Volume Adjustment (Repealed)
- 140.369 Groupings (Recodified)
- 140.370 Rate Calculation (Recodified)
- 140.371 Payment (Recodified)
- 140.372 Review Procedure (Recodified)
- 140.373 Utilization (Repealed)
- 140.374 Alternatives (Recodified)
- 140.375 Exemptions (Recodified)
- 140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)
- 140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.391 Definitions (Recodified)
- 140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

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140.405	SeniorCare Pharmaceutical Benefit (Repealed)
140.410	Physicians' Services
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140.416	Optometric Services and Materials
140.417	Limitations on Optometric Services
140.418	Department of Corrections Laboratory
140.420	Dental Services
140.421	Limitations on Dental Services
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140.432	Limitations on Independent Clinical Laboratory Services
140.433	Payment for Clinical Laboratory Services
140.434	Record Requirements for Independent Clinical Laboratories
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140.442	Prior Approval of Prescriptions
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DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

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- 140.451 Prospective Drug Review and Patient Counseling
- 140.452 Mental Health Services
- 140.453 Definitions
- 140.454 Types of Mental Health Services
- 140.455 Payment for Mental Health Services
- 140.456 Hearings
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- 140.459 Payment for Therapy Services
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- 140.477 Limitations on Equipment, Prosthetic Devices and Orthotic Devices
- 140.478 Prior Approval for Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices
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- 140.480 Equipment Rental Limitations
- 140.481 Payment for Medical Equipment, Supplies, Prosthetic Devices and Hearing Aids
- 140.482 Family Planning Services
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- 140.485 Healthy Kids Program
- 140.486 Illinois Healthy Women
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DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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NOTICE OF EMERGENCY AMENDMENTS

- 140.527 Quality Incentive Survey (Repealed)
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- 140.567 Level II Incentive Payments (Repealed)
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SUBPART F: FEDERAL CLAIMING FOR STATE AND LOCAL GOVERNMENTAL ENTITIES

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140.850	Reimbursement of Administrative Expenditures
140.855	Administrative Claim Review and Reconsideration Procedure
140.860	County Owned or Operated Nursing Facilities

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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140.865	Sponsor Qualifications (Repealed)
140.870	Sponsor Responsibilities (Repealed)
140.875	Department Responsibilities (Repealed)
140.880	Provider Qualifications (Repealed)
140.885	Provider Responsibilities (Repealed)
140.890	Payment Methodology (Repealed)
140.895	Contract Monitoring (Repealed)
140.896	Reimbursement For Program Costs (Active Treatment) For Clients in Long Term Care Facilities For the Developmentally Disabled (Recodified)
140.900	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
140.901	Functional Areas of Needs (Recodified)
140.902	Service Needs (Recodified)
140.903	Definitions (Recodified)
140.904	Times and Staff Levels (Repealed)
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140.908	Times and Staff Levels (Recodified)
140.909	Statewide Rates (Recodified)
140.910	Referrals (Recodified)
140.911	Basic Rehabilitation Aide Training Program (Recodified)
140.912	Interim Nursing Rates (Recodified)

SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

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140.920	General Description
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140.924	Maternal and Child Health Provider Participation Requirements
140.926	Client Eligibility (Repealed)
140.928	Client Enrollment and Program Components (Repealed)
140.930	Reimbursement
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SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section	
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DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

	(Recodified)
140.942	Definition of Terms (Recodified)
140.944	Notification of Negotiations (Recodified)
140.946	Hospital Participation in ICARE Program Negotiations (Recodified)
140.948	Negotiation Procedures (Recodified)
140.950	Factors Considered in Awarding ICARE Contracts (Recodified)
140.952	Closing an ICARE Area (Recodified)
140.954	Administrative Review (Recodified)
140.956	Payments to Contracting Hospitals (Recodified)
140.958	Admitting and Clinical Privileges (Recodified)
140.960	Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)
140.962	Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)
140.964	Contract Monitoring (Recodified)
140.966	Transfer of Recipients (Recodified)
140.968	Validity of Contracts (Recodified)
140.970	Termination of ICARE Contracts (Recodified)
140.972	Hospital Services Procurement Advisory Board (Recodified)
140.980	Elimination Of Aid To The Medically Indigent (AMI) Program (Emergency Expired)
140.982	Elimination Of Hospital Services For Persons Age Eighteen (18) And Older And Persons Married And Living With Spouse, Regardless Of Age (Emergency Expired)
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140.TABLE B	Geographic Areas
140.TABLE C	Capital Cost Areas
140.TABLE D	Schedule of Dental Procedures
140.TABLE E	Time Limits for Processing of Prior Approval Requests
140.TABLE F	Podiatry Service Schedule
140.TABLE G	Travel Distance Standards
140.TABLE H	Areas of Major Life Activity
140.TABLE I	Staff Time and Allocation for Training Programs (Recodified)
140.TABLE J	HSA Grouping (Repealed)
140.TABLE K	Services Qualifying for 10% Add-On (Repealed)
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140.TABLE M	Enhanced Rates for Maternal and Child Health Provider Services

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NOTICE OF EMERGENCY AMENDMENTS

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

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; preemptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; preemptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; preemptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; preemptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective

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December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective

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February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; Notice of Corrections to Adopted Amendment at 15 Ill. Reg. 1174; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of

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150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended at 17 Ill. Reg. 18902, effective October 12, 1993; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended at 18 Ill. Reg. 17286, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg.

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2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July

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1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1, 2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001; amended at 25 Ill. Reg. 14957, effective November 1, 2001; emergency amendment at 25 Ill. Reg. 16127, effective November 28, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 16292, effective December 3, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 514, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 663, effective January 7, 2002; amended at 26 Ill. Reg. 4781, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 5984, effective April 15, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7285, effective April 29, 2002; emergency amendment at 26 Ill. Reg. 8594, effective June 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11259, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 12461, effective July 29, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16593, effective October 22, 2002; emergency amendment at 26 Ill. Reg. 12772, effective August 12, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13641, effective September 3, 2002; amended at 26 Ill. Reg. 14789, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 15076, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16303, effective October 25, 2002; amended at 26 Ill. Reg. 17751, effective November 27, 2002; amended at 27 Ill. Reg. 768, effective January 3, 2003; amended at 27 Ill. Reg. 3041, effective February 10, 2003; amended at 27 Ill. Reg. 4364, effective February 24, 2003; amended at 27 Ill. Reg. 7823, effective May 1, 2003; amended at 27 Ill. Reg. 9157, effective June 2, 2003; emergency amendment at 27 Ill. Reg. 10813, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 13784, effective August 1, 2003; amended at 27 Ill. Reg. 14799, effective September 5, 2003; emergency amendment at 27 Ill. Reg. 15584, effective September 20, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16161, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18629, effective November 26, 2003; amended at 28 Ill. Reg. 2744, effective February 1, 2004; amended at 28 Ill. Reg. 4958, effective March 3, 2004; emergency amendment at 28 Ill. Reg. 6622, effective April 19, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7081, effective May 3, 2004; emergency amendment at 28 Ill. Reg. 8108, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9640, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10135, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11161, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12198, effective August 11, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13775, effective October 1, 2004; amended at 28 Ill. Reg. 14804, effective October 27, 2004; amended at 28 Ill. Reg. 15513, effective November 24, 2004; amended at 29 Ill. Reg. 831, effective January 1, 2005; amended at 29 Ill. Reg. 6945, effective May 1, 2005; emergency amendment at 29 Ill. Reg. 8509, effective June 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12534, effective August 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 14957, effective September 30, 2005; emergency amendment at 29 Ill. Reg. 15064, effective October 1, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg.

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15985, effective October 5, 2005, for the remainder of the maximum 150 days; emergency amendment at 29 Ill. Reg. 15610, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 16515, effective October 5, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 349, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 573, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 796, effective January 1, 2006; amended at 30 Ill. Reg. 2802, effective February 24, 2006; amended at 30 Ill. Reg. 10370, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.490 Medical Transportation**EMERGENCY**

- a) Payment for medical transportation shall be made to an individual, public, private or not-for-profit transportation carrier, whose operators are properly licensed, who provides the appropriate form of transportation and who bills and receives payment from the general public and other third party payors (except for private autos pursuant to subsection (a)(5) of this Section). Eligible providers to be considered for payment include:
 - 1) Ambulance providers who hold a valid license, permit or certification from the state where the business is headquartered or from the Secretary of State (see Section 3-401 of the Illinois Vehicle Title and Registration Law [625 ILCS 5/3-401] and Section 8-101 of the Illinois Vehicle Code [625 ILCS 5/8-101]) and pass health/safety inspections annually by the Department of Public Health (see the Emergency Medical Services (EMS) Systems Act [210 ILCS 50]). Out-of-state ambulance providers who provide services within Illinois must be in compliance with the EMS Systems Act [210 ILCS 50]. Vehicles operated by municipalities must meet the certification requirements contained in 77 Ill. Adm. Code 535, Subpart C, by July 1, 1987. The Department will grant exceptions to this requirement if the municipality can demonstrate that the Illinois Department of Public Health has granted a waiver or exception to such requirements.
 - 2) Mediacar vehicles licensed by the Secretary of State (see Section 3-401 of the Illinois Vehicle Title and Registration Law and Section 8-101 of the Illinois Vehicle Code) or that hold a valid license, permit or certification from the state where the business is headquartered.

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- 3) Taxicabs licensed by the Secretary of State and where applicable by local regulatory agencies (see Section 3-401 of the Illinois Vehicle Title and Registration Law and Section 8-101 of the Illinois Vehicle Code) or that hold a valid license, permit or certification from the state where the business is headquartered.
 - 4) Service cars licensed as livery cars by the Secretary of State and where applicable by local regulatory agencies (see Section 3-401 of the Illinois Vehicle Title and Registration Law and Section 8-101 of the Illinois Vehicle Code) or that hold a valid license, permit or certification from the state where the business is headquartered.
 - 5) Private automobiles licensed by the Secretary of State (see Section 3-401 of the Illinois Vehicle Title and Registration Law and Section 8-101 of the Illinois Vehicle Code) or licensed in the state of the owner's residence.
 - 6) Helicopter providers who hold a valid license from the State of Illinois issued under the authority of the State of Illinois Department of Public Health, or are licensed in the state where services are provided.
 - 7) Other modes of transportation such as buses, trains and commercial airplanes.
- b) Except as provided in subsection (c) of this Section, payment for medical transportation shall be made when transportation is provided for an eligible recipient to or from a source of medical care. Medical care is defined as any medically necessary service covered under the Medical Assistance Program. Payment for transportation will be made even when a covered medical service is provided free of charge or is reimbursed by a third party (for example, services provided by the U.S. Department of Veterans' Affairs).
- c) Payment for medical transportation shall not be made when:
- 1) A means of transportation to the source of medical care is available free of charge;
 - 2) The transportation is for the purpose of filling a prescription or obtaining medical supplies, equipment or any other pharmacy related item; or

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- 3) Proper prior or post approval authorization has not been made by the Department or its authorized agent.
- d) When more than one passenger requiring medical services is transported, payment for the first passenger will be at the full rate including mileage, base rate and ancillaries, if provided; payment for the second or additional passengers requiring medical services will be at only the base rate and ancillaries, if provided.
- e) Coverage for an employee attendant and a non-employee attendant.
 - 1) For the purposes of this subsection (e):
 - A) "Employee attendant" means a person, other than the driver, who is an employee of a medicar, service car or taxicabeompany.
 - B) "Non-employee attendant" means a family member or other individual who may accompany the patient when there is a medical need for such an attendant.
 - 2) The Department will pay for an attendant to accompany an eligible patient to and from the source of a covered medical service, by a medicar, a service car or a taxicab, when the circumstances constitute one of the following medical necessities. ~~(A~~ a physician's statement may be required to verify the medical necessity).
 - A) To accompany the patient to a medical provider when needed, such as a parent going with a child to the doctor or when an attendant is needed to assist the patient;
 - B) To participate in the patient's treatment when medically necessary; or
 - C) To learn to care for the patient after discharge from the hospital.
 - 3) The Department does not pay for transportation of family members to visit a hospitalized patient.
 - 4) For dates of service prior to July 1, 2006, theThe use of an attendant is subject to prior approval in all situations except for the non-emergency trips described in Section 140.491(b)(2). In the instances that prior

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approval is not required for an attendant, medical necessity must be documented in the record. The Department's authorized prior approval agent may require documentation of medical necessity. A medicar company may bill for the services of an employee and a non-employee attendant. Billings for the services of an employee attendant and a non-employee attendant are allowable when such services are rendered during a single trip. Service car and taxicab providers may receive payment only for a non-employee attendant.

- 5) For dates of service on or after July 1, 2006, the use of an attendant is subject to prior approval in all situations except for the non-emergency trips described in Section 140.491(b)(2). In the instances that prior approval is not required for an attendant, medical necessity must be documented in the record. The Department's authorized prior approval agent may require documentation of medical necessity. A medicar, service car or taxicab may bill for the services of an employee and a non-employee attendant.

(Source: Amended by emergency rulemaking at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days)

Section 140.492 Payment for Medical Transportation**EMERGENCY**

Notwithstanding the provisions set forth in subsections (a) through (h) of this Section, beginning July 1, 2002, the reimbursement rates paid for medical transportation services shall be the lesser of the provider's usual and customary charge to the general public or 94 percent of the fiscal year 2002 rate otherwise determined by the Department under this Section. Payment for medical transportation services shall be made in accordance with the methodologies outlined in this Section. Base rate reimbursement is determined by the county in which the vehicle is, or the vehicles are, based. In no case shall rates exceed the Medicare allowable, where applicable, or the rates charged to the general public.

- a) For dates of service prior to July 1, 2006, medicars~~Medicars~~ shall be paid a base rate, which includes the first ten miles (20 miles round trip), a mileage rate and a fixed amount for an employee or non-employee attendant. Loaded miles, i.e., those miles for which the provider is actually transporting an individual, after ten miles (20 miles round trip) shall be reimbursed.
- b) For dates of service prior to July 1, 2006, service~~Service~~ cars shall be paid a base

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rate, which includes the first ten miles (20 miles round trip), a mileage rate and a fixed amount for a non-employee attendant. Loaded miles, i.e., those miles for which the provider is actually transporting an individual, after ten miles (20 miles round trip) shall be reimbursed.

- c) For dates of service on or after July 1, 2006, medicars and service cars shall be paid at a base rate, a mileage rate and a fixed amount for an attendant, as allowed in Section 140.490(e)(5). Mileage reimbursement is made for loaded miles, i.e., those miles for which the provider is actually transporting an individual. Mileage for multiple passengers is reimbursed pursuant to Section 140.490(d).
 - de) Private autos shall be paid for loaded miles at a mileage rate.
 - ed) Payment for transportation services provided by common carrier, such as commercial airplanes, buses and trains, shall be at the usual community rate.
 - fe) Taxicabs in an area regulated by a municipality or township shall be reimbursed at the community rate and a fixed amount for ana non-employee attendant, as allowed in Section 140.490(e).
 - gf) Taxicabs in non-regulated areas shall be reimbursed at a rate as determined by the Department and a fixed amount for ana non-employee attendant, as allowed in Section 140.490(e). The Department rate shall be reviewed on an annual basis each July.
 - hg) The Department shall pay for medically necessary ambulance services provided in accordance with Section 140.490 at a base, mileage rate (loaded miles) and a rate for oxygen, as appropriate. Payment shall also be made for Advanced Life Support (ALS) at an all inclusive rate which includes the base rate, supplies, and all other services, excluding mileage. However, for ALS services provided on or after July 1, 1993, separate reimbursement shall be made for oxygen when used and appropriately billed. Loaded miles for ALS trips shall be reimbursed at the per mile rate. Rates shall be reviewed beginning November 1, 1986, and each November thereafter, according to the methodology set forth in subsections (g)(1) through (4) of this Section. Revised rates pursuant to this methodology shall be effective with services provided on or after July 1 of the succeeding year.
- 1) Payment shall be made at a basic rate which is provider specific. The basic rate shall be the lesser of the provider's usual and customary charge to the general public, as reflected on the provider's claim form, or 80

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percent of the 50th percentile of the Medicare prevailing charge for Basic Life Support for the designated Medicare Locality, except that any basic rate previously approved by the Department that exceeds these parameters shall remain in force. The rate of annual increase shall not exceed five percent.

- 2) Payment for loaded miles shall be at a rate per mile. If a natural disaster, weather or other conditions necessitate the use of a route other than the most direct route, reimbursement will be based on the actual distance traveled. The rate per mile shall be 50 percent of the 50th percentile of the Medicare prevailing mileage charge for Medicare Locality 16. The annual rate of increase shall not exceed five percent.
- 3) Payment for oxygen shall be made at a flat rate statewide. The rate shall be 50 percent of the 50th percentile of the Medicare prevailing charge for Medicare Locality 16. The annual rate of increase shall not exceed five percent.
- 4) Payment for Advanced Life Support services shall be at the lesser of the provider's usual charge, or a maximum allowable rate statewide. The maximum rate shall be 80 percent of the difference between the Medicare 50th percentile prevailing charge for Basic Life Support services and Advanced Life Support services for Medicare Locality 16. The annual rate of increase shall not exceed five percent.

| **ih)** Payment for medical transportation services provided by individuals, including those currently receiving public assistance, legally responsible relatives or household members, will be made at a loaded mileage rate.

| **ji)** The Department may adjust reimbursement for medical transportation services in a county when such adjustment is necessary to ensure the availability of transportation to medical services.

(Source: Amended by emergency rulemaking at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days)

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- 11) Are there any proposed amendments to this Part pending? Yes

<u>Sections</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
148.126	Amendment	30 Ill. Reg. 2681; 3/10/06
148.126	Amendment	30 Ill. Reg. 9399; 5/26/06
148.295	Amendment	30 Ill. Reg. 9399; 5/26/06

- 12) Statement of Statewide Policy Objectives: This emergency amendment neither creates nor expands any State mandate affecting units of local government.

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

Tamara Tanzillo Hoffman
Chief of Administration and Rules
Illinois Department of Healthcare and Family Services
201 South Grand Ave East, 3rd Floor
Springfield IL 62763-0002

217/557-7157

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

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TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 148

HOSPITAL SERVICES

SUBPART A: GENERAL PROVISIONS

Section

148.10	Hospital Services
148.20	Participation
148.25	Definitions and Applicability
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Services Not Covered as Hospital Services
148.70	Limitation On Hospital Services

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section

148.80	Organ Transplants Services Covered Under Medicaid (Repealed)
148.82	Organ Transplant Services
148.85	Supplemental Tertiary Care Adjustment Payments
148.90	Medicaid Inpatient Utilization Rate (MIUR) Adjustment Payments
148.95	Medicaid Outpatient Utilization Rate (MOUR) Adjustment Payments
148.100	Outpatient Rural Hospital Adjustment Payments
148.103	Outpatient Service Adjustment Payments
148.105	Psychiatric Adjustment Payments
148.110	Psychiatric Base Rate Adjustment Payments
148.112	High Volume Adjustment Payments
148.115	Rural Adjustment Payments
148.120	Disproportionate Share Hospital (DSH) Adjustments
148.122	Medicaid Percentage Adjustments
148.126	Safety Net Adjustment Payments
148.130	Outlier Adjustments for Exceptionally Costly Stays
148.140	Hospital Outpatient and Clinic Services
148.150	Public Law 103-66 Requirements

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- 148.160 Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
- 148.170 Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
- 148.175 Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
- 148.180 Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
- 148.190 Copayments
- 148.200 Alternate Reimbursement Systems
- 148.210 Filing Cost Reports
- 148.220 Pre September 1, 1991, Admissions
- 148.230 Admissions Occurring on or after September 1, 1991
- 148.240 Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
- 148.250 Determination of Alternate Payment Rates to Certain Exempt Hospitals
- 148.260 Calculation and Definitions of Inpatient Per Diem Rates
- 148.270 Determination of Alternate Cost Per Diem Rates For All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
- 148.280 Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
- 148.285 Excellence in Academic Medicine Payments
- 148.290 Adjustments and Reductions to Total Payments
- 148.295 Critical Hospital Adjustment Payments (CHAP)
- 148.296 Tertiary Care Adjustment Payments
- 148.297 Pediatric Outpatient Adjustment Payments
- 148.298 Pediatric Inpatient Adjustment Payments
- 148.300 Payment
- 148.310 Review Procedure
- 148.320 Alternatives
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- 148.340 Subacute Alcoholism and Substance Abuse Treatment Services
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AUTHORITY: Implementing and authorized by Articles III, IV, V and VI and Section 12-13 of

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the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997,

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for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; emergency amendment at 25 Ill. Reg. 9974, effective July 23, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 10513, effective August 2, 2001; emergency amendment at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days; emergency expired February 27, 2002; amended at 25 Ill. Reg. 16087, effective December 1, 2001; emergency amendment at 26 Ill. Reg. 536, effective December 31, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 680, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 4825, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 4953, effective March 18, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 7786, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 7340, effective April 30, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8395, effective May 28, 2002; emergency amendment at 26 Ill. Reg. 11040, effective July 1, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16612, effective October 22, 2002; amended at 26 Ill. Reg. 12322, effective July 26, 2002; amended at 26 Ill. Reg. 13661, effective September 3, 2002; amended at 26 Ill. Reg. 14808, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 14887, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17775, effective November 27, 2002; emergency amendment at 27 Ill. Reg. 580, effective January 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 866, effective January 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 4386, effective February 24, 2003; emergency amendment at 27 Ill. Reg. 8320, effective April 28, 2003, for a maximum of 150 days; emergency amendment repealed at 27 Ill. Reg. 12121, effective July 10, 2003; amended at 27 Ill. Reg. 9178, effective May 28, 2003; emergency amendment at 27 Ill. Reg. 11041, effective July 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill.

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Reg. 16185, effective October 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16268, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18843, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 1418, effective January 8, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 1766, effective January 10, 2004, for a maximum of 150 days; emergency expired June 7, 2004; amended at 28 Ill. Reg. 2770, effective February 1, 2004; emergency amendment at 28 Ill. Reg. 5902, effective April 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7101, effective May 3, 2004; amended at 28 Ill. Reg. 8072, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 8167, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9661, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10157, effective July 1, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12036, effective August 3, 2004, for a maximum of 150 days; emergency expired December 30, 2004; emergency amendment at 28 Ill. Reg. 12227, effective August 6, 2004, for a maximum of 150 days; emergency expired January 2, 2005; amended at 28 Ill. Reg. 14557, effective October 27, 2004; amended at 28 Ill. Reg. 15536, effective November 24, 2004; amended at 29 Ill. Reg. 861, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2026, effective January 21, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5514, effective April 1, 2005; emergency amendment at 29 Ill. Reg. 5756, effective April 8, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 11622, effective July 5, 2005, for the remainder of the 150 days; amended at 29 Ill. Reg. 8363, effective June 1, 2005; emergency amendment at 29 Ill. Reg. 10275, effective July 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12568, effective August 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 15629, effective October 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 19973, effective November 23, 2005; amended at 30 Ill. Reg. 383, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 596, effective January 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 955, effective January 9, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 2827, effective February 24, 2006; emergency amendment at 30 Ill. Reg. 7786, effective April 10, 2006, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 30 Ill. Reg. 12400, effective July 1, 2006, for the remainder of the 150 days; amended at 30 Ill. Reg. 8877, effective May 1, 2006; amended at 30 Ill. Reg. 10393, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 11815, effective July 1, 2006, for a maximum of 150 days.

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section 148.126 Safety Net Adjustment Payments**EMERGENCY**

- a) Qualifying criteria: Safety net adjustment payments shall be made to a qualifying hospital, as defined in this subsection (a). A hospital not otherwise excluded

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under subsection (b) of this Section shall qualify for payment if it meets one of the following criteria:

- 1) The hospital has, as provided in subsection (e)(6) of this Section, an MIUR equal to or greater than 40 percent.
- 2) The hospital has the highest number of obstetrical care days in the safety net hospital base year.
- 3) The hospital is, as of October 1, 2001, a sole community hospital, as defined by the United States Department of Health and Human Services (42 CFR 412.92).
- 4) The hospital is, as of October 1, 2001, a rural hospital, as described in Section 148.25(g)(3), that meets all of the following criteria:
 - A) Has an MIUR greater than 33 percent.
 - B) Is designated a perinatal level two center by the Illinois Department of Public Health.
 - C) Has fewer than 125 licensed beds.
- 5) The hospital is a rural hospital, as described in Section 148.25(g)(3).
- 6) The hospital meets all of the following criteria:
 - A) Has an MIUR greater than 30 percent.
 - B) Had an occupancy rate greater than 80 percent in the safety net hospital base year.
 - C) Provided greater than 15,000 total days in the safety net hospital base year.
- 7) The hospital meets all of the following criteria:
 - A) Does not already qualify under subsections (a)(1) through (a)(6) of this Section.

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- B) Has an MIUR greater than 25 percent.
 - C) Had an occupancy rate greater than 68 percent in the safety net hospital base year.
 - D) Provided greater than 12,000 total days in the safety net hospital base year.
- 8) The hospital meets all of the following criteria:
- A) Does not already qualify under subsections (a)(1) through (a)(7) of this Section.
 - B) Is located outside of HSA 6.
 - C) Has an MIUR greater than 16 percent.
 - D) Has more than 475 licensed beds.
 - E) Has an average length of stay less than five days.
- 9) The hospital meets all of the following criteria in the safety net base year:
- A) Is a rural hospital, as described in Section 148.25(g)(3).
 - B) Has an MIUR greater than 18 percent.
 - C) Has a combined MIUR greater than 45 percent.
 - D) Has licensed beds less than or equal to 60.
 - E) Provided greater than 400 total days.
 - F) Provided fewer than 125 obstetrical care days.
- 10) The hospital meets all of the following criteria in the safety net base year:
- A) Is a psychiatric hospital, as described in 89 Ill. Adm. Code 149.50(c)(1).

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- B) Has licensed beds greater than 120.
- C) Has an average length of stay less than ten days.
- ~~11) The hospital meets all of the following criteria in the safety net base year:
 - A) Does not already qualify under subsections (a)(1) through (a)(10) of this Section.
 - B) Has an MIUR greater than 35 percent.
 - C) Has an average length of stay less than four days.~~
- ~~12) The hospital meets all of the following criteria in the safety net base year:
 - A) Does not already qualify under subsections (a)(1) through (a)(11) of this Section.
 - B) Has a CMIUR greater than 25 percent.
 - C) Has an MIUR greater than 12 percent.
 - D) Is designated a perinatal level two center by the Illinois Department of Public Health.
 - E) Has licensed beds greater than 400.
 - F) Has an average length of stay less than 3.5 days.~~
- b) The following five classes of hospitals are ineligible for safety net adjustment payments associated with the qualifying criteria listed in subsections (a)(1) through (a)(4) and; subsections (a)(6) through (a)(9) ~~and subsections (a)(11) through (a)(12)~~ of this Section:
 - 1) Hospitals located outside of Illinois.
 - 2) County-owned hospitals, as described in Section 148.25(b)(1)(A).
 - 3) Hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B).

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- 4) Psychiatric hospitals, as described in 89 Ill. Adm. Code 149.50(c)(1).
 - 5) Long term stay hospitals, as described in 89 Ill. Adm. Code 149.50(c)(4).
- c) Safety Net Adjustment Rates
- 1) For a hospital qualifying under subsection (a)(1) of this Section, the rate is the sum of the amounts for each of the following criteria for which it qualifies:
 - A) A qualifying hospital – \$15.00.
 - B) A rehabilitation hospital, as described in 89 Ill. Adm. Code 149.50(c)(2) – \$20.00.
 - C) A children's hospital, as described in 89 Ill. Adm. Code 149.50(c)(3) – \$20.00.
 - D) A children's hospital that has an MIUR greater than or equal to 80 per centum that is:
 - i) Located within HSA 6 or HSA 7 – \$200.50.
 - ii) Located outside HSA 6 or HSA 7 – \$35.00.
 - E) A children's hospital that has an MIUR less than 80 per centum, but greater than or equal to 60 per centum, that is:
 - i) Located within HSA 6 or HSA 7 – \$35.00.
 - ii) Located outside HSA 6 or HSA 7 – \$15.00.
 - F) A children's hospital that has an MIUR less than 60 per centum, but greater than or equal to 45 per centum, that is:
 - i) Located within HSA 6 or HSA 7 – \$12.00.
 - ii) Located outside HSA 6 or HSA 7 – \$5.00.

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- G) A children's hospital with more than 25 graduate medical education programs, as listed in the "2000-2001 Graduate Medical Education Directory" – \$125.00.
- H) A children's hospital that is a rural hospital – \$145.00.
- I) A qualifying hospital that is neither a rehabilitation hospital nor a children's hospital, that is located in HSA 6 and that:
- i) Provides obstetrical care – \$10.00.
 - ii) Has at least one graduate medical education program, as listed in the "2000-2001 Graduate Medical Education Directory" – \$5.00.
 - iii) Has at least one obstetrical graduate medical education program, as listed in the "2000-2001 Graduate Medical Education Directory" – \$5.00.
 - iv) Provided more than 5,000 obstetrical days during the safety net hospital base year – \$35.00.
 - v) Provided fewer than 4,000 obstetrical days during the safety net hospital base year and its average length of stay is: less than or equal to 4.50 days – \$5.00; less than 4.00 days – \$5.00; less than 3.75 days – \$5.00.
 - vi) Provides obstetrical care and has an MIUR greater than 65 percent – \$11.00.
 - vii) ~~Has greater than 700 licensed beds – \$37.75.~~
- J) A qualifying hospital that is neither a rehabilitation hospital nor a children's hospital, that is located outside HSA 6, that has an MIUR greater than 50 per centum, and that:
- i) Provides obstetrical care – \$70.00.
 - ii) Does not provide obstetrical care – \$30.00.

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- iii) Is a trauma center, recognized by the Illinois Department of Public Health (IDPH), as of July 1, 2005 – \$84.00.
 - K) A qualifying hospital that provided greater than 35,000 total days in the safety net hospital base year – \$6.00.
 - L) A qualifying hospital with two or more graduate medical education programs, as listed in the "2000-2001 Graduate Medical Education Directory", with an average length of stay fewer than 4.00 days – \$48.00.
- 2) For a hospital qualifying under subsection (a)(2) of this Section, the rate shall be \$123.00.
- 3) For a hospital qualifying under subsection (a)(3) of this Section, the rate is the sum of the amounts for each of the following criteria for which it qualifies:
- A) A qualifying hospital – \$40.00.
 - B) A hospital that has an average length of stay of fewer than 4.00 days, and:
 - i) More than 150 licensed beds – \$20.00.
 - ii) Fewer than 150 licensed beds – \$40.00.
 - C) A qualifying hospital with the lowest average length of stay – \$15.00.
 - D) A hospital that has a CMIUR greater than 65 per centum – \$35.00.
 - E) A hospital that has fewer than 25 total admissions in the safety net hospital base year – \$160.00.
- 4) For a hospital qualifying under subsection (a)(4) of this Section, the rate shall be \$55.00.
- 5) For a hospital qualifying under subsection (a)(5) of this Section, the rate is the sum of the amounts for each of the following for which it qualifies,

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divided by the hospital's total days:

- A) The hospital that has the highest number of obstetrical care admissions – \$30,840.00.
 - B) The greater of:
 - i) The product of \$115.00 multiplied by the number of obstetrical care admissions.
 - ii) The product of \$11.50 multiplied by the number of general care admissions.
 - 6) For a hospital qualifying under subsection (a)(6) of this Section, the rate is \$53.00.
 - 7) For a hospital qualifying under subsection (a)(7) of this Section, the rate is ~~\$175.50~~ \$117.00.
 - 8) For a hospital qualifying under subsection (a)(8) of this Section, the rate is \$34.50.
 - 9) For a hospital qualifying under subsection (a)(9) of this Section, the rate is \$124.50.
 - 10) For a hospital qualifying under subsection (a)(10) of this Section, the rate is \$85.50.
 - 11) ~~For a hospital qualifying under subsection (a)(11) of this Section, the rate is \$231.50.~~
 - 12) ~~For a hospital qualifying under subsection (a)(12) of this Section, the rate is \$172.00.~~
- d) Payment to a Qualifying Hospital
- 1) The total annual payments to a qualifying hospital shall be the product of the hospital's rate multiplied by two multiplied by total days.
 - 2) For the safety net adjustment period occurring in State fiscal year 2006,

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total payments will equal the methodologies described in subsection (c) of this Section. For the period ~~April 1, 2006~~October 1, 2005 through June 30, 2006, payment will equal the State fiscal year 2006 amount less the amount the hospital received under the safety net adjustment period for the quarter ending September 30, 2005, ~~December 31, 2005 and March 31, 2006.~~

- 3) For safety net adjustment periods occurring after State fiscal year 2006, total payments will equal the methodologies described in subsection (c) of this Section and shall be paid to the hospital during the safety net adjustment period in installments on, at least, a quarterly basis.

e) Definitions

- 1) "Average length of stay" means, for a given hospital, a fraction in which the numerator is the number of total days and the denominator is the number of total admissions.
- 2) "CMIUR" means, for a given hospital, the sum of the MIUR plus the Medicaid obstetrical inpatient utilization rate, determined as of October 1, 2001, as defined in Section 148.120(k)(6).
- 3) "General care admissions" means, for a given hospital, the number of hospital inpatient admissions for recipients of medical assistance under Title XIX of the Social Security Act, as tabulated from the Department's claims data for admissions occurring in the safety net hospital base year that were adjudicated by the Department by June 30, 2001, excluding admissions for: obstetrical care, as defined in subsection (e)(7) of this Section; normal newborns; psychiatric care; physical rehabilitation; and those covered in whole or in part by Medicare (Medicaid/Medicare crossover admissions).
- 4) "HSA" means Health Service Area, as defined by the Illinois Department of Public Health.
- 5) "Licensed beds" means, for a given hospital, the number of licensed beds, excluding long term care and substance abuse beds, as listed in the July 25, 2001, Illinois Department of Public Health report entitled "Percent Occupancy by Service in Year 2000 for Short Stay, Non-Federal Hospitals in Illinois."

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- 6) "MIUR", for a given hospital, has the meaning as defined in Section 148.120(k)(5) and shall be determined in accordance with Section 148.120(c) and (f). For purposes of this Section, the MIUR determination that was used to determine a hospital's eligibility for Disproportionate Share Hospital Adjustment payments in rate year 2002 shall be the same determination used to determine a hospital's eligibility for safety net adjustment payments in the Safety Net Adjustment Period.
- 7) "Obstetrical care admissions" means, for a given hospital, the number of hospital inpatient admissions for recipients of medical assistance under Title XIX of the Social Security Act, as tabulated from the Department's claims data, for admissions occurring in the safety net hospital base year that were adjudicated by the Department through June 30, 2001, and were assigned by the Department a diagnosis related grouping (DRG) code of 370 through 375.
- 8) "Obstetrical care days" means, for a given hospital, days of hospital inpatient service associated with the obstetrical care admissions described in subsection (e)(7) of this Section.
- 9) "Occupancy rate" means a fraction, the numerator of which is the hospital's total days, excluding long term care and substance abuse days, and the denominator of which is the hospital's total beds, excluding long term care and substance abuse beds, multiplied by 365 days. The data used for calculation of the hospital occupancy rate is as listed in the July 25, 2001, Illinois Department of Public Health report entitled "Percent Occupancy by Service in Year 2000 for Short Stay, Non-Federal Hospitals in Illinois:".
- 10) "Safety net hospital base year" means the 12-month period beginning on July 1, 1999, and ending on June 30, 2000.
- 11) "Safety net adjustment period" means, beginning July 1, 2002, the 12 month period beginning on July 1 of a year and ending on June 30 of the following year.
- 12) "Total admissions" means, for a given hospital, the number of hospital inpatient admissions for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for individuals eligible

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for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover admissions), as tabulated from the Department's claims data for admissions occurring in the safety net hospital base year that were adjudicated by the Department through June 30, 2001.

- 13) "Total days" means, for a given hospital, the sum of days of inpatient hospital service provided to recipients of medical assistance under Title XIX of the federal Social Security Act, excluding days for individuals eligible for Medicare under Title XVIII of that Act (Medicaid/Medicare crossover days), as tabulated from the Department's claims data for admissions occurring in the safety net hospital base year that were adjudicated by the Department through June 30, 2001.

(Source: Emergency amendment repealed by emergency rulemaking at 30 Ill. Reg. 12400, effective July 1, 2006, for the remainder of the 150 days)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

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

<u>Section Numbers:</u>	<u>Peremptory Action:</u>
310.410	Amendment
310.APPENDIX A TABLE O	Amendment
310.APPENDIX A TABLE W	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Sections 310.410 and 310.Appendix A Tables O and W to reflect seven Memoranda of Understanding between the State of Illinois and the American Federation of State, County and Municipal Employees (AFSCME). One Memorandum of Understanding was signed June 15, 2006 and assigned the RC-028-19 pay grade to the Administrative Assistant II title (which is also assigned MC-06) effective May 12, 2006. Four of the Memoranda of Understanding were signed June 5, 2006. One Memorandum of Understanding assigned the RC-062-17 pay grade to the Industrial and Community Development Representative I title (which was formerly assigned MC-05) effective January 25, 2006. Another Memorandum of Understanding assigned the RC-062-19 pay grade to the Industrial and Community Development Representative II title (which was formerly assigned MC-07) effective April 18, 2006. Another Memorandum of Understanding assigned the RC-062-20 pay grade to the Methods and Procedures Advisor III title (which is also assigned MC-07) effective April 28, 2006. Another Memorandum of Understanding assigned the RC-062-19 pay grade to the Retirement System Disability Specialist title (which was formerly assigned MC-06) effective April 28, 2006.

Two of the Memoranda of Understanding were effective upon approval of new class specifications by the Civil Service Commission, which occurred June 15, 2006. One Memorandum of Understanding assigned the RC-028-10 pay grade to the Child Development Aide title, which is established by moving the reclassified employees from the abolished Child Development Aide III title effective July 1, 2006. Another Memorandum of Understanding assigned the RC-062-18 pay grade to the Terrorism Research Specialist I title, the RC-062-20 pay grade to the Terrorism Research Specialist II title, the RC-062-22 pay grade to the Terrorism Research Specialist III title, and the RC-062-14 pay grade to the Terrorism Research Specialist Trainee title effective July 1, 2006.

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- 5) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 6) Effective Date: July 1, 2006
- 7) A Complete Description of the Subjects and Issues Involved: Section 310.410 Jurisdiction is amended to remove the Industrial and Community Development Representative I and II, and Retirement System Disability Specialist titles from the Merit Compensation System.

Section 310.Appendix A Table O RC-028 (Paraprofessional Human Services Employees, AFSCME) is amended to add to the title table: the Administrative Assistant II title, its title code 00502, its bargaining unit RC-028, and its pay grade 19; and to the Child Development Aide title, its title code 07184, its bargaining unit RC-028, and its pay grade 10. Also, remove from the rate table, the Child Development Aide III title and its information. The following rate table for pay grade RC-028-19 effective May 12, 2006 is added:

Effective May 12, 2006
Bargaining Unit: RC-028

Pay Plan	Pay Grade Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
19	B	3476	3577	3683	3795	3988	4177	4371	4554	4744	5032	5183
19	Q	3630	3738	3850	3965	4168	4362	4569	4759	4959	5258	5416
19	S	3695	3805	3917	4031	4234	4429	4633	4825	5025	5323	5483

Section 310.Appendix A Table W RC-062 (Technical Employees, AFSCME) is amended to add to the title table the Industrial and Community Development Representative I title, its title code 21051, its bargaining unit RC-062, and its pay grade 17; the Industrial and Community Development Representative II title, its title code 21052, its bargaining unit RC-062, and its pay grade 19; the Methods and Procedures Advisor III title, its title code 27133, its bargaining unit RC-062, and its pay grade 20; the Retirement System Disability Specialist title, its title code 38310, its bargaining unit RC-062, and its pay grade 19; the Terrorism Research Specialist I title, its title code 45371, its bargaining unit RC-062, and its pay grade 18; the Terrorism Research Specialist II title, its title code 45372, its bargaining unit RC-062, and its pay grade 20; the Terrorism Research Specialist III title, its title code 45373, its bargaining unit RC-062, and its pay grade 22; and the Terrorism Research Specialist Trainee title, its title code 45375, its bargaining

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unit RC-062, and its pay grade 14.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: June 27, 2006
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?
Yes
- 12) Are there any other proposed amendments pending on this Part?

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
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
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

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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

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

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

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

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	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	Daily or Hourly Rate Conversion
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; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27,

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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; peremptory 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; peremptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; peremptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; peremptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; peremptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; peremptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; peremptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; peremptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; peremptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; peremptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006.

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.410 Jurisdiction

The Merit Compensation System shall apply to all classes of positions designated below and in the ALPHABETIC INDEX OF POSITION TITLES. Also see Section 310.495 for the application of the Merit Compensation System for those Broad-Band titles listed with their salary ranges in Appendix G.

Title	Title Code	Salary Plan
Accountant Supervisor	00135	MC-05
Activity Therapist Supervisor	00163	MC-07
Actuary III	00203	MC-16
Administrative Assistant I	00501	MC-04
Administrative Assistant II	00502	MC-06
Agricultural Marketing Representative	00810	MC-05
Assignment Coordinator	01530	MC-07
Assistant Automotive Shop Supervisor	01565	MC-03
Automotive Shop Supervisor	03749	MC-07
Boat Safety Inspection Supervisor	04850	MC-06
Building Construction Inspector I	05541	MC-04
Building Construction Inspector II	05542	MC-05
Business Manager	05815	MC-05

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Commerce Commission Police Sergeant	08457	MC-07
Corrections Leisure Activities Specialist III	09813	MC-06
Corrections Leisure Activities Specialist IV	09814	MC-07
Corrections Vocational School Supervisor	09880	MC-05
Court Reporter Supervisor	09903	MC-08
Data Processing Supervisor II	11436	MC-04
Data Processing Supervisor III	11437	MC-07
Dietary Manager I	12501	MC-03
Dietary Manager II	12502	MC-05
Disability Claims Analyst	12540	MC-06
Economic Development Representative I	12931	MC-05
Economic Development Representative II	12932	MC-07
Electrical Engineer	13180	MC-10
Employment Security Field Office Supervisor	13600	MC-06
Engineering Technician IV	13734	MC-07
Executive I	13851	MC-05
Executive II	13852	MC-07
Executive Secretary II	14032	MC-01
Executive Secretary III	14033	MC-02
Facility Fire Chief	14433	MC-02
Guard Supervisor	17685	MC-01
Guardianship Supervisor	17720	MC-07
Highway Construction Supervisor I	18525	MC-07
Highway Construction Supervisor II	18526	MC-09
Historical Library Chief of Acquisitions	18987	MC-06
Human Rights Mediator	19771	MC-05
Human Services Casework Manager	19788	MC-07
Industrial and Community Development Representative I	21051	MC-05
Industrial and Community Development Representative II	21052	MC-07
Internal Auditor I	21721	MC-05
Internal Security Investigator I	21731	MC-04
Internal Security Investigator II	21732	MC-07
International Marketing Representative I	21761	MC-05
KidCare Supervisor	22003	MC-07
Laundry Manager I	23191	MC-01
Librarian II	23402	MC-05
Lottery Regional Coordinator	24504	MC-07
Management Operations Analyst I	25541	MC-06

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NOTICE OF PEREMPTORY AMENDMENTS

Manuscripts Manager	25610	MC-06
Meat and Poultry Inspector Supervisor	26073	MC-05
Mental Health Administrator I	26811	MC-05
Mental Health Administrator II	26812	MC-07
Mental Health Program Administrator	26908	MC-20
Methods and Procedures Advisor III	27133	MC-07
Office Administrator IV	29994	MC-02
Office Administrator V	29995	MC-03
Plumbing Consultant	32910	MC-09
Police Lieutenant	32977	MC-09
Private Secretary I	34201	MC-02
Private Secretary II	34202	MC-04
Property Tax Analyst III	34923	MC-05
Public Aid Family Support Specialist II	35842	MC-05
Public Aid Quality Control Supervisor	35900	MC-07
Public Aid Staff Development Specialist III	36073	MC-06
Public Health Program Specialist III	36613	MC-07
Public Information Coordinator	36750	MC-06
Radiologic Technologist Chief	37505	MC-03
Rehabilitation Workshop Supervisor III	38196	MC-05
Reimbursement Officer II	38200	MC-05
Reproduction Service Supervisor II	38202	MC-04
Residential Care Program Supervisor I	38271	MC-06
Retirement System Disability Specialist	38310	MC-06
Safety Responsibility Analyst Supervisor	38915	MC-02
Security Officer Chief	39875	MC-04
Security Officer Lieutenant	39876	MC-02
Security Therapy Aide IV	39904	MC-05
Sign Shop Foreman	41000	MC-06
Staff Development Specialist I	41771	MC-05
Staff Development Technician II	41782	MC-03
Statistical Research Specialist III	42743	MC-06
Statistical Research Supervisor	42745	MC-07
Storekeeper III	43053	MC-01
Supervising Vehicle Testing Compliance Officer	43680	MC-06
Switchboard Chief Operator	44410	MC-01
Technical Advisor I	45251	MC-05
Technical Advisor II	45252	MC-07

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Telecommunications Supervisor	45305	MC-07
Utility Engineer I	47451	MC-05
Utility Engineer II	47452	MC-07
Vehicle Emissions Compliance Supervisor	47583	MC-05
Waterways Construction Supervisor I	49061	MC-05
Waterways Construction Supervisor II	49062	MC-07

(Source: Peremptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Administrative Assistant I	00501	RC-028	17
<u>Administrative Assistant II</u>	<u>00502</u>	<u>RC-028</u>	<u>19</u>
Apparel/Dry Goods Specialist III	01233	RC-028	12.5
Assistant Reimbursement Officer	02424	RC-028	08
Capital Development Board Media Technician	06525	RC-028	14
<u>Child Development Aide</u>	<u>07184</u>	<u>RC-028</u>	<u>10</u>
Child Development Aide III	07183	RC-028	10
Clinical Laboratory Associate	08200	RC-028	07
Clinical Laboratory Technician I	08215	RC-028	10
Clinical Laboratory Technician II	08216	RC-028	12
Compliance Officer	08919	RC-028	14
Construction Supervisor I	09561	RC-028	13
Construction Supervisor II	09562	RC-028	16
Crime Scene Investigator	09980	RC-028	21
Data Processing Administrative Specialist	11415	RC-028	14
Data Processing Specialist	11430	RC-028	12
Data Processing Technician	11440	RC-028	09
Data Processing Technician Trainee	11443	RC-028	06
Dental Assistant	11650	RC-028	09
Dental Hygienist	11700	RC-028	13
Electroencephalograph Technician	13300	RC-028	08
Environmental Equipment Operator I	13761	RC-028	12
Environmental Equipment Operator II	13762	RC-028	14
Environmental Protection Technician I	13831	RC-028	08
Environmental Protection Technician II	13832	RC-028	10
Health Information Associate	18045	RC-028	10
Health Information Technician	18047	RC-028	12
Hearing & Speech Technician I	18261	RC-028	06
Hearing & Speech Technician II	18262	RC-028	09
Housekeeper II	19602	RC-028	03.5
Inhalation Therapist	21259	RC-028	08
Inhalation Therapist Supervisor	21260	RC-028	11
Intermittent Unemployment Insurance Technician (Hourly)	21690	RC-028	06H

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Laboratory Assistant	22995	RC-028	04
Laboratory Associate I	22997	RC-028	10
Laboratory Associate II	22998	RC-028	12
Legal Research Assistant	23350	RC-028	13
Licensed Practical Nurse I	23551	RC-028	10.5
Licensed Practical Nurse II	23552	RC-028	11.5
Lock and Dam Tender	24290	RC-028	10
Lottery Commodities Distributor II	24402	RC-028	12
Natural Resource Technician I	28851	RC-028	10
Natural Resource Technician II	28852	RC-028	13
Office Administrative Specialist	29990	RC-028	12
Office Specialist	30080	RC-028	11
Pharmacist Lead Technician	32007	RC-028	09
Pharmacist Technician	32008	RC-028	07
Public Aid Eligibility Assistant	35825	RC-028	08
Radiologic Technologist	37500	RC-028	11
Radiologic Technologist Program Coordinator	37507	RC-028	12
Ranger	37725	RC-028	13
Rehabilitation Counselor Aide I	38155	RC-028	09
Rehabilitation Counselor Aide II	38156	RC-028	11
Senior Ranger	40090	RC-028	14
Site Interpreter	41090	RC-028	10
Site Technician I	41131	RC-028	10
Site Technician II	41132	RC-028	12
Social Service Community Planner	41295	RC-028	11
State Police Crime Information Evaluator	41801	RC-028	11
State Police Evidence Technician I	41901	RC-028	12
State Police Evidence Technician II	41902	RC-028	13
Statistical Research Technician	42748	RC-028	11
Veterans Service Officer	47800	RC-028	14
Vocational Instructor	48200	RC-028	12

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Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	1960	2007	2055	2103	2157	2213	2266	2317	2377	2478	2551

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03.5	Q	2022	2070	2120	2171	2226	2284	2338	2392	2453	2557	2634
03.5	S	2075	2124	2174	2224	2281	2337	2393	2445	2507	2612	2691
04	B	1960	2007	2055	2103	2161	2217	2268	2332	2383	2485	2559
04	Q	2022	2070	2120	2171	2229	2288	2340	2406	2460	2565	2642
04	S	2075	2124	2174	2224	2284	2341	2395	2461	2513	2619	2698
06	B	2067	2117	2168	2220	2281	2341	2407	2468	2536	2643	2721
06	Q	2132	2183	2236	2290	2354	2416	2485	2549	2618	2730	2811
06	S	2185	2238	2290	2343	2407	2470	2540	2603	2672	2786	2869
06H	B	12.72	13.03	13.34	13.66	14.04	14.41	14.81	15.19	15.61	16.26	16.74
06H	Q	13.12	13.43	13.76	14.09	14.49	14.87	15.29	15.69	16.11	16.80	17.30
06H	S	13.45	13.77	14.09	14.42	14.81	15.20	15.63	16.02	16.44	17.14	17.66
07	B	2123	2174	2227	2281	2344	2412	2481	2548	2618	2738	2819
07	Q	2189	2243	2297	2354	2419	2491	2561	2631	2705	2831	2916
07	S	2244	2296	2352	2407	2474	2545	2615	2685	2759	2887	2973
08	B	2181	2234	2288	2344	2417	2490	2568	2638	2713	2842	2926
08	Q	2250	2304	2361	2419	2497	2570	2653	2723	2806	2939	3026
08	S	2303	2359	2414	2474	2550	2624	2707	2781	2862	2995	3084
09	B	2248	2303	2359	2417	2493	2573	2652	2737	2818	2951	3039
09	Q	2321	2377	2436	2497	2574	2658	2740	2829	2914	3053	3145
09	S	2374	2432	2490	2550	2628	2712	2796	2886	2971	3111	3204
09.5	B	2302	2358	2416	2478	2553	2640	2722	2815	2896	3035	3126
09.5	Q	2376	2435	2495	2557	2637	2726	2814	2911	2995	3142	3236
09.5	S	2431	2489	2549	2612	2691	2783	2870	2968	3052	3204	3301
10	B	2319	2377	2436	2496	2587	2664	2752	2839	2927	3076	3169
10	Q	2394	2453	2514	2578	2671	2753	2845	2936	3027	3188	3282
10	S	2447	2507	2568	2631	2725	2809	2901	2991	3087	3248	3346

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10.5	B	2394	2453	2514	2579	2672	2760	2855	2949	3045	3229	3326
10.5	Q	2471	2533	2597	2662	2761	2855	2951	3051	3153	3348	3448
10.5	S	2526	2587	2651	2716	2818	2910	3008	3109	3213	3408	3511
11	B	2403	2462	2525	2588	2676	2763	2862	2957	3049	3210	3307
11	Q	2481	2543	2606	2672	2767	2858	2960	3059	3157	3326	3426
11	S	2536	2597	2660	2726	2823	2913	3016	3117	3217	3386	3488
11.5	B	2460	2521	2586	2651	2742	2828	2925	3024	3126	3298	3397
11.5	Q	2541	2604	2670	2738	2835	2924	3025	3131	3241	3418	3520
11.5	S	2591	2655	2722	2791	2890	2981	3084	3192	3304	3485	3589
12	B	2497	2559	2623	2691	2790	2883	2990	3088	3202	3374	3475
12	Q	2579	2643	2710	2782	2885	2980	3096	3200	3318	3498	3603
12	S	2633	2697	2765	2837	2941	3038	3155	3261	3379	3560	3667
12.5	B	2555	2619	2687	2756	2858	2958	3069	3175	3279	3458	3562
12.5	Q	2639	2706	2776	2850	2955	3061	3179	3292	3399	3588	3696
12.5	S	2693	2760	2833	2906	3012	3119	3241	3352	3460	3652	3762
13	B	2588	2653	2721	2793	2896	3006	3119	3233	3353	3540	3647
13	Q	2672	2742	2813	2888	2995	3112	3233	3351	3475	3673	3783
13	S	2726	2797	2869	2944	3052	3171	3294	3412	3538	3736	3848
14	B	2693	2763	2838	2913	3024	3142	3279	3399	3528	3733	3845
14	Q	2784	2858	2935	3013	3131	3257	3399	3526	3661	3874	3990
14	S	2839	2913	2990	3071	3192	3317	3460	3587	3723	3935	4053
16	B	2921	3000	3082	3170	3313	3458	3603	3753	3903	4133	4257
16	Q	3021	3105	3194	3286	3433	3588	3739	3892	4049	4289	4418
16	S	3080	3165	3254	3347	3496	3652	3803	3956	4113	4350	4482
17	B	3051	3137	3227	3321	3475	3635	3789	3942	4102	4347	4477

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17	Q	3160	3251	3346	3441	3606	3772	3930	4090	4256	4510	4646
17	S	3219	3312	3406	3504	3669	3836	3994	4153	4318	4574	4711
21	B	3762	3876	3992	4110	4321	4530	4742	4958	5164	5486	5651
21	Q	3904	4022	4140	4264	4485	4699	4920	5144	5359	5693	5864
21	S	3967	4084	4202	4329	4546	4762	4984	5207	5420	5755	5928

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Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	2019	2067	2117	2166	2222	2279	2334	2387	2448	2552	2628
03.5	Q	2098	2148	2200	2252	2309	2370	2426	2482	2545	2653	2733
03.5	S	2153	2204	2256	2307	2367	2425	2483	2537	2601	2710	2792
04	B	2019	2067	2117	2166	2226	2284	2336	2402	2454	2560	2636
04	Q	2098	2148	2200	2252	2313	2374	2428	2496	2552	2661	2741
04	S	2153	2204	2256	2307	2370	2429	2485	2553	2607	2717	2799
06	B	2129	2181	2233	2287	2349	2411	2479	2542	2612	2722	2803
06	Q	2212	2265	2320	2376	2442	2507	2578	2645	2716	2832	2916
06	S	2267	2322	2376	2431	2497	2563	2635	2701	2772	2890	2977
06H	B	13.10	13.42	13.74	14.07	14.46	14.84	15.26	15.64	16.07	16.75	17.25
06H	Q	13.61	13.94	14.28	14.62	15.03	15.43	15.86	16.28	16.71	17.43	17.94
06H	S	13.95	14.29	14.62	14.96	15.37	15.77	16.22	16.62	17.06	17.78	18.32
07	B	2187	2239	2294	2349	2414	2484	2555	2624	2697	2820	2904
07	Q	2271	2327	2383	2442	2510	2584	2657	2730	2806	2937	3025
07	S	2328	2382	2440	2497	2567	2640	2713	2786	2862	2995	3084
08	B	2246	2301	2357	2414	2490	2565	2645	2717	2794	2927	3014

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08	Q	2334	2390	2450	2510	2591	2666	2752	2825	2911	3049	3139
08	S	2389	2447	2505	2567	2646	2722	2809	2885	2969	3107	3200
09	B	2315	2372	2430	2490	2568	2650	2732	2819	2903	3040	3130
09	Q	2408	2466	2527	2591	2671	2758	2843	2935	3023	3167	3263
09	S	2463	2523	2583	2646	2727	2814	2901	2994	3082	3228	3324
09.5	B	2371	2429	2488	2552	2630	2719	2804	2899	2983	3126	3220
09.5	Q	2465	2526	2589	2653	2736	2828	2920	3020	3107	3260	3357
09.5	S	2522	2582	2645	2710	2792	2887	2978	3079	3166	3324	3425
10	B	2389	2448	2509	2571	2665	2744	2835	2924	3015	3168	3264
10	Q	2484	2545	2608	2675	2771	2856	2952	3046	3141	3308	3405
10	S	2539	2601	2664	2730	2827	2914	3010	3103	3203	3370	3471
10.5	B	2466	2527	2589	2656	2752	2843	2941	3037	3136	3326	3426
10.5	Q	2564	2628	2694	2762	2865	2962	3062	3165	3271	3474	3577
10.5	S	2621	2684	2750	2818	2924	3019	3121	3226	3333	3536	3643
11	B	2475	2536	2601	2666	2756	2846	2948	3046	3140	3306	3406
11	Q	2574	2638	2704	2772	2871	2965	3071	3174	3275	3451	3554
11	S	2631	2694	2760	2828	2929	3022	3129	3234	3338	3513	3619
11.5	B	2534	2597	2664	2731	2824	2913	3013	3115	3220	3397	3499
11.5	Q	2636	2702	2770	2841	2941	3034	3138	3248	3363	3546	3652
11.5	S	2688	2755	2824	2896	2998	3093	3200	3312	3428	3616	3724
12	B	2572	2636	2702	2772	2874	2969	3080	3181	3298	3475	3579
12	Q	2676	2742	2812	2886	2993	3092	3212	3320	3442	3629	3738
12	S	2732	2798	2869	2943	3051	3152	3273	3383	3506	3694	3805
12.5	B	2632	2698	2768	2839	2944	3047	3161	3270	3377	3562	3669
12.5	Q	2738	2807	2880	2957	3066	3176	3298	3415	3526	3723	3835
12.5	S	2794	2864	2939	3015	3125	3236	3363	3478	3590	3789	3903

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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13	B	2666	2733	2803	2877	2983	3096	3213	3330	3454	3646	3756
13	Q	2772	2845	2918	2996	3107	3229	3354	3477	3605	3811	3925
13	S	2828	2902	2977	3054	3166	3290	3418	3540	3671	3876	3992
14	B	2774	2846	2923	3000	3115	3236	3377	3501	3634	3845	3960
14	Q	2888	2965	3045	3126	3248	3379	3526	3658	3798	4019	4140
14	S	2945	3022	3102	3186	3312	3441	3590	3722	3863	4083	4205
16	B	3009	3090	3174	3265	3412	3562	3711	3866	4020	4257	4385
16	Q	3134	3221	3314	3409	3562	3723	3879	4038	4201	4450	4584
16	S	3196	3284	3376	3473	3627	3789	3946	4104	4267	4513	4650
17	B	3143	3231	3324	3421	3579	3744	3903	4060	4225	4477	4611
17	Q	3279	3373	3471	3570	3741	3913	4077	4243	4416	4679	4820
17	S	3340	3436	3534	3635	3807	3980	4144	4309	4480	4746	4888
21	B	3875	3992	4112	4233	4451	4666	4884	5107	5319	5651	5821
21	Q	4050	4173	4295	4424	4653	4875	5105	5337	5560	5906	6084
21	S	4116	4237	4360	4491	4716	4941	5171	5402	5623	5971	6150

Effective May 12, 2006
Bargaining Unit: RC-028

<u>Pay</u> <u>Grade</u>	<u>Pay</u> <u>Plan</u> <u>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>19</u>	<u>B</u>	<u>3476</u>	<u>3577</u>	<u>3683</u>	<u>3795</u>	<u>3988</u>	<u>4177</u>	<u>4371</u>	<u>4554</u>	<u>4744</u>	<u>5032</u>	<u>5183</u>
<u>19</u>	<u>Q</u>	<u>3630</u>	<u>3738</u>	<u>3850</u>	<u>3965</u>	<u>4168</u>	<u>4362</u>	<u>4569</u>	<u>4759</u>	<u>4959</u>	<u>5258</u>	<u>5416</u>
<u>19</u>	<u>S</u>	<u>3695</u>	<u>3805</u>	<u>3917</u>	<u>4031</u>	<u>4234</u>	<u>4429</u>	<u>4633</u>	<u>4825</u>	<u>5025</u>	<u>5323</u>	<u>5483</u>

(Source: Peremptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006)

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

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Accountant	00130	RC-062	14
Accountant Advanced	00133	RC-062	16
Accounting and Fiscal Administration Career Trainee	00140	RC-062	12
Activity Therapist	00157	RC-062	15
Activity Therapist Coordinator	00160	RC-062	17
Actuarial Assistant	00187	RC-062	16
Actuarial Examiner	00195	RC-062	16
Actuarial Examiner Trainee	00196	RC-062	13
Actuarial Senior Examiner	00197	RC-062	19
Actuary I	00201	RC-062	20
Actuary II	00202	RC-062	24
Agricultural Market News Assistant	00804	RC-062	12
Agricultural Marketing Generalist	00805	RC-062	14
Agricultural Marketing Reporter	00807	RC-062	18
Agricultural Marketing Representative	00810	RC-062	18
Agriculture Land and Water Resource Specialist I	00831	RC-062	14
Agriculture Land and Water Resource Specialist II	00832	RC-062	17
Agriculture Land and Water Resource Specialist III	00833	RC-062	20
Aircraft Pilot I	00955	RC-062	19
Aircraft Pilot II	00956	RC-062	22
Aircraft Pilot II – Dual Rating	00957	RC-062	23
Appraisal Specialist I	01251	RC-062	14
Appraisal Specialist II	01252	RC-062	16
Appraisal Specialist III	01253	RC-062	18
Arts Council Associate	01523	RC-062	12
Arts Council Program Coordinator	01526	RC-062	18
Arts Council Program Representative	01527	RC-062	15
Assignment Coordinator	01530	RC-062	20
Bank Examiner I	04131	RC-062	16
Bank Examiner II	04132	RC-062	19
Bank Examiner III	04133	RC-062	22
Behavioral Analyst Associate	04355	RC-062	15
Behavioral Analyst I	04351	RC-062	17

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Behavioral Analyst II	04352	RC-062	19
Business Administrative Specialist	05810	RC-062	16
Buyer	05900	RC-062	18
Capital Development Board Account Technician	06515	RC-062	11
Capital Development Board Art in Architecture Technician	06533	RC-062	12
Capital Development Board Construction Support Analyst	06520	RC-062	11
Capital Development Board Project Technician	06530	RC-062	12
Chemist I	06941	RC-062	16
Chemist II	06942	RC-062	19
Chemist III	06943	RC-062	21
Child Protection Advanced Specialist	07161	RC-062	19
Child Protection Associate Specialist	07162	RC-062	16
Child Protection Specialist	07163	RC-062	18
Child Welfare Associate Specialist	07216	RC-062	16
Child Welfare Staff Development Coordinator I	07201	RC-062	17
Child Welfare Staff Development Coordinator II	07202	RC-062	19
Child Welfare Staff Development Coordinator III	07203	RC-062	20
Child Welfare Staff Development Coordinator IV	07204	RC-062	22
Children and Family Service Intern – Option 1	07241	RC-062	12
Children and Family Service Intern – Option 2	07242	RC-062	15
Clinical Laboratory Technologist I	08220	RC-062	18
Clinical Laboratory Technologist II	08221	RC-062	19
Clinical Laboratory Technologist Trainee	08229	RC-062	14
Communications Systems Specialist	08860	RC-062	23
Community Management Specialist I	08891	RC-062	15
Community Management Specialist II	08892	RC-062	17
Community Management Specialist III	08893	RC-062	19
Community Planner I	08901	RC-062	15
Community Planner II	08902	RC-062	17
Community Planner III	08903	RC-062	19
Conservation Education Representative	09300	RC-062	12
Conservation Grant Administrator I	09311	RC-062	18
Conservation Grant Administrator II	09312	RC-062	20
Conservation Grant Administrator III	09313	RC-062	22
Construction Program Assistant	09525	RC-062	12
Correctional Counselor I	09661	RC-062	15
Correctional Counselor II	09662	RC-062	17
Correctional Counselor III	09663	RC-062	19
Corrections Academy Trainer	09732	RC-062	17
Corrections Apprehension Specialist	09750	RC-062	19

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Corrections Industries Marketing Representative	09803	RC-062	17
Corrections Leisure Activities Specialist I	09811	RC-062	15
Corrections Leisure Activities Specialist II	09812	RC-062	17
Corrections Leisure Activities Specialist III	09813	RC-062	19
Corrections Parole Agent	09842	RC-062	17
Corrections Senior Parole Agent	09844	RC-062	19
Criminal Intelligence Analyst I	10161	RC-062	18
Criminal Intelligence Analyst II	10162	RC-062	20
Criminal Intelligence Analyst Specialist	10165	RC-062	22
Criminal Justice Specialist I	10231	RC-062	16
Criminal Justice Specialist II	10232	RC-062	20
Criminal Justice Specialist Trainee	10236	RC-062	13
Curator of the Lincoln Collection	10750	RC-062	16
Day Care Licensing Representative I	11471	RC-062	16
Developmental Disabilities Council Program Planner I	12361	RC-062	12
Developmental Disabilities Council Program Planner II	12362	RC-062	16
Developmental Disabilities Council Program Planner III	12363	RC-062	18
Dietitian	12510	RC-062	15
Disability Appeals Officer	12530	RC-062	22
Disability Claims Adjudicator I	12537	RC-062	16
Disability Claims Adjudicator II	12538	RC-062	18
Disability Claims Adjudicator Trainee	12539	RC-062	13
Disability Claims Analyst	12540	RC-062	20
Disability Claims Specialist	12558	RC-062	19
Disaster Services Planner	12585	RC-062	19
Document Examiner	12640	RC-062	22
Educator – Provisional	13105	RC-062	12
Employment Security Manpower Representative I	13621	RC-062	12
Employment Security Manpower Representative II	13622	RC-062	14
Employment Security Program Representative	13650	RC-062	14
Employment Security Program Representative – Intermittent	13651	RC-062	14H
Employment Security Service Representative	13667	RC-062	16
Employment Security Specialist I	13671	RC-062	14
Employment Security Specialist II	13672	RC-062	16
Employment Security Specialist III	13673	RC-062	19
Employment Security Tax Auditor I	13681	RC-062	17
Employment Security Tax Auditor II	13682	RC-062	19
Energy and Natural Resources Specialist I	13711	RC-062	15
Energy and Natural Resources Specialist II	13712	RC-062	17
Energy and Natural Resources Specialist III	13713	RC-062	19

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Energy and Natural Resources Specialist Trainee	13715	RC-062	12
Environmental Health Specialist I	13768	RC-062	14
Environmental Health Specialist II	13769	RC-062	16
Environmental Health Specialist III	13770	RC-062	18
Environmental Protection Associate	13785	RC-062	12
Environmental Protection Specialist I	13821	RC-062	14
Environmental Protection Specialist II	13822	RC-062	16
Environmental Protection Specialist III	13823	RC-062	18
Environmental Protection Specialist IV	13824	RC-062	22
Equal Pay Specialist	13837	RC-062	17
Financial Institutions Examiner I	14971	RC-062	16
Financial Institutions Examiner II	14972	RC-062	19
Financial Institutions Examiner III	14973	RC-062	22
Financial Institutions Examiner Trainee	14978	RC-062	13
Flight Safety Coordinator	15640	RC-062	22
Forensic Scientist I	15891	RC-062	18
Forensic Scientist II	15892	RC-062	20
Forensic Scientist III	15893	RC-062	22
Forensic Scientist Trainee	15897	RC-062	15
Guardianship Representative	17710	RC-062	17
Habilitation Program Coordinator	17960	RC-062	17
Handicapped Services Representative I	17981	RC-062	11
Health Facilities Surveyor I	18011	RC-062	16
Health Facilities Surveyor II	18012	RC-062	19
Health Facilities Surveyor III	18013	RC-062	20
Health Services Investigator I – Opt. A	18181	RC-062	19
Health Services Investigator I – Opt. B	18182	RC-062	20
Health Services Investigator II – Opt. A	18185	RC-062	22
Health Services Investigator II – Opt. B	18186	RC-062	22
Health Services Investigator II – Opt. C	18187	RC-062	25
Health Services Investigator II – Opt. D	18188	RC-062	25
Historical Documents Conservator I	18981	RC-062	13
Historical Exhibits Designer	18985	RC-062	15
Historical Research Editor II	19002	RC-062	14
Human Relations Representative	19670	RC-062	16
Human Rights Investigator I	19774	RC-062	15
Human Rights Investigator II	19775	RC-062	17
Human Rights Investigator III	19776	RC-062	18
Human Rights Specialist I	19778	RC-062	14
Human Rights Specialist II	19779	RC-062	16

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Human Rights Specialist III	19780	RC-062	18
Human Services Caseworker	19785	RC-062	16
Human Services Grants Coordinator I	19791	RC-062	14
Human Services Grants Coordinator II	19792	RC-062	17
Human Services Grants Coordinator III	19793	RC-062	20
Human Services Grants Coordinator Trainee	19796	RC-062	12
Human Services Sign Language Interpreter	19810	RC-062	16
Iconographer	19880	RC-062	12
<u>Industrial and Community Development Representative I</u>	<u>21051</u>	<u>RC-062</u>	<u>17</u>
<u>Industrial and Community Development Representative II</u>	<u>21052</u>	<u>RC-062</u>	<u>19</u>
Industrial Services Consultant I	21121	RC-062	14
Industrial Services Consultant II	21122	RC-062	16
Industrial Services Consultant Trainee	21125	RC-062	11
Industrial Services Hygienist	21127	RC-062	19
Industrial Services Hygienist Technician	21130	RC-062	16
Industrial Services Hygienist Trainee	21133	RC-062	12
Information Technology/Communication Systems Specialist I	21216	RC-062	19
Information Technology/Communication Systems Specialist II	21217	RC-062	24
Instrument Designer	21500	RC-062	18
Insurance Analyst III	21563	RC-062	14
Insurance Analyst IV	21564	RC-062	16
Insurance Company Claims Examiner II	21602	RC-062	19
Insurance Company Field Staff Examiner	21608	RC-062	16
Insurance Company Financial Examiner Trainee	21610	RC-062	13
Insurance Performance Examiner I	21671	RC-062	14
Insurance Performance Examiner II	21672	RC-062	17
Insurance Performance Examiner III	21673	RC-062	20
Intermittent Unemployment Insurance Representative	21689	RC-062	12H
Internal Auditor I	21721	RC-062	17
Labor Conciliator	22750	RC-062	20
Laboratory Equipment Specialist	22990	RC-062	18
Laboratory Quality Specialist I	23021	RC-062	19
Laboratory Quality Specialist II	23022	RC-062	21
Laboratory Research Specialist I	23027	RC-062	19
Laboratory Research Specialist II	23028	RC-062	21
Land Acquisition Agent I	23091	RC-062	15
Land Acquisition Agent II	23092	RC-062	18
Land Acquisition Agent III	23093	RC-062	21
Land Reclamation Specialist I	23131	RC-062	14
Land Reclamation Specialist II	23132	RC-062	17

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Liability Claims Adjuster I	23371	RC-062	14
Liability Claims Adjuster II	23372	RC-062	18
Library Associate	23430	RC-062	12
Life Sciences Career Trainee	23600	RC-062	12
Liquor Control Special Agent II	23752	RC-062	15
Local Historical Services Representative	24000	RC-062	17
Local Housing Advisor I	24031	RC-062	14
Local Housing Advisor II	24032	RC-062	16
Local Housing Advisor III	24033	RC-062	18
Local Revenue and Fiscal Advisor I	24101	RC-062	15
Local Revenue and Fiscal Advisor II	24102	RC-062	17
Local Revenue and Fiscal Advisor III	24103	RC-062	19
Lottery Sales Representative	24515	RC-062	16
Management Operations Analyst I	25541	RC-062	18
Management Operations Analyst II	25542	RC-062	20
Manpower Planner I	25591	RC-062	14
Manpower Planner II	25592	RC-062	17
Manpower Planner III	25593	RC-062	20
Manpower Planner Trainee	25597	RC-062	12
Medical Assistance Consultant I	26501	RC-062	13
Medical Assistance Consultant II	26502	RC-062	16
Medical Assistance Consultant III	26503	RC-062	19
Mental Health Specialist I	26924	RC-062	12
Mental Health Specialist II	26925	RC-062	14
Mental Health Specialist III	26926	RC-062	16
Mental Health Specialist Trainee	26928	RC-062	11
Meteorologist	27120	RC-062	18
Methods and Procedures Advisor I	27131	RC-062	14
Methods and Procedures Advisor II	27132	RC-062	16
Methods and Procedures Career Associate I	27135	RC-062	11
Methods and Procedures Career Associate II	27136	RC-062	12
<u>Methods and Procedures Advisor III</u>	<u>27133</u>	<u>RC-062</u>	<u>20</u>
Methods and Procedures Career Associate Trainee	27137	RC-062	09
Metrologist Associate	27146	RC-062	15
Microbiologist I	27151	RC-062	16
Microbiologist II	27152	RC-062	19
Natural Resources Advanced Specialist	28833	RC-062	20
Natural Resources Coordinator	28831	RC-062	15
Natural Resources Specialist	28832	RC-062	18
Oral Health Consultant	30317	RC-062	18

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Paralegal Assistant	30860	RC-062	14
Police Training Specialist	32990	RC-062	17
Program Integrity Auditor I	34631	RC-062	16
Program Integrity Auditor II	34632	RC-062	19
Program Integrity Auditor Trainee	34635	RC-062	12
Property Consultant	34900	RC-062	15
Property Tax Analyst I	34921	RC-062	12
Property Tax Analyst II	34922	RC-062	14
Public Aid Appeals Advisor	35750	RC-062	18
Public Aid Family Support Specialist I	35841	RC-062	17
Public Aid Investigator	35870	RC-062	19
Public Aid Investigator Trainee	35874	RC-062	14
Public Aid Lead Casework Specialist	35880	RC-062	17
Public Aid Program Quality Analyst	35890	RC-062	19
Public Aid Quality Control Reviewer	35892	RC-062	17
Public Aid Staff Development Specialist I	36071	RC-062	15
Public Aid Staff Development Specialist II	36072	RC-062	17
Public Health Educator Associate	36434	RC-062	14
Public Health Program Specialist I	36611	RC-062	14
Public Health Program Specialist II	36612	RC-062	16
Public Health Program Specialist III	36613	RC-062	19
Public Health Program Specialist Trainee	36615	RC-062	12
Public Information Officer I	37001	RC-062	12
Public Information Officer II	37002	RC-062	14
Public Information Officer III	37003	RC-062	19
Public Information Officer IV	37004	RC-062	21
Public Safety Inspector	37007	RC-062	16
Public Safety Inspector Trainee	37010	RC-062	10
Railroad Safety Specialist I	37601	RC-062	19
Railroad Safety Specialist II	37602	RC-062	21
Railroad Safety Specialist III	37603	RC-062	23
Railroad Safety Specialist IV	37604	RC-062	25
Real Estate Investigator	37730	RC-062	19
Real Estate Professions Examiner	37760	RC-062	22
Recreation Worker I	38001	RC-062	12
Recreation Worker II	38002	RC-062	14
Rehabilitation Counselor	38145	RC-062	17
Rehabilitation Counselor Senior	38158	RC-062	19
Rehabilitation Counselor Trainee	38159	RC-062	15
Rehabilitation Services Advisor I	38176	RC-062	20

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Rehabilitation Workshop Supervisor I	38194	RC-062	12
Rehabilitation Workshop Supervisor II	38195	RC-062	14
Reimbursement Officer I	38199	RC-062	14
Reimbursement Officer II	38200	RC-062	16
Research Economist I	38207	RC-062	18
Research Scientist I	38231	RC-062	13
Research Scientist II	38232	RC-062	16
Research Scientist III	38233	RC-062	20
Resource Planner I	38281	RC-062	17
Resource Planner II	38282	RC-062	19
Resource Planner III	38283	RC-062	22
<u>Retirement System Disability Specialist</u>	<u>38310</u>	<u>RC-062</u>	<u>19</u>
Revenue Auditor I (IL)	38371	RC-062	16
Revenue Auditor I (states other than IL, CA or NJ)	38371	RC-062	19
Revenue Auditor I (CA or NJ)	38371	RC-062	21
Revenue Auditor II (IL)	38372	RC-062	19
Revenue Auditor II (states other than IL, CA or NJ)	38372	RC-062	22
Revenue Auditor II (CA or NJ)	38372	RC-062	24
Revenue Auditor III (IL)	38373	RC-062	22
Revenue Auditor III (states other than IL, CA or NJ)	38373	RC-062	24
Revenue Auditor III (CA or NJ)	38373	RC-062	26
Revenue Auditor Trainee (IL)	38375	RC-062	12
Revenue Auditor Trainee (states other than IL, CA or NJ)	38375	RC-062	13
Revenue Auditor Trainee (CA or NJ)	38375	RC-062	15
Revenue Collection Officer I	38401	RC-062	15
Revenue Collection Officer II	38402	RC-062	17
Revenue Collection Officer III	38403	RC-062	19
Revenue Collection Officer Trainee	38405	RC-062	12
Revenue Computer Audit Specialist (IL)	38425	RC-062	23
Revenue Computer Audit Specialist (states other than IL, CA or NJ)	38425	RC-062	25
Revenue Computer Audit Specialist (CA or NJ)	38425	RC-062	27
Revenue Senior Special Agent	38557	RC-062	23
Revenue Special Agent	38558	RC-062	19
Revenue Special Agent Trainee	38565	RC-062	14
Revenue Tax Specialist I	38571	RC-062	12
Revenue Tax Specialist II	38572	RC-062	14
Revenue Tax Specialist III	38573	RC-062	17
Revenue Tax Specialist Trainee	38575	RC-062	10
Site Assistant Superintendent I	41071	RC-062	15

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Site Assistant Superintendent II	41072	RC-062	17
Site Interpretive Coordinator	41093	RC-062	13
Site Services Specialist I	41117	RC-062	15
Site Services Specialist II	41118	RC-062	17
Social Service Consultant I	41301	RC-062	18
Social Service Consultant II	41302	RC-062	19
Social Service Program Planner I	41311	RC-062	15
Social Service Program Planner II	41312	RC-062	17
Social Service Program Planner III	41313	RC-062	20
Social Service Program Planner IV	41314	RC-062	22
Social Services Career Trainee	41320	RC-062	12
Social Worker I	41411	RC-062	16
Staff Development Specialist I	41771	RC-062	18
Staff Development Technician I	41781	RC-062	12
State Mine Inspector	42230	RC-062	19
State Police Field Specialist I	42001	RC-062	18
State Police Field Specialist II	42002	RC-062	20
Statistical Research Specialist I	42741	RC-062	12
Statistical Research Specialist II	42742	RC-062	14
Statistical Research Specialist III	42743	RC-062	17
Storage Tank Safety Specialist	43005	RC-062	18
Telecommunications Specialist	45295	RC-062	15
Telecommunications Systems Analyst	45308	RC-062	17
Telecommunications Systems Technician I	45312	RC-062	10
Telecommunications Systems Technician II	45313	RC-062	13
<u>Terrorism Research Specialist I</u>	<u>45371</u>	<u>RC-062</u>	<u>18</u>
<u>Terrorism Research Specialist II</u>	<u>45372</u>	<u>RC-062</u>	<u>20</u>
<u>Terrorism Research Specialist III</u>	<u>45373</u>	<u>RC-062</u>	<u>22</u>
<u>Terrorism Research Specialist Trainee</u>	<u>45375</u>	<u>RC-062</u>	<u>14</u>
Unemployment Insurance Adjudicator I	47001	RC-062	11
Unemployment Insurance Adjudicator II	47002	RC-062	13
Unemployment Insurance Adjudicator III	47003	RC-062	15
Unemployment Insurance Revenue Analyst I	47081	RC-062	15
Unemployment Insurance Revenue Analyst II	47082	RC-062	17
Unemployment Insurance Revenue Specialist	47087	RC-062	13
Unemployment Insurance Special Agent	47096	RC-062	18
Veterans Educational Specialist I	47681	RC-062	15
Veterans Educational Specialist II	47682	RC-062	17
Veterans Educational Specialist III	47683	RC-062	21
Veterans Employment Representative I	47701	RC-062	14

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Veterans Employment Representative II	47702	RC-062	16
Volunteer Services Coordinator I	48481	RC-062	13
Volunteer Services Coordinator II	48482	RC-062	16
Volunteer Services Coordinator III	48483	RC-062	18
Wage Claims Specialist	48770	RC-062	09
Weatherization Specialist I	49101	RC-062	14
Weatherization Specialist II	49102	RC-062	17
Weatherization Specialist III	49103	RC-062	20
Weatherization Specialist Trainee	49105	RC-062	12

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

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Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
09	B	2248	2303	2359	2417	2493	2573	2652	2737	2818	2951	3039
09	Q	2321	2377	2436	2497	2574	2658	2740	2829	2914	3053	3145
09	S	2374	2432	2490	2550	2628	2712	2796	2886	2971	3111	3204

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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10	B	2319	2377	2436	2496	2587	2664	2752	2839	2927	3076	3169
10	Q	2394	2453	2514	2578	2671	2753	2845	2936	3027	3188	3282
10	S	2447	2507	2568	2631	2725	2809	2901	2991	3087	3248	3346
11	B	2403	2462	2525	2588	2676	2763	2862	2957	3049	3210	3307
11	Q	2481	2543	2606	2672	2767	2858	2960	3059	3157	3326	3426
11	S	2536	2597	2660	2726	2823	2913	3016	3117	3217	3386	3488
12	B	2497	2559	2623	2691	2790	2883	2990	3088	3202	3374	3475
12	Q	2579	2643	2710	2782	2885	2980	3096	3200	3318	3498	3603
12	S	2633	2697	2765	2837	2941	3038	3155	3261	3379	3560	3667
12H	B	15.37	15.75	16.14	16.56	17.17	17.74	18.40	19.00	19.70	20.76	21.38
12H	Q	15.87	16.26	16.68	17.12	17.75	18.34	19.05	19.69	20.42	21.53	22.17
12H	S	16.20	16.60	17.02	17.46	18.10	18.70	19.42	20.07	20.79	21.91	22.57
13	B	2588	2653	2721	2793	2896	3006	3119	3233	3353	3540	3647
13	Q	2672	2742	2813	2888	2995	3112	3233	3351	3475	3673	3783
13	S	2726	2797	2869	2944	3052	3171	3294	3412	3538	3736	3848
14	B	2693	2763	2838	2913	3024	3142	3279	3399	3528	3733	3845
14	Q	2784	2858	2935	3013	3131	3257	3399	3526	3661	3874	3990
14	S	2839	2913	2990	3071	3192	3317	3460	3587	3723	3935	4053
14H	B	16.57	17.00	17.46	17.93	18.61	19.34	20.18	20.92	21.71	22.97	23.66
14H	Q	17.13	17.59	18.06	18.54	19.27	20.04	20.92	21.70	22.53	23.84	24.55
14H	S	17.47	17.93	18.40	18.90	19.64	20.41	21.29	22.07	22.91	24.22	24.94
15	B	2797	2871	2949	3028	3161	3292	3421	3561	3693	3915	4033
15	Q	2893	2970	3051	3135	3275	3412	3549	3696	3832	4062	4183
15	S	2948	3025	3109	3196	3336	3471	3613	3758	3893	4124	4247
16	B	2921	3000	3082	3170	3313	3458	3603	3753	3903	4133	4257
16	Q	3021	3105	3194	3286	3433	3588	3739	3892	4049	4289	4418
16	S	3080	3165	3254	3347	3496	3652	3803	3956	4113	4350	4482
17	B	3051	3137	3227	3321	3475	3635	3789	3942	4102	4347	4477
17	Q	3160	3251	3346	3441	3606	3772	3930	4090	4256	4510	4646

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17	S	3219	3312	3406	3504	3669	3836	3994	4153	4318	4574	4711
18	B	3207	3299	3394	3495	3664	3835	4009	4173	4340	4599	4738
18	Q	3323	3419	3520	3626	3805	3979	4161	4332	4503	4772	4915
18	S	3383	3479	3584	3687	3866	4042	4223	4393	4568	4834	4979
19	B	3375	3473	3576	3684	3872	4055	4244	4421	4606	4885	5032
19	J	3375	3473	3576	3684	3872	4055	4244	4421	4606	4885	5032
19	Q	3499	3603	3711	3822	4017	4204	4404	4587	4780	5068	5220
19	S	3561	3667	3775	3885	4081	4269	4466	4651	4843	5131	5285
20	B	3564	3672	3781	3893	4090	4280	4483	4678	4871	5167	5322
20	Q	3699	3809	3922	4039	4243	4442	4652	4852	5054	5363	5524
20	S	3760	3872	3985	4102	4305	4503	4714	4915	5116	5423	5587
21	B	3762	3876	3992	4110	4321	4530	4742	4958	5164	5486	5651
21	U	3762	3876	3992	4110	4321	4530	4742	4958	5164	5486	5651
21	Q	3904	4022	4140	4264	4485	4699	4920	5144	5359	5693	5864
21	S	3967	4084	4202	4329	4546	4762	4984	5207	5420	5755	5928
22	B	3976	4096	4220	4346	4572	4795	5022	5254	5473	5813	5987
22	Q	4126	4251	4378	4508	4743	4977	5210	5451	5679	6031	6213
22	S	4189	4312	4441	4573	4804	5039	5270	5513	5744	6095	6277
23	B	4220	4346	4476	4609	4853	5102	5345	5591	5834	6200	6386
23	Q	4378	4508	4643	4785	5037	5295	5544	5800	6053	6432	6625
23	S	4441	4573	4707	4846	5099	5357	5607	5863	6115	6494	6690
24	B	4489	4624	4762	4905	5166	5437	5698	5961	6230	6620	6819
24	J	4489	4624	4762	4905	5166	5437	5698	5961	6230	6620	6819
24	Q	4657	4797	4942	5092	5362	5640	5912	6184	6464	6870	7077
24	S	4721	4860	5004	5154	5422	5702	5974	6248	6527	6932	7139
25	B	4785	4929	5077	5229	5515	5806	6095	6385	6675	7104	7317
25	J	4785	4929	5077	5229	5515	5806	6095	6385	6675	7104	7317
25	Q	4964	5113	5266	5423	5722	6022	6324	6626	6926	7370	7591
25	S	5029	5175	5331	5487	5785	6084	6386	6687	6987	7433	7656

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26	B	5057	5209	5366	5581	5885	6197	6512	6815	7121	7582	7809
26	U	5057	5209	5366	5581	5885	6197	6512	6815	7121	7582	7809
27	B	5346	5506	5672	5956	6280	6612	6948	7272	7598	8090	8332
27	U	5346	5506	5672	5956	6280	6612	6948	7272	7598	8090	8332

Effective January 1, 2006
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
09	B	2315	2372	2430	2490	2568	2650	2732	2819	2903	3040	3130
09	Q	2408	2466	2527	2591	2671	2758	2843	2935	3023	3167	3263
09	S	2463	2523	2583	2646	2727	2814	2901	2994	3082	3228	3324
10	B	2389	2448	2509	2571	2665	2744	2835	2924	3015	3168	3264
10	Q	2484	2545	2608	2675	2771	2856	2952	3046	3141	3308	3405
10	S	2539	2601	2664	2730	2827	2914	3010	3103	3203	3370	3471
11	B	2475	2536	2601	2666	2756	2846	2948	3046	3140	3306	3406
11	Q	2574	2638	2704	2772	2871	2965	3071	3174	3275	3451	3554
11	S	2631	2694	2760	2828	2929	3022	3129	3234	3338	3513	3619
12	B	2572	2636	2702	2772	2874	2969	3080	3181	3298	3475	3579
12	Q	2676	2742	2812	2886	2993	3092	3212	3320	3442	3629	3738
12	S	2732	2798	2869	2943	3051	3152	3273	3383	3506	3694	3805
12H	B	15.83	16.22	16.63	17.06	17.69	18.27	18.95	19.58	20.30	21.38	22.02
12H	Q	16.47	16.87	17.30	17.76	18.42	19.03	19.77	20.43	21.18	22.33	23.00
12H	S	16.81	17.22	17.66	18.11	18.78	19.40	20.14	20.82	21.58	22.73	23.42
13	B	2666	2733	2803	2877	2983	3096	3213	3330	3454	3646	3756
13	Q	2772	2845	2918	2996	3107	3229	3354	3477	3605	3811	3925
13	S	2828	2902	2977	3054	3166	3290	3418	3540	3671	3876	3992
14	B	2774	2846	2923	3000	3115	3236	3377	3501	3634	3845	3960

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14	Q	2888	2965	3045	3126	3248	3379	3526	3658	3798	4019	4140
14	S	2945	3022	3102	3186	3312	3441	3590	3722	3863	4083	4205
14H	B	17.07	17.51	17.99	18.46	19.17	19.91	20.78	21.54	22.36	23.66	24.37
14H	Q	17.77	18.25	18.74	19.24	19.99	20.79	21.70	22.51	23.37	24.73	25.48
14H	S	18.12	18.60	19.09	19.61	20.38	21.18	22.09	22.90	23.77	25.13	25.88
15	B	2881	2957	3037	3119	3256	3391	3524	3668	3804	4032	4154
15	Q	3001	3081	3165	3253	3398	3540	3682	3835	3976	4214	4340
15	S	3059	3138	3226	3316	3461	3601	3748	3899	4039	4279	4406
16	B	3009	3090	3174	3265	3412	3562	3711	3866	4020	4257	4385
16	Q	3134	3221	3314	3409	3562	3723	3879	4038	4201	4450	4584
16	S	3196	3284	3376	3473	3627	3789	3946	4104	4267	4513	4650
17	B	3143	3231	3324	3421	3579	3744	3903	4060	4225	4477	4611
17	Q	3279	3373	3471	3570	3741	3913	4077	4243	4416	4679	4820
17	S	3340	3436	3534	3635	3807	3980	4144	4309	4480	4746	4888
18	B	3303	3398	3496	3600	3774	3950	4129	4298	4470	4737	4880
18	Q	3448	3547	3652	3762	3948	4128	4317	4494	4672	4951	5099
18	S	3510	3609	3718	3825	4011	4194	4381	4558	4739	5015	5166
19	B	3476	3577	3683	3795	3988	4177	4371	4554	4744	5032	5183
19	J	3476	3577	3683	3795	3988	4177	4371	4554	4744	5032	5183
19	Q	3630	3738	3850	3965	4168	4362	4569	4759	4959	5258	5416
19	S	3695	3805	3917	4031	4234	4429	4633	4825	5025	5323	5483
20	B	3671	3782	3894	4010	4213	4408	4617	4818	5017	5322	5482
20	Q	3838	3952	4069	4190	4402	4609	4826	5034	5244	5564	5731
20	S	3901	4017	4134	4256	4466	4672	4891	5099	5308	5626	5797
21	B	3875	3992	4112	4233	4451	4666	4884	5107	5319	5651	5821
21	U	3875	3992	4112	4233	4451	4666	4884	5107	5319	5651	5821
21	Q	4050	4173	4295	4424	4653	4875	5105	5337	5560	5906	6084
21	S	4116	4237	4360	4491	4716	4941	5171	5402	5623	5971	6150
22	B	4095	4219	4347	4476	4709	4939	5173	5412	5637	5987	6167

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22	Q	4281	4410	4542	4677	4921	5164	5405	5655	5892	6257	6446
22	S	4346	4474	4608	4744	4984	5228	5468	5720	5959	6324	6512
23	B	4347	4476	4610	4747	4999	5255	5505	5759	6009	6386	6578
23	Q	4542	4677	4817	4964	5226	5494	5752	6018	6280	6673	6873
23	S	4608	4744	4884	5028	5290	5558	5817	6083	6344	6738	6941
24	B	4624	4763	4905	5052	5321	5600	5869	6140	6417	6819	7024
24	J	4624	4763	4905	5052	5321	5600	5869	6140	6417	6819	7024
24	Q	4832	4977	5127	5283	5563	5852	6134	6416	6706	7128	7342
24	S	4898	5042	5192	5347	5625	5916	6198	6482	6772	7192	7407
25	B	4929	5077	5229	5386	5680	5980	6278	6577	6875	7317	7537
25	J	4929	5077	5229	5386	5680	5980	6278	6577	6875	7317	7537
25	Q	5150	5305	5463	5626	5937	6248	6561	6874	7186	7646	7876
25	S	5218	5369	5531	5693	6002	6312	6625	6938	7249	7712	7943
26	B	5209	5365	5527	5748	6062	6383	6707	7019	7335	7809	8043
26	U	5209	5365	5527	5748	6062	6383	6707	7019	7335	7809	8043
27	B	5506	5671	5842	6135	6468	6810	7156	7490	7826	8333	8582
27	U	5506	5671	5842	6135	6468	6810	7156	7490	7826	8333	8582

(Source: Peremptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006)

PROPERTY TAX APPEAL BOARD

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

- 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) Section Numbers: 1910.50
1910.67
- 4) Date Proposal published in Illinois Register: February 10, 2006; 30 Ill. Reg. 1816
- 5) Date Adoption published in Illinois Register: June 2, 2006; 30 Ill. Reg. 10103
- 6) Summary and Purpose of Expedited Correction: When PTAB adopted this rulemaking, text changes made to these two Sections in previously adopted rulemakings were inadvertently omitted. Section 1910.50(j) and (k) should have reflected a rulemaking adopted at 30 Ill. Reg. 2640, effective February 15, 2006. Section 1910.67(m) should have reflected a rulemaking adopted at 30 Ill. Reg. 7965, effective April 14, 2006.
- 7) Information and questions regarding this request shall be directed to:

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

217/782-6076
james.chipman@illinois.gov

PROPERTY TAX APPEAL BOARD

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

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
1910.31	Amendments
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
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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	Board Publications-Distribution
1910.77	Withdrawals and Substitutions of Attorneys
1910.78	Consolidation of Appeals
1910.80	Forms
1910.90	Practice Rules
1910.91	Business Records
1910.92	Rules of Pleading, Practice and Evidence
1910.93	Request for Witnesses

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1910.94	Inspection of Subject Property – Effect of Denial by Taxpayer or Property Owner
1910.95	Separability (Renumbered)
1910.96	Evidence Depositions
1910.98	Transcription of Hearings – Official Record
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. 10103, effective May 16, 2006; expedited correction at 30 Ill. Reg. _____, effective _____.

Section 1910.50 Determination of Appealed Assessment

- a) All proceedings before the Property Tax Appeal Board shall be considered de novo meaning the Board will consider only the evidence, exhibits and briefs submitted to it, and will not give any weight or consideration to any prior actions by a local board of review or to any submissions not timely filed or not specifically made a part of the record. *The Board shall not be limited to the evidence presented to the board of review of the county. A party participating in the hearing before the Property Tax Appeal Board is entitled to introduce evidence that is otherwise proper and admissible without regard to whether that evidence has previously been introduced at a hearing before the board of review of the county. Each appeal shall be limited to the grounds listed in the petition filed with the Board.* (Section 16-180 of the Code)
- b) The Property Tax Appeal Board may accept into the record all evidence, exhibits and briefs submitted by all interested parties and render a decision without holding a hearing. On its own motion, the Board may order a hearing to be held at a time and place designated by the Board. *A hearing shall be granted if any party to the appeal submits a request in writing.* (Section 16-170 of the Code)

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- c) The decisions of the Property Tax Appeal Board will be based on equity and the weight of the evidence.
- 1) In all counties other than Cook, a three-year county wide assessment level to be based on relevant sales during the previous three years as certified by the Department of Revenue will be considered where sufficient probative evidence is presented indicating the estimate of full market value of the subject property on the relevant real property assessment date of January 1.
 - 2) In Cook County, for residential property of six units or less currently designated as Class 2 real estate according to the Cook County Real Property Assessment Classification Ordinance, as amended, where sufficient probative evidence indicating the estimate of full market value of the subject property on the relevant assessment date is presented, the Board may consider evidence of the appropriate level of assessment for property in that class. Such evidence may include:
 - A) the Department of Revenue's annual sales ratio studies for Class 2 property for the previous three years; and
 - B) competent assessment level evidence, if any, submitted by the parties pursuant to this Part.
 - 3) In Cook County, for all other classes of property, where sufficient probative evidence indicating the estimate of full market value of the subject property on the relevant assessment date is presented, the Board will consider the level of assessment applicable to the subject property under the Cook County Real Property Assessment Classification Ordinance, as amended.
- d) Whether or not a hearing is held in the appeal proceeding, the proceeding before the Property Tax Appeal Board shall be terminated when the Board renders a decision. The Board may revise and/or correct a decision upon its own initiative at any time prior to the expiration of the administrative review filing period as provided in Section 16-195 of the Property Tax Code if a mistake in the calculation of an assessment or other clerical error is discovered. In such event, the Board shall issue an amended decision. The decision or order of the Property Tax Appeal Board in any such appeal shall, within 10 days after it is made and entered, be certified to every party to the proceeding and to the proper authorities,

PROPERTY TAX APPEAL BOARD

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including the board of review whose decision was appealed, the County Clerk who extends taxes upon the assessment in question, and the County Collector (Treasurer) who collects property taxes upon such assessment.

- e) A majority of the Members of the Board is required to make a decision of the Board.
- f) *If a petition is filed by a taxpayer with the Property Tax Appeal Board, the taxpayer is precluded from filing objections based upon valuation in the Circuit Court as may otherwise be permitted by Sections 21-175 and 23-5 of the Property Tax Code. (Section 16-160 of the Code)*
- g) *If a taxpayer files objections based upon valuation in the Circuit Court as permitted by Sections 21-175 and 23-5 of the Property Tax Code, the taxpayer is precluded from filing a petition contesting the assessment of the subject property with the Property Tax Appeal Board. (Section 16-160 of the Code)*
- h) *If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the board of review or after adjournment of the session of the board of review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of the written notice of the Property Tax Appeal Board decision, appeal the assessment for such subsequent year directly to the Property Tax Appeal Board. (Section 16-185 of the Code)*
- i) *If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225 of the Code, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (Section 16-185 of the Code)*
- j) ~~If a stipulation is agreed to by all interested parties, it may be taken into consideration by the Property Tax Appeal Board but must be supported by evidence in the record. The Board reserves the right to write a decision based on the facts, evidence and exhibits in the record. k)~~ — The contesting party may, at any time before the hearing begins, ~~upon notice to the parties to the appeal,~~ move

PROPERTY TAX APPEAL BOARD

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

to withdraw or voluntarily dismiss the appeal, by written request filed with the Board and all other parties to the appeal. However, where a party to the appeal has filed substantive evidence or is in the process of preparing substantive evidence in response to the contesting party's petition, a dismissal will only be granted if no written objection ~~is~~ objections are made by that any party ~~to the appeal~~. A party that has not filed substantive evidence in response to the contesting party's petition shall not be permitted to object to the dismissal of the appeal.

(Source: Expedited Correction 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 this Part 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. 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

PROPERTY TAX APPEAL BOARD

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

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
 - 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

PROPERTY TAX APPEAL BOARD

NOTICE OF REQUEST FOR EXPEDITED CORRECTION

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 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.

PROPERTY TAX APPEAL BOARD

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- 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.~~

(Source: Expedited Correction at 30 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF CORRECTIONS TO NOTICE ONLY

- 1) Heading of the Part: Savings Bank Act
- 2) Code Citation: 38 Ill. Adm. Code 1075
- 3) Illinois Register citation to Notice of Proposed Amendments: 30 Ill. Reg. 10772;
June 23, 2006
- 4) The Information being corrected is as follows: Under Item 3, Section Number 1075.1885 should be Section Number 1075.1855.

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

a) Parts (Heading and Code Citation): None at this time

1) Rulemaking:

A) Description: The Commission has initiated a rulemaking proceeding to develop rules regarding energy efficiency. The Commission is interested in those resources that will generate overall reductions in energy consumption and the incorporation of those resources into utility programs that will result in the public and private benefits of the utilization of these resources as identified in the Staff Report accepted in Docket 05-0437. The Commission is interested in those proposals of public utilities, alternative retail electric suppliers, and electric customers that are based on the Commission's statutory authority as it exists at this time.

B) Statutory Authority: To be determined.

C) Schedule meeting/hearing date: Persons interested in participating in the proceeding should file a petition to intervene in Docket 06-0388.

D) Date agency anticipates First Notice: Undetermined.

E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any subject electric utilities or alternative retail electric suppliers that are also small businesses.

F) Agency contact person for information:

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

G) Related rulemakings and other pertinent information: Rulemaking proceedings in Dockets 06-0389 and 06-0390.

b) Parts (Heading and Code Citation): None at this time

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

1) Rulemaking:

- A) Description: The Commission has initiated a rulemaking proceeding to develop rules regarding demand response programs. "Demand response" refers to the ability to control the level of electricity demand at any point in time (or relatively small interval of time, such as 5 minutes to 1 hour). Demand response resources permit consumers or utilities to quickly cut back electricity demand for short periods and might be engaged when the marginal cost of electricity is particularly high. The Commission is interested in those resources that will generate overall reductions in energy consumption and the incorporation of those resources into utility programs that will result in the public and private benefits of the utilization of these resources as identified in the Staff Report accepted in Docket 05-0437. The Commission is interested in those proposals of public utilities, alternative retail electric suppliers, and electric customers that are based on the Commission's statutory authority as it exists at this time.
- B) Statutory Authority: To be determined.
- C) Schedule meeting/hearing date: A hearing is scheduled for August 1, 2006. Persons interested in participating in the proceeding should file a petition to intervene in Docket 06-0389.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any subject electric utilities or alternative retail electric suppliers that are also small businesses.
- F) Agency contact person for information:

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

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: Rulemaking proceedings in Dockets 06-0388 and 06-0390.
- c) Parts (Heading and Code Citation): None at this time
- 1) Rulemaking:
- A) Description: The Commission has initiated a rulemaking proceeding to develop rules regarding the incorporation of renewable energy resources into utility generation portfolios. The Commission is interested in those resources such as landfill gas, other biomass gas, water, solar, and wind that will provide alternative sources of energy that are, in fact, environmentally preferable as identified in the Staff Report accepted in Docket 05-0437. The Commission is interested in those proposals of public utilities, alternative retail electric suppliers, and electric customers that are based on the Commission's statutory authority as it exists at this time.
- B) Statutory Authority: To be determined.
- C) Schedule meeting/hearing date: A hearing is scheduled for August 1, 2006. Persons interested in participating in the proceeding should file a petition to intervene in Docket 06-0390.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any subject electric utilities or alternative retail electric suppliers that are also small businesses.
- F) Agency contact person for information:

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

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: Rulemaking proceedings in Dockets 06-0388 and 06-0389.
- d) Parts (Heading and Code Citation): None at this time
- 1) Rulemaking:
- A) Description: The Commission has initiated a rulemaking regarding eligible telecommunications carriers ("ETC") receiving federal Universal Service Support pursuant to Section 214(e)(2) of the Telecommunications Act of 1996 (47 U.S.C. 214(e)(2)). Federal Communications Commission ("FCC") has recommended that state commissions institute requirements for ETC applicants, including a requirement that the ETC applicant demonstrate that it will satisfy consumer protection and service quality standards. Further, the FCC affirmed the state commissions' authority to impose consumer protection requirements upon wireless carriers to ensure that universal service fund supported services are offered in a manner that protects consumers. This rulemaking proceeding will address consumer protection and service quality standards for wireless local exchange carriers operating as ETCs.
- B) Statutory Authority: Implementing Section 8-101, 8-301, and 13-712 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-101, 8-301, 13-712 and 10-101].
- C) Schedule meeting/hearing date: Persons interested in participating in the proceeding should file a petition to intervene in Docket 06-0468.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any subject eligible telecommunications carriers that are also small businesses.
- F) Agency contact person for information:

Elizabeth Rolando
Chief Clerk

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701
217-782-7434

- G) Related rulemakings and other pertinent information: None.
- e) Parts (Heading and Code Citation): Procedures for Gas, Electric, Water and Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices and Discontinuance of Service (83 Ill. Adm. Code 280)
- 1) Rulemaking:
- A) Description: The Commission has initiated a rulemaking to consider the possible amendment of 83 Ill. Adm. Code 280.130(j). Section 280.130(j) deals with the prohibition of termination of service to a residence when discontinuance of service will aggravate an existing serious illness of any person who is a permanent resident. This proceeding will examine the issue of whether there is a need to amend Section 280.130(j) to accommodate those persons dependent on life-support systems. While the initial focus of this proceeding is the possible amendment of Section 280.130(j), the Commission is aware that the evidence adduced during the proceeding may dictate that rulemaking may appropriately be accomplished by adding a new Section to Part 280 regarding the discontinuance of electric service to persons on life-support.
- B) Statutory Authority: Implementing Section 8-101 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-101 and 10-101].
- C) Schedule meeting/hearing date: Persons interested in participating in the proceeding should file a petition to intervene in Docket 06-0112.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any electric utilities that are also small businesses.

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

F) Agency contact person for information:

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

G) Related rulemakings and other pertinent information: None.f) Parts (Heading and Code Citation): Procedures for Gas, Electric, Water and Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices and Discontinuance of Service (83 Ill. Adm. Code 280)1) Rulemaking:

A) Description: A number of gas utilities have petitioned the Commission to amend Part 280 regarding requests for deposits and refunds of deposits by utilities. The utilities have asked to incorporate the use of financial risk assessment methods that would enable utilities to more effectively monitor and manage credit risk, while promoting rate stability and reducing the amount of bad debt.

B) Statutory Authority: Implementing Section 8-101 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-101 and 10-101].

C) Schedule meeting/hearing date: Persons interested in participating in the proceeding should file a petition to intervene in Docket 05-0237.

D) Date agency anticipates First Notice: Undetermined.

E) Affect on small businesses, small municipalities or not for profit corporations: his rulemaking will affect any public utilities that are also small businesses.

F) Agency contact person for information:

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

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

G) Related rulemakings and other pertinent information: None.

g) Parts (Heading and Code Citation): Procedures for Gas, Electric, Water and Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices and Discontinuance of Service (83 Ill. Adm. Code 280)

1) Rulemaking:

- A) Description: South Austin Coalition Community Council and Community Action for Fair Utility Practice have petitioned the Commission to amend Part 280 regarding low income customers and applications for service, past due bills and late payment charges, deferred payment agreements, and winter service discontinuances and reconnections for those low income customers.
- B) Statutory Authority: Implementing Section 8-101, 8-206, and 8-207 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-101, 8-206, 8-207, and 10-101].
- C) Schedule meeting/hearing date: Persons interested in participating in the proceeding should file a petition to intervene in Docket 06-0202.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any public utilities that are also small businesses.
- F) Agency contact person for information:

Elizabeth Rolando

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

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

- G) Related rulemakings and other pertinent information: None.
- h) Parts (Heading and Code Citation): Procedures for Gas, Electric, Water and Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices and Discontinuance of Service (83 Ill. Adm. Code 280)
- 1) Rulemaking:
- A) Description: The Citizens Utility Board and the Attorney General of the State of Illinois on behalf of the People of the State of Illinois have petitioned the Commission to amend Part 280. The petitioners state that the purpose of the proposed amendments and additions is to assure that basic and affordable service is available to all Illinois residential consumers for essential electric, gas, and water services.
- B) Statutory Authority: Implementing Section 8-101, 8-206, and 8-207 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-101, 8-206, 8-207, and 10-101].
- C) Schedule meeting/hearing date: A hearing is scheduled for September 6, 2006. Persons interested in participating in the proceeding should file a petition to intervene in Docket 06-0379.
- D) Date agency anticipates First Notice: Undetermined.
- E) Affect on small businesses, small municipalities or not for profit corporations: This rulemaking will affect any public utilities that are also small businesses.
- F) Agency contact person for information:

Elizabeth Rolando
Chief Clerk

ILLINOIS COMMERCE COMMISSION

JULY 2006 REGULATORY AGENDA

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701
217-782-7434

- G) Related rulemakings and other pertinent information: None.

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- a) Parts (Heading and Code Citation): Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities, 59 Ill. Adm. Code 50
- 1) Rulemaking:
- A) Description: This rulemaking will amend Section 50.10 adding a definition of "owner/operator" as an employee; amends 50.20 to provide for a criminal sanction for willful failure to report an allegation of abuse or neglect or willful late reporting; amends Section 50.70 authorizing release of investigative reports involving licensed professionals under the jurisdiction of the Dept. of Professional Regulations; amends Section 50.90 clarifying when an employee's name may be reported to the DPH nurse aide registry.
- B) Statutory Authority: Implementing and authorized by Sections 6.2 and 10 of the Abused and Neglected Long Term Care Facilities Reporting Act [210 ILCS 30/6.2].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 10/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: SB 2782, SB 3010, and SB 2491 passed both chambers of the legislature and have been sent to the Governor for signature.

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- b) Parts (Heading and Code Citation): Office of Inspector General Adults with Disabilities Abuse Project, 59 Ill. Adm. Code 51
- 1) Rulemaking:
- A) Description: This rulemaking will add a new section authorizing subpoena authority for the program; amends 51.90 authorizing release of information to a professional who made a report of abuse, neglect or exploitation whether the report was accepted or rejected, and to release information pertaining to the results of the investigative assessment.
- B) Statutory Authority: Implementing and authorized by the Abuse of Adults with Disabilities Intervention Act [20 ILCS 2435].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 10/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: SB 2763 and SB 2782 passed both chambers of the legislature and have been sent to the Governor for signature.
- c) Parts (Heading and Code Citation): Recipient's Property, 59 Ill. Adm. Code 110
- 1) Rulemaking:

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- A) Description: This rulemaking will allow the Department to keep contraband, dangerous, and restricted items out of the possession of patients of state-operated facilities.
- B) Statutory Authority: Implementing Section 20 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/20] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and by Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 7/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- d) Parts (Heading and Code Citation): Treatment and Habilitation Services, 59 Ill. Adm. Code 112
- 1) Rulemaking:
- A) Description: This rulemaking will detail the process for seeking to conduct research with patients who are unfit to stand trial or whom are not

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

guilty by reason of insanity and the conduct of the Institutional Review Board.

- B) Statutory Authority: Implementing Sections 1-110.5, 1-121.5, 2-102, 2-107.1, 2-107.2, 2-110, 2-110.1, 2-200, 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and 4-709, of the Mental Health and Developmental Disabilities Code [405 ILCS 5/1-110.5, 1-121.5, 2-102, 2-107.1, 2-107.2, 2-110, 2-110.1, 2-200, 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704, and 4-709] and Sections 5.1 and 7 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5.1 and 7] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 11/01/06
- E) Effect small business, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- e) Parts (Heading and Code Citation): Recipient Discharge/Linkage/Aftercare, 59 Ill. Adm. Code 125
- 1) Rulemaking:

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- A) Description: This rulemaking will allow the Department to update the current administrative structure. Also, changes from PA 93-636 will be implemented to monitor persons placed in nursing facilities, establish criteria for persons referred to community settings, and to train staff in nursing homes.
- B) Statutory Authority: Implementing and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Sections 5, 15, 15.1, 15a, 15b and 16 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5, 15, 15.1, 15a, 15b and 16].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 11/01/06
- E) Effect small business, small municipalities or not for profit corporations: This rulemaking requires the Department to create certain standards that affect nursing homes when the Department discharges people. Those nursing homes may qualify as a small business.
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- f) Parts (Heading and Code Citation): Medicaid Community Mental Health Services Program, 59 Ill. Adm. Code 132
- 1) Rulemaking:

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- A) Description: This rulemaking will define new services and prepare rates on those services. This rulemaking will also make adjustments as necessitated by changes in the State Medicaid Plan.
- B) Statutory Authority: Implementing and authorized by the Community Services Act [405 ILCS 30] and Section 15.3 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/15.3].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 11/01/06
- E) Effect small business, small municipalities or not for profit corporations: This rulemaking requires the Department to create certain standards that affect services and the payments to providers. Those providers may qualify as a small business.
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- g) Parts (Heading and Code Citation): Award and Monitoring of Funds, 77 Ill. Adm. Code 2030
- 1) Rulemaking:
- A) Description: This rule will be repealed and a new funding section will be incorporated into Part 2060.
- B) Statutory Authority: Authorized by the Illinois Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/5-10].

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 11/30/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- h) Parts (Heading and Code Citation): Subacute Alcoholism And Substance Abuse Treatment Services, 77 Ill. Adm. Code 2090
- 1) Rulemaking:
- A) Description: This rule will be repealed and all provisions for Medicaid covered in this rule will be included in 89 Ill. Adm. Code 2060 as a new subsection.
- B) Statutory Authority: Authorized by the Illinois Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 11/01/06
- E) Effect small business, small municipalities or not for profit corporations:

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

None

F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772

G) Related rulemakings and other pertinent information: None

i) Parts (Heading and Code Citation): General Administrative Provisions, 89 Ill. Adm. Code 10

1) Rulemaking:

A) Description: This rulemaking revises Section 10.410, Application for Assistance, to specify that a DHS web application submitted and received electronically over the internet will not require a signature. An electronic signature will be used for food stamp applications submitted and received electronically.

B) Statutory Authority: Implementing Articles I through IX and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IX and 12-13].

C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on this rule during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

D) Date agency anticipates First Notice: 08/01/06

E) Effect small business, small municipalities or not for profit corporations:
None

F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772

- G) Related rulemakings and other pertinent information: None
- j) Parts (Heading and Code Citation): Temporary Assistance for Needy Families, 89 Ill. Adm. Code 112
- 1) Rulemaking:
- A) Description: This rulemaking revises Section 112.320, Redetermination of Eligibility, to simplify the process of redetermining eligibility for cash and medical assistance.
- B) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 08-01-06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: Amendments will be proposed to 89 Ill. Adm. Code 10 and 89 Ill. Adm. Code 121 to implement web applications for cash, medical and food stamps.

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- k) Parts (Heading and Code Citation): Temporary Assistance for Needy Families, 89 Ill. Adm. Code 112
- 1) Rulemaking:
- A) Description: This rulemaking will eliminate the requirement that a TANF client be present for at least one redetermination of eligibility in a 12-month period.
- B) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 10-01-06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None.
- l) Parts (Heading and Code Citation): Food Stamps, 89 Ill. Adm. Code 121
- 1) Rulemaking:
- A) Description: This rulemaking will require 80 hours of activity per month for Food Stamp Employment and Training Activities.

DEPARTMENT OF HUMAN SERVICES

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- B) Statutory Authority: Implementing Section 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 12/01/06
- E) Effect small business, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- m) Parts (Heading and Code Citation): Food Stamps, 89 Ill. Adm. Code 121
- 1) Rulemaking:
- A) Description: This rulemaking revises Section 121.1 Application for Assistance, Section 121.10 Interviews, and Section 121.125 Redetermination of Earned Income Households to provide for web applications submitted and received via the internet and redeterminations completed using the Phone Interview System.
- B) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. 12-4.4 through 12-4.6 and 12-13].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

- D) Date agency anticipates First Notice: 08/01/06
 - E) Effect small business, small municipalities or not for profit corporations:
None
 - F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
 - G) Related rulemakings and other pertinent information: Amendments will be proposed to 89 Ill. Adm. Code 10 and 89 Ill. Adm. Code 112 to implement web applications for cash, medical and food stamps.
- n) Parts (Heading and Code Citation): Food Stamps, 89 Ill. Adm. Code 121
- 1) Rulemaking:
 - A) Description: This rulemaking will adjust the Gross and Net Income Eligibility Standards and the Food Stamp Benefit Amounts that are annually adjusted.
 - B) Statutory Authority: Implementing Section 12-4-4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13] and 7 CFR 273.
 - C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
 - D) Date agency anticipates First Notice: 10/01/06

DEPARTMENT OF HUMAN SERVICES

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- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- o) Parts (Heading and Code Citation): Food Stamps, 89 Ill. Adm. Code 121
- 1) Rulemaking:
- A) Description: This rulemaking will increase the Utility Standards-Air Conditioning/Heating Standard, Limited Utility Standard, Single Utility Standard and the Telephone Standard, if the annual review determines an increase is needed.
- B) Statutory Authority: Implementing Section 12.4-4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13] and 7 CFR 273.
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 11/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772

G) Related rulemakings and other pertinent information: None

p) Parts (Heading and Code Citation): Food Stamps, 89 Ill. Adm. Code 121

1) Rulemaking:

A) Description: This rulemaking will change that a child receiving TANF but not living with the household will no longer qualify for food stamps.

B) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. 12-4.4 through 12-4.6 and 12-13].

C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

D) Date agency anticipates First Notice: 12/01/06

E) Effect small business, small municipalities or not for profit corporations:
None

F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
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(217) 785-9772

G) Related rulemakings and other pertinent information: None

q) Parts (Heading and Code Citation): Developmental Disabilities Services, 89 Ill. Adm. Code 144

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- 1) Rulemaking:
- A) Description: This rulemaking will add and modify language pertaining to the rates for services in private intermediate care facilities for the mentally retarded (ICF/MR) including those qualifying as serving a high medical/high personal care needs population or those termed as small scale residential facilities.
- B) Statutory Authority: Implementing Section 18.3 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/18.3] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 07/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- r) Parts (Heading and Code Citation): Early Intervention, 89 Ill. Adm. Code 500
- 1) Rulemaking:
- A) Description: This rulemaking will amend the credentialing section of the rule. There may also be other amendments to clarify existing language.

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- B) Statutory Authority: Implementing and authorized by the Early Intervention Services System Act [325 ILCS 20] and Part C of the Individuals with Disabilities Education Act (IDEA) (20 USC 1400 et seq., as amended in 1997).
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 10/01/06
- E) Effect small business, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: None
- s) Parts (Heading and Code Citation): Appeals and Hearings, 89 Ill. Adm. Code 510
- 1) Rulemaking:
- A) Description: This rulemaking will correct a discrepancy concerning the number of days when a service notice is sent to customer and when a customer can request a hearing regarding the service notice.
- B) Statutory Authority: Implementing the Disabled Persons Rehabilitation Act [20 ILCS 2405], and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

- D) Date agency anticipates First Notice: 09/01/06
 - E) Effect small business, small municipalities or not for profit corporations:
None
 - F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
 - G) Related rulemakings and other pertinent information: None
- t) Parts (Heading and Code Citation): Authorizations, 89 Ill. Adm. Code 520
- 1) Rulemaking:
 - A) Description: This rulemaking will add a new section that addresses signature authority on authorizations. This is intended to make the rules more consistent with the Department's policy concerning Payment Voucher Approvals and approvals and signature authority.
 - B) Statutory Authority: Implementing and authorized by Section 3(k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(k)].
 - C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
 - D) Date agency anticipates First Notice: 12/01/06
 - E) Effect small business, small municipalities or not for profit corporations:
None

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: This rule is intended to also provide consistency in the local offices when processing authorizations.
- u) Parts (Heading and Code Citation): Criteria for the Evaluation of Programs of Services in Community Rehabilitation Agencies, 89 Ill. Adm. Code 530
- 1) Rulemaking:
- A) Description: This rulemaking will add language specific to the Supported Employment Program. In addition, the Division intends to update its rules regarding Community Rehabilitation Programs to make them more consistent with current policies.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 12/31/06
- E) Effect small business, small municipalities or not for profit corporations: Yes. Changes to rules pertaining to Community Rehabilitation Programs are intended to bring the rules more in line with the Division's current procedures and practices.
- F) Agency contact person for information:
Tracie Drew, Bureau Chief

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772

- G) Related rulemakings and other pertinent information: None
- v) Parts (Heading and Code Citation): Vocational Rehabilitation Program Definitions, 89 Ill. Adm. Code 521 (NEW PART)
- 1) Rulemaking:
- A) Description: This rulemaking will be developed to address the various definitions concerning vocational rehabilitation programs and services.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 12/31/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: The intent of the new Part is to provide one location and easy access to program definitions.

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- w) Parts (Heading and Code Citation): Assessment for Determining Eligibility and Rehabilitation Needs, 89 Ill. Adm. Code 553
- 1) Rulemaking:
- A) Description: This rulemaking will address guidelines that were recently developed for staff to use concerning limitations to functional capacities.
- B) Statutory Authority: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 12/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: The guidelines concerning limitations to functional capacities were developed when the Division revised the order of selection process last year. The intent was to assist staff when making determinations regarding most significant and very significant disabilities.
- x) Parts (Heading and Code Citation): Individualized Plan for Employment (IPE), 89 Ill. Adm. Code 572
- 1) Rulemaking:

DEPARTMENT OF HUMAN SERVICES

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- A) Description: This rulemaking will repeal Section 572.200, Reporting of Customer Participation. This section pertains to the reporting of SSI/SSDI beneficiaries to the Social Security Administration when they refuse VR services, fail to cooperate, or cannot be located.
- B) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b), and (k)].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 09/01/06
- E) Effect small business, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: The Ticket to Work Act made changes to the way SSI/SSDI beneficiaries interact with vocational rehabilitation programs and other community providers.
- y) Parts (Heading and Code Citation): Services, 89 Ill. Adm. Code 590
- 1) Rulemaking:
- A) Description: This rulemaking will revise Community Rehabilitation Programs, if 590.210 Facility Qualifications applies. In addition, language regarding consistency of driver rates under 590.600(a) and 590.490(c), will also be amended. Also, rules pertaining to training provided by

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

institutions that are not located within the United States are being developed.

- B) Statutory Authority: Implementing the Disabled Persons Rehabilitation Act [20 ILCS 2405], and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].
 - C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
 - D) Date agency anticipates First Notice: 12/31/06
 - E) Effect small business, small municipalities or not for profit corporations: None
 - F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
 - G) Related rulemakings and other pertinent information: As more training opportunities become available to customers, the Division feels it is appropriate to develop rules for institutions that are not located within the United States. The Division currently has rules that pertain to out of state training institutions.
- z) Parts (Heading and Code Citation): Closure of a Rehabilitation Case, 89 Ill. Adm. Code 595
- 1) Rulemaking:
 - A) Description: This rulemaking would add a definition of a successful employment outcome.

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- B) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b) and (k)].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 12/31/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: The Division wishes to provide more consistency regarding employment outcomes, especially as it relates to full time employment, part time employment, and seasonal work.
- aa) Parts (Heading and Code Citation): Program Description, 89 Ill. Adm. Code 676
- 1) Rulemaking:
- A) Description: This rulemaking will change language concerning Assistive Equipment and Environmental Modifications.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

- D) Date agency anticipates First Notice: 08/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: The Home Services Rules Committee streamlined the existing definitions for assistive equipment and environmental modifications to make them more consistent with the program's current policies, procedures and practices.

bb) Parts (Heading and Code Citation): Eligibility, 89 Ill. Adm. Code 682

- 1) Rulemaking:
 - A) Description: This rulemaking will add language concerning eligibility criteria for the Traumatic Brain Injury Program. Language pertaining to asset limits will also be amended so they are consistent with the Department on Aging's Community Care Program.
 - B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
 - C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
 - D) Date agency anticipates First Notice: 08/01/06

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772
- G) Related rulemakings and other pertinent information: The Division will be adding language that is consistent with language pertaining to other waiver programs administered by the Division.
- cc) Parts (Heading and Code Citation): Service Planning and Provision, 89 Ill. Adm. Code 684
- 1) Rulemaking:
- A) Description: This rulemaking will revise language regarding the addition of physician assistant signature authority, family members as service providers, and fraud. Language is also being developed pertaining to child care issues, and for customers who are children that also receive services through the Department of Children and Family Services.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 12/31/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

Tracie Drew, Bureau Chief
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Department of Human Services
100 South Grand Avenue, East
Springfield, Illinois 62762
(217) 785-9772

- G) Related rulemakings and other pertinent information: The Division is evaluating information that pertains to families that may be receiving similar, or the same services from HSP, as well as the Department of Children and Family Services.
- dd) Parts (Heading and Code Citation): Provider Requirements, Type Services, and Rates of Payments, 89 Ill. Adm. Code 686
- 1) Rulemaking:
- A) Description: This rulemaking will revise language to sections pertaining to Environmental Modifications and Assistive Equipment. These changes are consistent with the current policies, procedures, and practices of the Division, as well as Medicaid policies under the Department of Healthcare and Family Services.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- C) Schedule Meeting/Hearing Date: The public will have an opportunity to comment on these rules during the First Notice Period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date agency anticipates First Notice: 08/01/06
- E) Effect small business, small municipalities or not for profit corporations:
None
- F) Agency contact person for information:
Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services

DEPARTMENT OF HUMAN SERVICES

JULY 2006 REGULATORY AGENDA

100 South Grand Avenue, East
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(217) 785-9772

- G) Related rulemakings and other pertinent information: None

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 27, 2006 through July 3, 2006 and have been scheduled for review by the Committee at its August 8, 2006 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
8/9/06	<u>State Board of Education</u> , Providers of Supplemental Educational Services (23 Ill. Adm. Code 675)	3/31/06 30 Ill. Reg. 5777	8/8/06
8/9/06	<u>State Board of Education</u> , Joint Rules of the Office of the State Fire Marshal and the Illinois State Board of Education: School Emergency and Crisis Response Plans (29 Ill. Adm. Code 1500)	4/7/06 30 Ill. Reg. 6052	8/8/06
8/9/06	<u>State Fire Marshal</u> , Joint Rules of the Office of the State Fire Marshal and the Illinois State Board of Education: School Emergency and Crisis Response Plans (29 Ill. Adm. Code 1510)	4/7/06 30 Ill. Reg. 6082	8/8/06
8/11/06	<u>State Fire Marshal</u> , Fire Sprinkler Contractor Licensing Rules (41 Ill. Adm. Code 109)	10/14/05 29 Ill. Reg. 15410	8/8/06
8/12/06	<u>Department of Healthcare and Family Services</u> , Medical Payment (89 Ill. Adm. Code 140)	1/27/06 30 Ill. Reg. 1231	8/8/06
8/13/06	<u>Department of Natural Resources</u> , Late-Winter Deer Hunting Season (17 Ill. Adm. Code 680)	5/12/06 30 Ill. Reg. 8777	8/8/06
8/13/06	<u>Department of Natural Resources</u> , The Taking	5/12/06	8/8/06

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

	of Wild Turkeys – Fall Gun Season (17 Ill. Adm. Code 715)	30 Ill. Reg. 8787	
8/13/06	<u>Department of Natural Resources</u> , Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 Ill. Adm. Code 530)	5/12/06 30 Ill. Reg. 8747	8/8/06

EXECUTIVE ORDER

2006-07

EXECUTIVE ORDER TO CONTINUE THE COUNCIL ON RESPONSIBLE FATHERHOOD

WHEREAS, it is the policy of this State to promote the recognition of the importance of the participation of both parents in the lives of their children; and

WHEREAS, social policy and practice have often focused on the difficulties of raising a child in a single-parent family and have often created barriers to the involvement of both parents in their child's life; and

WHEREAS, it is the goal of this State to promote the financial and emotional responsibilities of fatherhood; and

WHEREAS, it is the goal of this State to provide assistance in preparing fathers for the legal, financial, and emotional responsibilities of fatherhood; and

WHEREAS, it is the goal of this State to promote the establishment of paternity upon the birth of a child; and

WHEREAS, it is the goal of this State to identify and promote methods that reduce negative outcomes experienced by children affected by divorce, separation, and disputes concerning custody and visitation.

THEREFORE, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, I, Rod R. Blagojevich, hereby order the following:

I. CONTINUATION AND REORGANIZATION

The Council on Responsible Fatherhood shall be continued in the form described herein and relocated within the Department of Human Services.

II. MEMBERSHIP

- A. The Council shall consist of 21 members appointed by and serving at the pleasure of the Governor.
- B. Members appointed by the Governor must be chosen on the basis of their interest in and experience with children and families.
- C. The Governor shall select one member of the Council to be the Chairperson.

EXECUTIVE ORDER

- D. The Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate shall each appoint one ex officio, non-voting member.
- E. A majority of the members appointed by the Governor shall constitute a quorum.
- F. Members of the Council shall serve without compensation, but may be reimbursed for their actual expenses in carrying out their duties as members of the Council.
- G. All members appointed to the Council on the effective date of this Executive Order shall remain members of the Council, subject to the provisions of this Executive Order.
- H. The Department of Human Services shall provide staff and other support services to the Council.

III. DUTIES

The Council shall have the following duties:

- A. To develop a comprehensive plan that promotes the positive involvement of fathers in their children's lives.
- B. To evaluate State programs, government policies, and community initiatives related to fatherhood and to make recommendations regarding those programs, policies, and initiatives to the Governor and the General Assembly.
- C. To convene a statewide symposium in order to discuss and resolve issues related to responsible fatherhood and the importance of the participation of both parents in their children's lives.
- D. Subject to appropriation, to develop criteria for and to issue requests for proposals for grants for responsible fatherhood projects and activities related to responsible fatherhood projects that are approved by the Council.
- E. To receive grants, contributions, and other funds for the purpose of projects and activities related to responsible fatherhood.
- F. To submit a report on or before January 1 of each year, to the Governor and the General Assembly concerning its findings and recommendations.

IV. FUNDS

Grants, contributions and other funds received by the Council on Responsible Fatherhood must be deposited into the Responsible Fatherhood Fund, a special fund created in the State treasury, and, subject to appropriation and as directed by the Department of Human Services may be expended for the purposes of this Executive Order.

EXECUTIVE ORDER

V. EFFECTIVE DATE

This Executive Order shall become effective upon filing with the Secretary of State.

Issued by Governor: June 30, 2006

Filed with Secretary of State: June 30, 2006

PROCLAMATION

**2006-223
SUMMER LEARNING DAY**

WHEREAS, the education of America's youth is of critical importance, and the summer is as good a time as any for children to further their pursuit of information and knowledge; and

WHEREAS, a wide array of public agencies, non-profit organizations, schools, universities, museums, libraries, and summer camps across the country will celebrate the annual Summer Learning Day on July 13, 2006; and

WHEREAS, Summer Learning Day is an opportunity to reflect on the importance of high-quality summer learning opportunities in the lives of young people and their families; and

WHEREAS, Summer Learning Day is designed to highlight the need for more young people to be engaged in learning activities over the summer and to support local summer programs that benefit children, families and communities; and

WHEREAS, Illinois is proud to join with the Center for Summer Learning at Johns Hopkins University and the Staples Foundation for Learning in promoting learning activities for our young people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 13, 2006 as **SUMMER LEARNING DAY** in Illinois, and encourage all citizens to learn about the many educational programs available to children during the summer months here in this state.

Issued by the Governor on June 28, 2006.

Filed by the Secretary of State June 28, 2006.

**2006-224
HONORING THE LIFE OF REVEREND DR. ALVIN J. WESLEY**

WHEREAS, born on October 7, 1925 in Paintcourtville, Louisiana, Reverend Doctor Alvin John Wesley moved to Chicago in 1946 with his wife Oneida, who died in 1967 and with whom he produced three children: Rev. Alvin Claude, Debra, and Brude; and

WHEREAS, in 1970, Rev. Wesley married Dr. Helene Wesley (Johnson) and their union produced Rev. Dr. Howard-John; and

PROCLAMATION

WHEREAS, Rev. Wesley enlisted in the U.S. Army when he was 17 and served for 25 years both in active and reserve duty. After his discharge from the service, Rev. Wesley pursued his entrepreneurial dreams and became a prominent businessman in Chicago, an independent retailer and owner of two Wesley Shoes Stores, and a distinguished member of the Local Merchants Council of Hyde Park and the Hyde Park Business Association; and

WHEREAS, he has served in many roles, including: Director of Finance/Treasurer for the National Baptist Congress of Christian Education; Director of Finance for the Pastor's Conference of Chicago and Vicinity; Director General of the Baptist General Congress of Christian Education; and Moderator for the Greater New Era District Association. He also holds two honorary doctoral degrees; and

WHEREAS, in 1946, Rev. Wesley joined the Zion Hill Baptist Church where he served as a deacon for 25 years, Chairman of the Trustee Board for 3 years, Director of Finance, and Superintendent of the Sunday School; and

WHEREAS, after joining the Lilydale Progressive Missionary Baptist Church, Rev. Wesley received, acknowledged, and accepted his calling into the ministry and was licensed in December 1977 and ordained on April 1, 1978. Rev. Wesley served Lilydale for 8 years as an Associated and Outreach Minister; and

WHEREAS, in November 1986, Rev. Wesley was called to be the Pastor of the historic Hermon Baptist Church. During his 20 year tenure as pastor, Hermon underwent great numeric, spiritual, and physical growth; and

WHEREAS, during this time of mourning, Reverend Dr. Alvin J. Wesley is honored for his accomplishments and contributions to the community:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby honor the life of Reverend Dr. Alvin J. Wesley for his passion and motivation, and I am proud to recognize his exemplary service to this State.

Issued by the Governor on June 28, 2006.

Filed by the Secretary of State June 28, 2006.

2006-225**NATIONAL BATON TWIRLING WEEK**

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

PROCLAMATION

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

WHEREAS, baton twirling is one of the largest nationwide beneficial movements for today's young girls; and

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

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

WHEREAS, baton twirlers from all over the United States will gather at the University of Notre Dame July 16-22, 2006, to conduct a colorful pageant entitled "America's Youth On Parade":

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16-22, 2006 as **NATIONAL BATON TWIRLING WEEK** in Illinois, and encourage our citizens to appreciate and support the colorful and beneficial youth movement of baton twirling.

Issued by the Governor on June 28, 2006.

Filed by the Secretary of State June 28, 2006.

2006 -226
NIKOLA TESLA DAY

WHEREAS, Nikola Tesla was a Serbian-American inventor, engineer, humanitarian, and scientist; and

WHEREAS, in 1884 at age 28, Nikola Tesla emigrated to the United States, where he worked on the more than 760 inventions he patented; and

WHEREAS, Nikola Tesla, the inventor and developer of the alternating electric current that serves as the standard in the United States today, demonstrated in 1893 the wonders of alternating electric current at the Chicago World's Fair; and

WHEREAS, one of Mr. Tesla's most notable accomplishments was designing and supervising the construction of the first hydro-electric generating plant in the United States, Niagara Mohawk Power; and

PROCLAMATION

WHEREAS, in 1956, Nikola Tesla joined the firm of Volt, Watt, Ohm, et al. when the unit of electromagnetic flux density was named the "tesla" in his honor; and

WHEREAS, born on July 10, 1856, this year we celebrate the 150th anniversary of Nikola Tesla's birth, a man who made many contributions to modern life:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 10, 2006 as **NIKOLA TESLA DAY** in Illinois, and encourage all citizens to recognize his many inventions and contributions, as well as recognize him as a source of inspiration to the many immigrants in the United States.

Issued by the Governor on June 28, 2006.

Filed by the Secretary of State June 28, 2006.

2006-227**NATIONAL AQUATIC WEEK**

WHEREAS, people of almost all ages and conditions can enjoy swimming; and

WHEREAS, the physical exercise of swimming provides lasting health benefits, including improved cardiovascular fitness, stronger muscles, and greater flexibility; and

WHEREAS, swimming is an especially beneficial means of exercise for pregnant women, the overweight, and those rehabilitating from physical injuries; and

WHEREAS, swimming and aquatic-related facilities provide a valuable source of recreation for the whole family and are ideal places for relieving stress; and

WHEREAS, the state of Illinois' many lakes and rivers, along with countless local swimming facilities, provide the opportunity for all of our residents to receive the great benefits of swimming:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16-22, 2006 as **NATIONAL AQUATIC WEEK** in Illinois, and encourage all citizens to recognize the role that swimming plays in improving the physical and mental health of people in this state and throughout the country.

Issued by the Governor on June 30, 2006.

Filed by the Secretary of State June 30, 2006.

2006-228**CAPTIVE NATIONS WEEK**

PROCLAMATION

WHEREAS, Captive Nations Week has been recognized since July 17, 1959, originating from U.S. Public Law 86-90, a joint resolution of the 86th Congress; and

WHEREAS, every year, Captive Nations Week organizers focus international attention on the plight and struggle of captive nations to rid themselves of oppressive rulers by organizing and unifying these country's voices of freedom; and

WHEREAS, although several former Captive Nations have been liberated from devastating and militaristic rule, the United States and the international community must remain cognizant of those countries still straining for freedom under precarious regimes; and

WHEREAS, this week should serve as a time of reflection and remembrance for all of the millions of people tragically lost to genocide and other forms of persecution under these cruel governments; and

WHEREAS, the 48th Annual Captive Nations week will highlight the struggle for freedom around the world in occupied territories:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 16-22, 2006 as **CAPTIVE NATIONS WEEK** in Illinois, and encourage all citizens to join in observance of this important week.

Issued by the Governor on June 30, 2006.

Filed by the Secretary of State June 30, 2006.

2006-229**JET MAGAZINE'S 1ST ANNUAL HEALTH & FAMILY FITNESS AFFAIR DAY**

WHEREAS, in 1951, the Johnson Publishing Company founded JET magazine in Chicago, Illinois. Today, JET is the only African-American news and entertainment weekly magazine that reaches over 9 million readers; and

WHEREAS, influential in the early days of the American Civil Rights movement, with its coverage of the murder of Emmett Till and the Montgomery Bus Boycott, today JET is part of Johnson Publishing's "Ebony" publishing organization; and

WHEREAS, on July 8, 2006, JET will be hosting the first Annual Health & Family Fitness Affair in Washington Park in Chicago, Illinois; and

WHEREAS, the Club JET Family Health & Fitness Affair is a wonderful community outreach event created to motivate African-Americans to take charge of their health. The event will include live entertainment, group workouts, mini health and wellness

PROCLAMATION

workshops by medical professionals, sponsor exhibits, and demonstrations to educate visitors on the benefits of daily exercise and healthy eating habits as vital elements to maintain and improve their well being; and

WHEREAS, the State of Illinois is proud to recognize the Family Health & Fitness Affair for bringing awareness to the importance of maintaining healthy habits in our daily lives:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim July 8, 2006 as **JET MAGAZINE'S 1ST ANNUAL HEALTH & FAMILY FITNESS AFFAIR DAY** in Illinois, and present this proclamation to Tina Turner-Andrews on behalf of Jet Magazine.

Issued by the Governor on June 30, 2006.

Filed by the Secretary of State June 30, 2006.

ILLINOIS ADMINISTRATIVE CODE

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