

2011

ILLINOIS

REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



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March 25, 2011 Volume 35, Issue 13

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INTRODUCTION

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

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

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

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

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2011

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 20, 2010	January 3, 2011
2	December 27, 2010	January 7, 2011
3	January 3, 2011	January 14, 2011
4	January 10, 2011	January 21, 2011
5	January 18, 2011	January 28, 2011
6	January 24, 2011	February 4, 2011
7	January 31, 2011	February 14, 2011
8	February 7, 2011	February 18, 2011
9	February 15, 2011	February 25, 2011
10	February 22, 2011	March 4, 2011
11	February 28, 2011	March 11, 2011
12	March 7, 2011	March 18, 2011
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14	March 21, 2011	April 1, 2011
15	March 28, 2011	April 8, 2011
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17	April 11, 2011	April 22, 2011
18	April 18, 2011	April 29, 2011
19	April 25, 2011	May 6, 2011
20	May 2, 2011	May 13, 2011
21	May 9, 2011	May 20, 2011
22	May 16, 2011	May 27, 2011
23	May 23, 2011	June 3, 2011

24	May 31, 2011	June 10, 2011
25	June 6, 2011	June 17, 2011
26	June 13, 2011	June 24, 2011
27	June 20, 2011	July 1, 2011
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36	August 22, 2011	September 2, 2011
37	August 29, 2011	September 9, 2011
38	September 6, 2011	September 16, 2011
39	September 12, 2011	September 23, 2011
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41	September 26, 2011	October 7, 2011
42	October 3, 2011	October 14, 2011
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47	November 7, 2011	November 18, 2011
48	November 14, 2011	November 28, 2011
49	November 21, 2011	December 2, 2011
50	November 28, 2011	December 9, 2011
51	December 5, 2011	December 16, 2011
52	December 12, 2011	December 27, 2011
53	December 19, 2011	December 30, 2011

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: General Operations of the State Fairs and Fairgrounds
- 2) Code Citation: 8 Ill. Adm. Code 270
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
270.10	Amendment
270.375	Amendment
270.380	Amendment
270.410	Amendment
270.415	Amendment
270.420	Amendment
270.430	Amendment
270.440	Amendment
270.445	Amendment
270.455	Amendment
270.465	Repeal
270.470	Amendment
270.480	Amendment
270.495	Amendment
270.505	Amendment
270.510	Amendment
270.515	Amendment
270.525	Amendment
270.540	Amendment
270.555	Amendment
270.560	Amendment
270.565	Amendment
270.570	Amendment
270.575	Amendment
270.580	Amendment
270.585	Amendment
270.595	Amendment
270.600	Amendment
270.605	Amendment
270.610	Amendment
270.615	Amendment
270.620	Amendment
270.625	Amendment
270.630	Amendment

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

270.640	Repeal
270.645	Amendment
270.665	Amendment
270.670	Amendment
270.685	Amendment
270.690	Amendment

- 4) Statutory Authority: Implementing and authorized by the State Fair Act [20 ILCS 2010]; implementing Section 40.14 and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16 and 40.14]
- 5) A Complete Description of the Subjects and Issues Involved: Updating rules related to the non-fair usage and leasing of facilities on the Illinois State Fairgrounds.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking in currently 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 does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day the Notice of Proposed Amendment 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

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

217/785-4505 (fax)

- 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: No additional reporting, bookkeeping or other procedures are necessary.
 - C) Types of professional skills necessary for compliance: The types of professional skills necessary for compliance are identical to what is already in effect.
- 14) Regulatory agenda on which this rulemaking was summarized: Rulemaking was not anticipated at the time of either regulatory agenda.

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

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER j: FAIRS

PART 270

GENERAL OPERATIONS OF THE STATE FAIRS AND FAIRGROUNDS

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270.15	Policy
270.20	Violation of Rules; Administrative Hearings

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AUTHORITY: Implementing and authorized by the State Fair Act [20 ILCS 210]; implementing Section 40.14 and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16 and 40.14].

SOURCE: Adopted at 4 Ill. Reg. 25, p. 34, effective June 11, 1980; amended at 5 Ill. Reg. 1332, effective January 29, 1981; codified at 5 Ill. Reg. 10532; amended at 6 Ill. Reg. 8958, effective July 9, 1982; amended at 8 Ill. Reg. 6103, effective April 25, 1984; emergency amendments at 10 Ill. Reg. 13370, effective July 28, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 14282, effective August 20, 1986; amended at 10 Ill. Reg. 20468, effective November 26, 1986; amended at 11 Ill. Reg. 2228, effective January 20, 1987; amended at 15 Ill. Reg. 455, effective January 2, 1991; amended at 18 Ill. Reg. 9400, effective June 12, 1994; amended at 19 Ill. Reg. 9400, effective June 29, 1995; amended at 21 Ill. Reg. 5530, effective April 22, 1997; amended at 22 Ill. Reg. 11374, effective June 22, 1998; amended at 34 Ill. Reg. 8996, effective July 1, 2010; amended at 35 Ill. Reg. _____, effective _____.

SUBPART A: DEFINITIONS: POLICY: VIOLATION

Section 270.10 Definitions

Unless the context otherwise requires, the terms shall have the following meanings:

"Authorized ~~Vehicle~~vehiele" is an on-road or off-road vehicle operated by the Department of Agriculture.

"Business Day" is a day that the State of Illinois is open for operations.

"Calendar Day" is the period of time from one midnight to the following midnight.

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

"Concessionaire/Commercial Exhibitor" means any person selling directly to the public or taking orders for future sales pursuant to an annual space rental contract.

"Division" means the Division of Fairs and Promotions, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281.

"DuQuoin State Fair" means only that annual event at DuQuoin.

"Exhibitor" means any person who displays his/her goods, displays his/her person, or distributes information and is not engaged in sales pursuant to an annual space rental contract, or participates in programs offered by the Department.

"Illinois State Fair" means only that annual event at Springfield.

"Person" means any individual, partnership, corporation, association, governmental or religious entity.

"Space Rental Contract" means a written contract entered into between the ~~persons~~~~person(s)~~ desiring to put on an exhibit or operate a concession and the Department.

"Space Rental ~~Office~~~~office~~" means the office in charge of space rental, Division of Fairs and Promotions, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9427 or the office in charge of space rental for the DuQuoin State Fair, Division of Fairs and Promotions, Department of Agriculture, Fairgrounds, DuQuoin, Illinois 62832.

"Special Agreement" means a multiple year or single year lease subject to a negotiated rate. This type of agreement would include persons building permanent structures, multiple year off season rentals, single or multiple year fair-time leases, etc.

"State Fair" means the annual event that is held at Springfield or the annual event that is held at DuQuoin for the purposes as set forth in Section 270.15.

"State Fairgrounds" means all the land and water areas, including all buildings and facilities located thereon, known as the State Fairgrounds at Springfield or

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

DuQuoin.

"State Fairgrounds at DuQuoin" means only the State Fairgrounds at DuQuoin.

"State Fairgrounds at Springfield" means only the State Fairgrounds at Springfield.

"Superintendent of the Division of Fairs and Promotions" means the Superintendent of the Division of Fairs and Promotions, Department of Agriculture, State Fairgrounds, Springfield, Illinois ~~6279467294~~-9281.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART J: NON-FAIR SPACE RENTAL:
BASIC RULES APPLICABLE TO ALL RENTALS

Section 270.375 Non-Fair Availability Dates

- a) The State Fairgrounds at Springfield are available for facility rental from September 1 of each year until July 15 of the following year. These dates are established to insure proper preparedness for the Illinois State Fair and subsequent clean-up of buildings, barns and grounds. At the discretion of the Director, the facilities may be rented between July 15 and September 1.
- b) The State Fairgrounds at DuQuoin are available for facility rental from September 10 of each year until August ~~15~~ of the following year. These dates are established to insure proper preparedness for the DuQuoin State Fair and subsequent clean-up of buildings, barns and grounds. At the discretion of the Director, the facilities may be rented between August 15 and September 10.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.380 Application for Space

A request~~An application~~ for facility rental should be filed in writing (via letter, e-mail or fax) with the Space Rental Office as soon as possible before an event. Final contracts are mailed to the requestor~~applicant~~ for signatures , no more than two months prior to any desired event. Priority for space shall be on a first come basis in accordance with the date stamp of the Department indicating receipt. In the event of simultaneous date stamps, space shall be granted

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

~~by lottery.~~

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.410 Payment

- a) Space rental at the State Fairgrounds at Springfield must be paid in full 15 business days before the first day of the event unless the Department approves an alternative payment plan in writing. Any alternative payment plan shall require the full space rental fee to be paid no later than the first day of the event. A non-refundable down payment of 30% of the space rental fee or \$150, whichever is greater, shall be paid by the lessee at the time of confirmation of the booking. ~~on or before the first day of the event.~~ All payments must be made by cash, check, credit card, debit card, cashier's check or money order. When a "percentage contract" is involved, full reconciliation and accounting must be made by the lessee within 30~~three~~ days following the event. The payment of any fees or charges for the use of the State Fairgrounds or facilities by any department of State Government or other governmental entity shall be waived at the discretion of the Director. Lessee shall be responsible for all electric, equipment, labor and janitorial fees associated with the facility rental, unless waived by the Director.
- b) Space rental at the State Fairgrounds at DuQuoin must be paid in full 10 business days before the first day of the event unless the Department approves an alternative payment plan in writing. Any percentage fees or additional charges must be paid within 10 business days after the event.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.415 Tickets

~~When~~Where tickets are used and the Department, per contract, receives a percentage of sales, lessee will furnish all necessary tickets at its own expense, and ~~the said~~ tickets and manifest of tickets shall be examined by the Department before any sale. ~~The lessee~~Lessee shall provide all ticket sellers and ticket takers at its expense. ~~The lessee~~Lessee will provide to the Department~~include in the accounting,~~ after the event, a manifest of all tickets sold and unsold in connection with the event. ~~The manifest~~This accounting must be made no more than 10 calendar~~3~~ days following the conclusion of the event. After the event, the Department may request all ticket stubs ~~will become property of the Department.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.420 Facility Availability

The Department will determine the availability of the State Fairgrounds for non-fair events, including move-in and move-out dates.

a) ~~The following items are set and must be observed:~~

Event	Facility Available	Facility Vacated
Horse Shows/Sales	1 day prior	1 day after
Cattle Sales	2 days prior	2 days after
Machinery Sales	5 days prior	5 days after

b) ~~All other lessees must pre-arrange move-in and move-out dates with the Division.~~

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.430 Security

~~The lessee~~ Lessee is responsible for security relating to the event contracted on the State Fairgrounds. ~~The lessee~~ Lessee will be required to provide security guards as stated in the contract or if notified by the Department in writing ~~no less than 3 days~~ prior to the event that ~~such~~ security ~~will~~ shall be required. Additional security will be required as needed, based upon the nature of the event, the nature of other events going on, the type of property involved and the Department's personnel resources. The security guards are to be at the lessee's sole expense and are subject to authority of the head of security for the State Fairgrounds. The requirements of this ~~Section~~ rule are in addition to the general powers of the Department to secure and police the ~~State~~ Fairgrounds, ~~which~~ security for which the Department maintains on a regular basis without guaranteeing, in any method or manner, the safety and security of ~~the~~ lessee, its property or persons. ~~The lessee~~ Lessee is required to notify ~~State Fairgrounds~~ Fairground security no less than 3 days prior to the event regarding times that a gate, other than the Main Gate, should be open.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.440 Tables and Chairs

a) Tables and chairs ~~may be made~~ are available ~~from the grounds office~~ for use off of

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

~~the State~~ Fairgrounds ~~by usage only for functions of State and other~~ government entities ~~at the discretion of the Director of the Department or his or her designee~~. The person desiring the use of the chairs and tables is responsible for setting them up, taking them down, and redelivering them in the same condition in which they were found.

- b) ~~The number~~ Usage of tables and chairs ~~provided~~ for events held on the State Fairgrounds ~~are specified by facility/building in the Fee Schedule; however, if any additional tables and chairs are needed, charges will be assessed~~ ~~shall be charged~~ to the ~~persons~~ ~~person(s)~~ using them as specified in the Fee Schedule ~~which is~~ available from the Space Rental ~~Office~~ ~~office~~.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.445 Clean-Up

- a) All rental agreements shall contain a provision that the lessee shall contract for ~~clean-up or provide for clean-up~~ after the event on the ~~State~~ Fairgrounds ~~at Springfield~~. If ~~the~~ lessee fails to ~~enter a contract for clean-up services~~ ~~perform this service~~, the Department shall contract for the clean-up service and bill the lessee. The lessee shall contract with a clean-up service, as provided in the list of approved clean-up services. This list shall be available from the Space Rental ~~Office~~ ~~office~~ upon request. Contractors shall indicate in writing to the Department that they would like to be on the list as an approved clean-up service. Failure to perform the services as outlined in the contract will cause a contractor to be removed from the approved list of clean-up services. A contractor's performance will be reviewed by the ~~Department's Bureau of Business Services and/or Bureau of Buildings and Grounds~~ ~~Division of Administrative Services~~. ~~Approved clean-up service contractors that do not perform at the Department's standards will be notified in writing of removal of their name from the approved clean-up list.~~
- b) ~~The State Fairgrounds at DuQuoin shall provide clean-up services for lessees and will invoice the lessee accordingly at the conclusion of each event, consistent with prevailing wages.~~

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.455 Insurance

DEPARTMENT OF AGRICULTURE

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- a) ~~The lessee~~Lessee shall obtain public liability insurance insuring both lessee and the Department in the minimum amounts of ~~One Hundred Thousand and 00/100 \$300,000(\$100,000) Dollars~~ per person, ~~Five Hundred Thousand and 00/100 (\$500,000) Dollars~~ per occurrence and ~~Fifty Thousand and 00/100 (\$50,000) Dollars~~ property damage. ~~The, which said~~ insurance shall insure claims arising out of or in conjunction with ~~the~~ lessee's operations and shall also cover any claim arising out of or in connection with the use of any automobiles or trucks operated by lessee or its agents, servants or employees in connection with ~~the~~ lessee's operations. The Department shall reserve the right to require additional insurance if deemed necessary by the ~~Department's General Counsel~~Superintendent of the ~~Division~~ or his ~~or her~~ designated representative. The Department shall require additional insurance coverage at all auto races, tractor pulls, mechanical events, events where alcoholic beverages are served, or ~~events in which~~ crowd size could present a substantial liability to the sponsor of the event, ~~such as the Street Machines Nationals~~. Lessee shall supply ~~a~~said policy of public liability insurance to the Department ~~15 business days on or before one week~~ prior to the event and ~~that~~said policy shall name the Illinois Department of Agriculture ~~and~~; its officers, employees, agents and directors as additionally insured.
- b) It is specifically understood and agreed that the Department will not be liable for injuries to lessee and lessee's agents or property. Neither shall the Department be liable for any damage caused by an Act of God; or ~~national~~National or State emergency. The lessee further agrees to accept all liability for any injury sustained by the public on ~~the~~that area leased by ~~the~~said lessee and further agrees to indemnify the Department from any actions or claims resulting from personal injury or property damage on or near the premises described ~~herein~~.
- c) It is understood and agreed that any damage done to any property, either real or personal, owned by the Department during the duration of any Agreement, regardless of the cause of ~~the~~said damage, shall be the sole responsibility of ~~the~~ lessee and ~~the~~ lessee shall be responsible to the Department for the full amount of ~~the~~said damage and, upon being supplied with proof of loss, agrees to fully reimburse the Department for ~~the~~said damage within ~~ten~~(10) days ~~after~~of receipt of ~~the~~said proof of loss.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.465 Camping (~~Repealed~~)

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~~It is the responsibility of the lessee to administer camping for participants, and to comply with Subpart L of Part 270 regulating all camping on the grounds. Lessee will be billed for all campers at the rate specified in the current Space Rental Fee Schedule.~~

(Source: Repealed at 35 Ill. Reg. _____, effective _____)

Section 270.470 Concessions

- a) ~~At the State Fairgrounds at Springfield, the Department's facility usage application that is completed by~~The negotiated contract between the lessee and the Department shall indicate if the lessee is to secure concessions at the event sponsored by the lessee.~~;~~ ~~Any~~however, any concessionaire ~~so~~selected ~~by the lessee~~ is subject to the express written approval of the Department. The Department shall not unreasonably withhold approval of any concessionaire, but reserves the right to disapprove a concessionaire on any basis set forth in Section 270.495. It is understood that, for all events, the Department may require the concessionaire to ~~a concessionaire, even if secured by the lessee, shall~~ enter into a contract with the Department. Lack of a current and valid concession contract will cause any party attempting to operate a concession on the premises to be considered a trespasser.
- b) At the State Fairgrounds at DuQuoin, 20% of all concession sales will be collected for events unless determined otherwise by the Director or his/her designee.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.480 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages

- a) The lessee will neither use nor permit to be used any games of chance or skill, raffles, selling tickets, taking donations or gambling devices unless approved by the ~~Department~~Superintendent of the Division. Unless specifically prohibited by the Department, requested activities that areApproval shall be granted if it is not prohibited by Article 28 of the Criminal Code of 1961 (Ill. Rev. Stat. 1991, ch. 38, pars. 28-1 et seq.) [720 ILCS 5/Art. 28] shall be permitted. ~~However, and if~~ the lessee agrees to comply with Subpart J of ~~the rules of~~ this Part and with subsection (b) of this Section.
- b) The lessee shall abide by the following requirements when permitted to solicit on

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the State Fairgrounds for prizes to be given through drawings:

- 1) The ~~drawings~~drawing(s) and solicitation must be approved by the ~~Department Superintendent of the Division~~ or a duly authorized representative and so stated on the contract. Approval of the drawing time, place and date will be based on the fact that there is no conflict with or detrimental effect on other events or exhibits.
 - 2) The ~~prizes~~prize(s) shall be on display for the entire length of the contracted event.
 - 3) The date and time of the drawing shall be advertised in advance so the participants and other interested persons may witness the drawing.
 - 4) When requested by the public, the Department shall request the lessee who held the ~~drawings~~drawing(s) to furnish to the Space Rental Office; the name, address and telephone number of the ~~winners~~winner(s).
- c) The ~~facility usage applications~~space rental contract shall state if any intoxicating beverages are to be present at the event. No intoxicating beverages shall be dispensed or consumed, unless in accordance with the Liquor Control Act of 1934.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.495 Criteria for Grant of Privileges

The Director, or a duly authorized representative, reserves the right to determine for what purposes and to which individuals, groups, corporations or associations the facilities on the State Fairgrounds shall be rented or the privilege of a contract granted. In exercising this discretion, the Director shall consider one or more of the following factors in determining whether to grant any privilege or contract to a prospective lessee:

- a) The availability of the physical plant or plants on the State Fairgrounds, taking into consideration the priority of preparation for the actual holding of the State Fair and the priority granted to long term tenants or users of the premises;
- b) The physical limitations and availability of space when considered in conjunction with the proposed usage and number of participants, expected visitors or patrons

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to the event conducted by the lessee;

- c) The security of both the physical premises and persons upon the premises of the State Fairgrounds;
- d) The costs and expenses ultimately incurred by the Department in hosting the event, including providing security for any operations of lessee;
- e) Reasonably foreseeable problems with security caused by either the nature of the usage or the identity of the proposed lessee or his/her patrons;
- f) A major consideration will be the potential profit to be derived after examination of revenues versus expenses by the Department, including any budgetary constraints on the Department;
- g) The welfare of the general community;
- h) The public service to the general community offered by the proposed usage.
- i) The financial responsibility of the proposed lessee and his/her ability to provide any special requirements that may be necessary to insure the safe, healthy and efficient usage of the premises;
- j) The legality of the proposed use of the premises;
- k) Prior experience either with a specific lessee or a specific usage to the extent that such prior experience illustrates a failure, refusal or inability of the proposed lessee to comply with the rules of this Part and/or the prior experience with a particular usage to the extent the such usage results in violation of the rules of this Part or affects the general good and welfare of the Department;
- l) The safety of the public and participants and of any equipment proposed to be used by lessee;
- m) The reputation of the proposed lessee in both the local community and/or in the service or trade community in which he/she does business.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

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Section 270.505 Rate Schedules

- a) For the State Fairgrounds at Springfield, all~~AA~~ charges for the Non-Fair usage of the Grandstand, the Grandstand In-field, Multi-Purpose Arena, all areas including and adjacent to the one mile track and half mile track, the Coliseum and all other outdoor and non-building areas shall be subject to negotiation as to the fee for that area's use, and for other fees or expenses directly related to the use ~~thereof~~. In negotiating a contract for use of the foregoing areas, the Department shall consider, in its negotiations, the same factors ~~that~~which have been set forth in Section 270.495.
- b) All contracted events that utilize members of trades staff shall be subject to current prevailing wage and prevailing overtime or weekend hourly rate at union scale.
- ~~cb~~) All contracts for the use of any building shall be subject to a charge for over-time electrician charges, which sum shall be equal to the current and prevailing over-time or weekend hourly rate for electricians at union scale if ~~thosesuch~~ services are used.
- ~~de~~) The remaining buildings on the premises of the State Fairgrounds ~~that~~which may be rented shall be subject to the fee schedule for a daily fee rate as specified in the Space Rental Fee Schedule.
- e) If an overall price bid is required from the Department for a Non-Fair event, the bid will be prepared by the Department. The responsive single price bid will be determined in accordance with the Non-Fair rate schedule.
- ~~fd~~) All rentals of any buildings ~~that~~which may be rented or used, including all contracts for areas ~~that~~which are subject to negotiated contracts, shall be subject to Section 270.445.
- ~~ge~~) All camping fees shall be as established in the Space Rental Fee Schedule.
- ~~f~~) ~~All house trailer rentals shall be subject to the fees and charges as set forth in the Space Rental Fee Schedule.~~
- ~~hg~~) All barn, stall and tack room rates and individual rentals shall be as established in the Space Rental Fee Schedule.

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- ~~ih~~) Any and all use of the premises not covered under this ~~Part~~~~Rule~~ shall be subject to a negotiated written contract, which contract shall be subject to such terms and conditions as the Director or a duly authorized representative may direct.
- j) For the State Fairgrounds at DuQuoin, the following permanent areas have established rates for rentals: Exhibition Building, Grandstand and Stage, Grandstand and Track, Southern Illinois Center, First Heat, Second Heat, Covered Barns, Show Arena, Show Horse Barn, Race Horse Barns, Pavilion Rentals, Bridge, Ashgrove Pavilion, SIU Dome, Labor Pavilion and Corral Pavilion. Additional fees for the half mile track area, parking lots or any other areas not defined or covered below are subject to negotiation for fees relating to that area by the Director or his/her designee.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.510 Limit on Duration of Contract

Date requests for future events will be accepted on a first-come, first-served basis. Priority for event dates shall be given to events held in the previous calendar year. No ~~space rental commitment will be considered nor any annual~~ concession or exhibitor contract ~~will be~~ entered into in excess of one year from the date of the proposed usage. ~~The~~~~Notwithstanding anything in this Section, the~~ Department reserves the right to enter into multiple year special agreements pursuant to a negotiated rate for ~~concession~~~~concession~~ or exhibits.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.515 ~~Liquefied~~~~Liquified~~ Petroleum Gas

No ~~liquefied~~~~liquified~~ petroleum gas installations will be allowed on the State Fairgrounds until the lessee has received approval from the State Fire ~~Marshal~~~~Marshall~~ (see 41 Ill. Adm. Code 200). This approval, in writing, must be placed on file in the Space Rental ~~Office~~~~office~~ before the business will be allowed to open. No ~~liquefied~~~~liquified~~ petroleum gas will be allowed in any State building at any time.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART K: NON-FAIR CONCESSIONS

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Section 270.525 Contract

All concessions must have a current and valid contract with the Department, unless the contracting event has received prior approval from the Department. Any concession or concessionaire without asaid contract will be removed from the grounds, and any lessee shall maintain a copy of its written contract at all times as evidence of authority to use the facilities.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.540 Health Laws

All food and/or drink stands and concessions must be operated in compliance with the Illinois Food, Drug and Cosmetic Act (~~Ill. Rev. Stat. 1991, ch. 56½, par. 501 et seq.~~) [410 ILCS 620], the Sanitary Food Preparation Act (~~Ill. Rev. Stat. 1991, ch. 56½, par. 67 et seq.~~) [410 ILCS 650], and the rules relating to Food Service Sanitation (77 Ill. Adm. Code 750) enforced by the Illinois Department of Public Health. If a concession is closed by the Department of Public Health, the ~~lessee shall have no refund due from the~~ Department of Agriculture will not refund space concession fees.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.555 Payment Due

Payment of the concession fee is due no later than 10 business days prior to the event~~3 days following the close of the operation of the concession~~. If the contracted event is responsible for the concession fee, the fee is due to the Department within 20 days after the invoice date.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART L: CAMPING: NON-FAIR

Section 270.560 Who May Camp

- a) Camping is permitted at any time, other than during an event that has leased the entire fairgrounds, on the State Fairgrounds at DuQuoin. When camping is permitted, pets are permitted only in campground areas on the State Fairgrounds at DuQuoin designated by the Division administrator or his or her designee.
- b) Any property remaining in the camping area on the State Fairgrounds after a 5

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day written notice by the Department demanding removal of a person and/or property shall constitute an abandonment, and give the Department the right of assignment and sale of all ~~said~~ personal property to the Illinois Department of Agriculture without any additional consideration.

- c) The Department shall operate a campground on the State Fairgrounds at Springfield throughout the calendar year with limited availability from November-March.
- d) The campground at the State Fairgrounds at Springfield is open to the public; however, anyone participating or attending a Non-Fair event has first rights to the campground. The Department reserves the right to close the campground at the State Fairgrounds at Springfield for special events at the discretion of the Director or his or her designee.
- e) The Department has the right to implement a reservation system for Non-Fair events.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.565 Location

Overnight camping ~~for campers, trailers, goosenecks or tents~~ is allowed in camping areas as may be designated from time to time by the Department. Camping is restricted to designated areas only.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.570 Fee

The fee for overnight camping ~~for self-contained motor or trailer units~~ shall be as established in the Space Rental Fee Schedule and payable to the Illinois Department of Agriculture in advance.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.575 Camping Facilities

Water ~~and~~; sewer ~~and electrical~~ connections are available April 1-October 31 in non-freezing months as determined by the Department. Electrical connections are available year round.

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Restrooms and shower facilities are also available in the camping ~~areas~~ area.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.580 Permit ~~Sticker~~

Persons wishing to camp overnight must obtain a camping ~~permit that sticker which~~ permit is issued upon payment of applicable fees. Camping ~~permits~~ stickers shall be prominently displayed near the entrance to the living quarters or on the vehicles.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.585 Penalty

Any vehicle not in the proper location or not displaying a camping ~~permit~~ sticker will be towed from the State Fairgrounds at the owner's expense.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART M: ~~BACKSTRETCH CAMPINGHOUSE TRAILERS~~: NON-FAIR

Section 270.595 Eligibility

- a) Eligibility to keep ~~campers (motor homes, fifth wheels, trailers)~~ house trailers on the State Fairgrounds shall be determined by the Director or a duly authorized representative on the basis of availability of allocated space for ~~camper~~ trailers, proposed location of ~~camper~~ trailers, security provided by persons being present with their property, and the quantity of horses being kept on the State Fairgrounds premises. Eligibility will only be granted to individuals training or racing standardbred horses on the State Fairgrounds at Springfield. Eligibility will only be granted to individuals training or racing thoroughbred horses, quarter horses, or lead ponies on the State Fairgrounds at DuQuoin.
- b) Exact location of ~~campers~~ house trailers will be determined by the Department and may be changed if the present location interferes with the long range use or Capital Development Plan for the ~~State Fairgrounds~~ fairgrounds, preparation therefor, or activities of other lessees. ~~It is the policy to keep the number of house trailers to a minimum, therefore, no new leases will be granted except to present tenants and their successors in interest.~~

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- c) Design and materials of skirting, fences, cabanas, porches, awnings, and car ports, either temporary or permanent, must be approved by the Department before installation or construction. The Department shall approve changes ~~that~~which are consistent with the long range operational and building use programs for the State Fairgrounds and the Department's duty to maintain the State Fairgrounds~~fairgrounds~~ and preserve order. It is agreed that each occupant is required to keep his/her lot in a clean, neat, orderly condition at all times. ~~Regular lawn mowing is necessary. Lawns left uncared for shall be kept in order at the expense of the tenant as established in the Space Rental Fee Schedule. Payment for any maintenance performed by the Department is due and payable upon presentation of a bill.~~ All refuse, rubbish or garbage must be placed in sealed containers. No litter will be permitted. No activities ~~that~~which impose upon neighboring tenants will be tolerated. After ~~two~~ (2) written notices regarding violation of this subsection~~these rules~~, the tenant shall remove the trailer from the State Fairgrounds.
- d) All persons desiring to maintain a camper~~house trailers~~ on the State Fairgrounds~~fairgrounds~~ shall be required to enter into a Backstretch Camping Agreement~~contract~~ with the Department prior to arriving on the Illinois State Fairgrounds.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.600 Misconduct

Any misconduct on the leased site~~part of any occupant of a trailer~~ will result in the lessee's expulsion from the State Fairgrounds and will void any space rental agreement. Misconduct shall be deemed to mean failure to comply with or violation of any of the provisions of Section 270.490.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.605 Liability

- a) ~~The~~It is understood and agreed by both parties to any trailer agreement that the Department is not ~~to be held~~ responsible for any accidents, loss, or damage to property, occupants, visitors or guests that might occur during the stay at the camper and/or assigned campsite~~house trailer~~ on the State Fairgrounds.

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- b) ~~If it is further agreed that if~~ there is any damage done to any State property as a result of any act ~~on~~ or neglect by ~~any person at the assigned campsite, an occupant of any trailer~~ the repair of all damage is the responsibility of the ~~lessee/occupant~~ without any expense to the Department.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.610 Rent and Rates ~~for~~ For Other Services

The rent ~~and electricity, electric, water service, sewage~~ and other services shall be payable to the Department on a basis of the rates ~~as~~ set forth in the ~~Backstretch Camping Agreement~~ Space Rental Fee Schedule.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.615 Payment Method

Payment by the lessee of the space rental ~~and electricity charges~~ fee for a ~~camperhouse trailer~~ is to be made ~~within 30 calendar days after the invoice date on the State Fairgrounds at Springfield and within 10 calendar days after the invoice date on the State Fairgrounds at DuQuoin, in advance on the first day of each month.~~

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART N: ~~BACKSTRETCH HORSE OR CATTLE BARN~~, STALL AND TACK
ROOM RENTAL: NON-FAIR

Section 270.620 Rates

The space rental and use fees, ~~such as, water, sewage, electric, and fees~~ for other services provided; for horses and cattle stabled on the State Fairgrounds shall be made on the basis of the rates set forth in the ~~Backstretch Farm and Stall Rental Agreement~~ Space Rental Fee Schedule.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.625 Rent Payable

- a) Contract payments are payable to the Space Rental Office within 30 calendar days

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~~after the invoice date according to the following schedule:~~

- ~~1) Any barn or stall rental of 7 days or more is payable in advance by the first working day of each month.~~
- ~~2) Barn or stall rental of 6 days or less (for transient horses) is payable in advance at the time of arrival on the Fairgrounds.~~
- ~~3) Horse Show/Sale or Cattle Show/Sale barn or stall rental is payable no later than three days following the event.~~

b) Any additions to the number of rented stalls or tack rooms during the period of any agreement will be charged as set forth in the Backstretch Barn and Stall Rental Agreement~~Space Rental Fee Schedule~~. Payment for additional stalls and tack rooms will be made within 30 calendar days after the invoice date for stall rentals and utilities~~succeeding months will be made on the first working day of each month and acceptance of payment by the Department will constitute the renewal of the contract with the lessee.~~

c) The Department is not obligated to accept ~~such~~ payment for additional stalls and tack rooms, and may ~~thus~~ refuse to renew the lease at the end of any month in accordance with ~~provisions of~~ Section 270.495. Lack of a lease is grounds for removal from assigned space and from the ~~Illinois~~-State Fairgrounds at Springfield in conformance with Article IX of the Code of Civil Procedure (Forcible Entry and Detainer) (~~Ill. Rev. Stat. 1991, ch. 110, par. 9-101 et seq.~~) [735 ILCS 5/Art. IX], or other applicable laws of the State of Illinois.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.630 General Stabling Rules (Non-Contractual Events)

~~a)No horse stabling will be permitted in the barns south of Central Avenue or west of Calvary Street;b)No horses will be permitted south of Barn 38 or west of Barn 78;c)No stall rentals shall be made for pleasure or show horses on the State Fairgrounds at DuQuoin. The provisions of this subsection shall not apply to standardbred~~standard breed~~, thoroughbred or racing quarter horses and lead ponies for which individual stall rentals shall be available. Pleasure or show horses shall mean all other horses not falling within the definition of standardbred, thoroughbred or racing quarter ~~horses~~horse and lead ponies. General horse stabling locations will be determined by the Director.~~

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(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.640 Lessee Collection of Fees (Repealed)

~~The horse show management is responsible for the collection of rental rates as established in the Space Rental Fee Schedule. Class sheets will be audited during or immediately after the event in order to determine the accuracy of the number of entries shown.~~

(Source: Repealed at 35 Ill. Reg. _____, effective _____)

Section 270.645 Stall Use

Stalls are rented for the purpose of housing horses. Stalls used for other purposes (e.g., feed) will be subject to the same rates charged for stalls used as tack rooms as established in the Backstretch Barn and Stall Rental Agreement~~Space Rental Fee Schedule~~.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.665 Restrictions

- a) All sleeping, cooking, smoking or residing in the horse/cattle barns and stall areas located on the State Fairgrounds is prohibited. This policy will apply to horse owners, trainers, grooms, assistants, friends, relatives and strangers. Failure to comply with this Section is grounds for immediate removal from the State Fairgrounds. The only quarters acceptable for housing will be those campers that house trailers and/or camper trailers which are located in an area designated for campers house trailers or camping and for which the lessees are current with the payment of their Backstretch Camping Agreements~~space rental contract~~.
- b) Storing of sawdust, straw, feed or any other material will not be permitted in the aisle of any barn. Blockage of aisles with tack or carts will not be permitted.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.670 Quarantine Provisions

Once it has become known to the Department that any equine present on the State Fairgrounds are infected or suspected of being infected with any contagious or infectious disease or

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~~contaminated with any chemical or radiological substance, the Department shall have the authority to quarantine and cause proper examination to be made of the suspected equine. All infected or suspected equine shall be isolated in the Quarantine Barn designated by the Department. All horses not connected with a show or sale, staying on the State Fairgrounds for 6 or fewer days, must use the Quarantine Barn, as designated by the Department.~~

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.685 Track Usage

The use of the ~~tracks~~Coliseum and track(s) is not a guaranteed condition of ~~the Backstretch Barn and Stall Rental Agreement or~~ any other contract. ~~The Department reserves the right to close the track at certain times throughout the year.~~ The Department will make every effort to keep all facilities in usable condition. Only horses in the ~~backstretch area~~barns in the northeast corner of the grounds north of the poultry building and west and south of the trailer park will be permitted to use the mile track or the cinder half mile track. Riding or leading horses on streets, except in route to a practice area, is prohibited. Only authorized vehicles shall be permitted on the track. Vehicles operated by non-Department personnel must obtain permission from the ~~Department~~Superintendent of the Division of Fairs and Promotions, or a duly authorized representative, to operate a vehicle on the track. Unauthorized vehicles on the track will be cause for cancellation of a contract or lease.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 270.690 Restrictions on Barn Use

- a) All horses stabled on the ~~State Fairgrounds at Springfield~~grounds shall be removed by July 1 preceding that year's Illinois State Fair. The removal of ~~said~~ horses shall take place in order to use rodenticides ~~and~~, pesticides and ~~to~~ make minor repairs in preparation for that year's Illinois State Fair. ~~The Department shall permit temporary stabling after July 1 upon submission of a written request and justification of need for temporary stabling. Typical requests that would be honored by the Department would be horses in transit that require stabling for a short period of time, any Act of God which would require alternative stabling arrangements on a temporary basis and other requests of a similar type.~~ One week's notice will be given to vacate the barns for Illinois State Fair preparation purposes. Also, the Department may close any barn at any time and resettle lessees in similar facilities at the Department's discretion when barn closure is required for maintenance or when ~~thesaid~~ barns are required for special

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contractual events or uses.

- b) All horses stabled on the State Fairgrounds at DuQuoin may be moved to another area or removed from the fairgrounds prior the DuQuoin State Fair as determined by the Director or his or her designee.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF PROPOSED AMENDMENT

217/557-1820
217/782-0038
jolene.clarke@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses and small municipalities affected: This will have no effect on small businesses. It will only have an effect on small municipalities who participate in the Enterprise Zone 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: This rulemaking was not included on either of the two most recent agendas because: the Department did not anticipate the changes.

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

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF PROPOSED AMENDMENT

TITLE 14: COMMERCE

SUBTITLE C: ECONOMIC DEVELOPMENT

CHAPTER I: DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY~~COMMUNITY AFFAIRS~~

PART 520

ENTERPRISE ZONE AND HIGH IMPACT BUSINESS PROGRAMS

SUBPART A: ENTERPRISE~~ENTERPRIZE~~ ZONES IN ILLINOIS

Section
520.100 Definitions

SUBPART B: ENTERPRISE~~ENTERPRIZE~~ ZONE: APPLICATION FOR CERTIFICATION

Section
520.200 Eligible Applicants
520.210 Eligibility Criteria
520.220 Form of Application
520.230 Application Procedures
520.240 Joint Application
520.250 Application Evaluation and Ranking

SUBPART C: ENTERPRISE~~ENTERPRIZE~~ ZONE:
AMENDMENT AND DECERTIFICATION

Section
520.300 Application to Amend an Ordinance
520.310 Application to Change Boundaries
520.315 Application to Change Incentives, Alter Termination Date, and Make Technical Corrections
520.320 Decertification

SUBPART D: ENTERPRISE~~ENTERPRIZE~~ ZONE: LOCAL RESPONSIBILITIES

Section
520.400 Zone Administration
520.410 Reporting and Monitoring by Zone Administrators
520.420 Business Cessation Notification

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SUBPART E: ~~ENTERPRISE~~~~ENTERPRIZE~~ ZONE:
DESIGNATED ZONE ORGANIZATIONS

- Section
- 520.500 General
- 520.510 Project Eligibility and Approval
- 520.520 Charitable Contributions

SUBPART F: HIGH IMPACT BUSINESSES IN ILLINOIS

- Section
- 520.600 Definitions
- 520.610 Eligible Applicants
- 520.620 Eligibility Criteria
- 520.630 Form of Application
- 520.640 Application Approval Process
- 520.650 Revocation of High Impact Business Designation

SUBPART G: TAX INCENTIVES FOR ~~ENTERPRISE~~~~ENTERPRIZE~~ ZONES
AND HIGH IMPACT BUSINESSES

- Section
- 520.700 List of Available Tax Incentives
- 520.710 Eligible Applicants (Repealed)
- 520.720 Eligibility Criteria (Repealed)
- 520.730 Form of Application (Repealed)
- 520.740 Application Review and Approval (Repealed)
- 520.750 Revocation of the High Impact Business Designation (Repealed)

SUBPART H: INVESTMENT TAX CREDIT

- Section
- 520.800 General
- 520.810 Eligibility Criteria (Repealed)
- 520.820 Form of Application (Repealed)
- 520.830 Application Review and Approval Process (Repealed)

SUBPART I: UTILITY TAX EXEMPTION

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

NOTICE OF PROPOSED AMENDMENT

Section	
520.900	Definitions
520.910	Eligibility Criteria
520.920	Form of Application
520.930	Application Approval Process

SUBPART J: MACHINERY AND EQUIPMENT/POLLUTION CONTROL
FACILITES SALES TAX EXEMPTION

Section	
520.1000	Definitions
520.1010	Eligibility Criteria
520.1020	Form of Application
520.1030	Application Approval Process

SUBPART K: BUILDING MATERIAL SALES TAX EXEMPTION

Section	
520.1100	General
520.1110	Eligibility Criteria (Repealed)
520.1120	Form of Application (Repealed)
520.1130	Application and Approval Process (Repealed)
520.1140	Use Tax Exemption (Repealed)

SUBPART L: JOBS TAX CREDIT

Section	
520.1200	General

SUBPART M: DIVIDEND INCOME DEDUCTION

Section	
520.1300	General

SUBPART N: INTEREST INCOME DEDUCTION FOR FINANCIAL INSTITUTIONS

Section	
520.1400	General

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SUBPART O: TELECOMMUNICATIONS EXCISE TAX EXEMPTION
ON ORIGINATING CALLS

Section
520.1500 General

SUBPART P: HIGH IMPACT SERVICE FACILITY MACHINERY AND
EQUIPMENT SALES TAX EXEMPTION

Section
520.1600 Definitions
520.1610 Eligibility Criteria
520.1620 Form of Application
520.1630 Application Approval Process
520.1640 Use Tax Exemption
520.1650 Revocation of the High Impact Service Facility Designation

SUBPART Q: AIRCRAFT SUPPORT CENTER SALES TAX EXEMPTION

Section
520.1700 Definitions
520.1710 Eligibility Criteria
520.1720 Form of Application
520.1730 Application and Approval Process
520.1740 Revocation of an Aircraft Support Center Designation

AUTHORITY: Implementing the Illinois Enterprise Zone Act [20 ILCS 655]; Section 201(f), (g) and (h) of the Illinois Income Tax Act [35 ILCS 5/201(f), (g) and (h)]; Sections 1d-1f, 1i-1j and 1o of the Retailers' Occupation Tax Act [35 ILCS 120/1d-1f, 1i-1j, and 1o]; and Sections 9-221, 9-222, and 9-222.1 of the Public Utilities Act [220 ILCS 5/9-221, 9-222 and 9-222.1]; and authorized by Section 605-95 of the Civil Administrative Code of Illinois [20 ILCS 605/605-95].

SOURCE: Adopted at 9 Ill. Reg. 11790, effective July 24, 1985; emergency amendments at 10 Ill. Reg. 4936, effective March 11, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 7323, effective April 18, 1986; amended at 10 Ill. Reg. 12563, effective July 7, 1986; amended at 10 Ill. Reg. 12915, effective July 22, 1986; amended at 10 Ill. Reg. 15200, effective September 8, 1986; amended at 10 Ill. Reg. 16580, effective September 24, 1986; amended at 10 Ill. Reg. 19718, effective November 6, 1986; amended at 11 Ill. Reg. 11054, effective June 5, 1987;

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emergency amendments at 11 Ill. Reg. 11174, effective June 8, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16091, effective September 29, 1987; amended at 12 Ill. Reg. 4115, effective February 8, 1988; amended at 12 Ill. Reg. 11201, effective June 17, 1988; amended at 12 Ill. Reg. 17823, effective October 21, 1988; emergency amendment at 13 Ill. Reg. 16117, effective October 2, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19936, effective December 7, 1989; amended at 14 Ill. Reg. 3445, effective February 27, 1990; amended at 15 Ill. Reg. 8683, effective May 30, 1991; amended at 16 Ill. Reg. 89, effective December 20, 1991; amended at 17 Ill. Reg. 1837, effective February 1, 1993; amended at 18 Ill. Reg. 5172, effective March 21, 1994; amended at 27 Ill. Reg. 3282, effective February 14, 2002; amended at 27 Ill. Reg. 6165, effective March 28, 2003; amended at 35 Ill. Reg. _____, effective _____.

SUBPART B: ~~ENTERPRISE~~ENTERPRIZE ZONE: APPLICATION FOR CERTIFICATION**Section 520.210 Eligibility Criteria**

A municipality or county may qualify an area for designation as an Enterprise Zone, subject to certification by the Department, in accordance with the criteria set forth in Section 4 of the Act and the following:

- a) **Contiguous Area.** The area is contiguous, which means the area has a solid continuous boundary. Boundaries shall be clearly defined and follow natural or man-made entities such as rivers, highways, and boundaries of units of government. The zone area may exclude wholly surrounded territory within its boundaries.
- b) **Calculating Total Area.** For purposes of calculating total area, the minimum is one-half square mile and the maximum is 12 square miles, or 15 square miles if the zone is located within the jurisdiction of four or more counties or municipalities, excluding lakes or waterways. Where the Enterprise Zone is a joint effort of three or more units of government, or two or more units of government, if located in a township divided by a municipality of 1,000,000 or more inhabitants, and where the certification has been in effect at least one year, the minimum is one-half square mile and the maximum is 13 square miles, excluding lakes and waterways. Boundaries that are connecting strips shall be not less than three, nor more than 10, feet wide. Waterways shall not be used as connecting strips. Areas within connecting strips must be considered when determining if the proposed Enterprise Zone meets one of the eligibility tests set forth in subsection (f).

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- c) Depressed Area. The area must be depressed. (See subsection (f).)
- d) Coverage of Area. The areas must:
- 1) be entirely within a municipality; or
 - 2) be entirely within the unincorporated areas of a county, except ~~when~~where reasonable need is established for ~~the~~such zone to cover parts of more than one municipality or county; or
 - 3) comprise all or part of a municipality and an unincorporated area of a county.
- e) Census Geography. Although the Department does not require the applicant to use census geography boundaries as the boundaries for the Enterprise Zone, census geography must be used to demonstrate how the area meets one of the eligibility ~~criteria~~riterion. The census geographies to be used shall be the smallest geographies for which data are available and ~~that~~which encompass the entire proposed Enterprise Zone. When an Enterprise Zone boundary splits a census tract, county civil division, or minor civil division, then the data for block groups or enumeration districts entirely within the Enterprise Zone and those that include any part of the Enterprise Zone shall be included in the calculation.
- f) Required Tests. The area must meet at least one of the following tests:
- 1) Unemployment. The unemployment criterion is met if the proposed Enterprise Zone has an annual average unemployment rate of at least 120% of the State's annual average unemployment rate for the most recent ~~calendar year or State fiscal year period~~12-month period for which data are available, as reported by the Department of Employment Security. Anyone who is not presently employed and has exhausted all unemployment benefits shall be considered unemployed, whether or not ~~he or she is~~they are actively seeking employment.
 - 2) Poverty. The poverty criterion is met if the poverty rate for each census tract, minor civil division or county civil division that contains any part of the area proposed as an Enterprise Zone was at least 20% as of the ~~most recent census data available~~2000 Federal Census. Poverty is computed

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using the number of persons in families or who reside together as unrelated individuals who had incomes below the poverty threshold in the most recent census data available~~2000 Federal Census~~.

- 3) Low-Income. The low income criterion is met if at least 70% of the households in the proposed Enterprise Zone have incomes equal to or less than 80% of the median household income of the larger geography in which the Enterprise Zone is located. If a census geography has a median household income of 125% or more of the median household income of the larger geography, it shall not be used in calculating Enterprise Zone eligibility and shall not be included in the proposed Enterprise Zone.
- 4) Population Loss. The population loss criterion is met if the proposed Enterprise Zone suffered a population decrease of 20% or more between ~~2000~~1980 and ~~2010~~2000, as determined by Federal Census data for those years.
- 5) Job Creation. The Department may designate an area as an Enterprise Zone when ~~that~~~~sueh~~ designation will result in the development of substantial employment opportunities by creating or retaining a minimum of 1,000 full-time equivalent jobs due to an investment of \$100 million or more, and help alleviate the effects of poverty and unemployment within the zone or in the vicinity of the zone. New units of government being added to an existing Enterprise Zone must qualify under the same qualification criteria as the existing Enterprise Zone.
- 6) Closed Military Bases. A military base closed by the United States Government Department of Defense that has been properly designated as and is currently operating as a Local Redevelopment Agency.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Employer Training Investment Program
- 2) Code Citation: 56 Ill. Adm. Code 2650
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2650.20	Amend
2650.30	Amend
2650.40	Amend
2650.50	Amend
2650.120	Amend
2650.130	Amend
2650.320	Amend
- 4) Statutory Authority: Implementing Section 605-800 and authorized by Section 605-95 of the Civil Administrative Code of Illinois [20 ILCS 605/605-800 and 605-95]
- 5) A Complete Description of the Subjects and Issues Involved Provides no employee participating in the ETIP program may be an unauthorized alien as defined in 8 USC 1324a. Changes from mandatory on site grant monitoring visits, to "may conduct" on site grant monitoring visits. Provides the Department with the ability to verify trainee employment dates and wages. Changes the mandatory requirement of participating companies to report the social security numbers of each participating employee to the Department. Instead the proposed amendment will allow a company to provide the Department with a notarized certification, along with the names of participating employees, attesting that each employee is duly employed at an Illinois facility. Allows the Department the ability to verify the accuracy of such submissions.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when composing this rulemaking: No
- 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 proposed rulemakings pending on this Part? No

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- 11) Statement of Statewide Policy Objectives: The rulemaking does not create or expand a State Mandate as defined in Section 3(b) of the State Mandate Act [30 ILCS 805(b)].
- 12) Comments regarding these rules shall be presented within 45 days after the date of this issue of the *Illinois Register* in writing to:

Jolene Clarke
Rules Administrator
Department of Commerce and Economic Opportunity
500 East Monroe
Springfield, IL 62701

217/557-1820
217/782-0038
jolene.clarke@illinois.gov
- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses and small municipalities affected: Local governments are ineligible to participate in the program. Small business participation is voluntary and grants are competitively awarded based on the strength of the application.
 - 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 two most recent agendas because: the Department did not anticipate the changes.

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

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TITLE 56: LABOR AND EMPLOYMENT

CHAPTER III: DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

PART 2650

EMPLOYER TRAINING INVESTMENT PROGRAM

SUBPART A: GENERAL REQUIREMENTS

Section

2650.10	Purpose
2650.20	Definitions
2650.30	Eligible Applicants and Training Activities
2650.40	Allowable Costs
2650.50	Grant Administration Requirements
2650.60	Nondiscrimination
2650.70	Selection for Funding (Recodified)
2650.80	Allowable Costs (Recodified)
2650.90	Grant Administration Requirements (Recodified)
2650.100	Nondiscrimination (Recodified)

SUBPART B: SINGLE COMPANY APPLICANTS

Section

2650.110	Application Procedures
2650.120	Application Documentation
2650.130	Application Evaluation
2650.140	Selection for Funding

SUBPART C: SECONDARY AND POST-SECONDARY
EDUCATION INSTITUTION APPLICANTS

Section

2650.210	Application Procedures (Repealed)
2650.220	Application Documentation (Repealed)
2650.230	Application Evaluation (Repealed)
2650.240	Selection for Funding (Repealed)
2650.250	Reporting Requirements (Repealed)

SUBPART D: MULTI-COMPANY AND MEMBERSHIP

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TRAINING PROJECT APPLICANTS

Section

2650.310	Application Procedures
2650.320	Application Documentation
2650.330	Application Evaluation
2650.340	Selection for Funding
2650.350	Administrative Requirements (Repealed)

AUTHORITY: Implementing Section 605-800 and authorized by Section 605-95 of the Civil Administrative Code of Illinois [20 ILCS 605/605-800 and 605-95].

SOURCE: Adopted at 11 Ill. Reg. 11642, effective June 29, 1987; recodified at 13 Ill. Reg. 15386; emergency amendments at 13 Ill. Reg. 16126, effective September 27, 1989, for a maximum of 150 days; emergency expired February 24, 1990; amended at 14 Ill. Reg. 5075, effective March 20, 1990; amended at 16 Ill. Reg. 17969, effective November 17, 1992; amended at 19 Ill. Reg. 15374, effective October 20, 1995; amended at 21 Ill. Reg. 12124, effective August 26, 1997; amended at 25 Ill. Reg. 2987, effective February 9, 2001; amended at 29 Ill. Reg. 10047, effective June 28, 2005; emergency amendment at 30 Ill. Reg. 14593, effective August 24, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 105, effective December 20, 2006; amended at 35 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL REQUIREMENTS

Section 2650.20 Definitions

Director – The Director of the Department of Commerce and Economic Opportunity.

Employee Training – Training programs, either on-the-job, classroom or any combination thereof, sponsored by an employer or other eligible grant recipient on behalf of employers, which are intended to provide employees with the skills required to perform their current job or as a condition of continued employment. The employee skill requirements are established by the employer or participating employers and may include basic, technical and managerial skills.

Full-time Employee – An individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. [35 ILCS 10/5-

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5] Annually scheduled periods for inventory or repairs, vacations, holidays and paid time for sick leave, vacation or other leave shall be included in this computation of full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization (PEO) is a full-time employee if employed in the service of the Applicant for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment to the Applicant. [35 ILCS 10/5-5] For example, an employee who works 25 hours per week is considered the industry standard for full-time in the package delivery industry and an employee who is employed for at least 35 hours per week during the historical seasonal production is considered the industry standard for full-time in the candy manufacturing industry.

Grantee – Any program applicant whose proposal is funded by the Department through a grant.

Labor Organization – Any collective bargaining unit or any labor entity formed by collective bargaining units such as State labor councils, district labor councils, local central labor councils and international unions as well as the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO).

Large Company – A company with facilities in Illinois that employs at least 250 full-time employees. If the grant amount is less than \$100,000, the Department shall serve the grantee as a Small to Mid-Sized Company, regardless of size, in circumstances where a grantee would be unduly burdened with the reporting requirements imposed on large companies based on variables including, but not limited to: amount of grant; previous experience; number of employees at start and end of training; term of grant; and number of trainees.

Large Manufacturers Supplier Network – Any company located or with facilities in the State of Illinois that supplies products or services to an original equipment manufacturer or large manufacturing assembly facility in Illinois.

Large Multi-Company Training Project – Any project submitted for the benefit of more than two companies that addresses the common employee training, retraining or skills upgrading needs identified by participating companies. The majority of companies participating in the project shall be large. High Volume Multi-Company Projects (\$500,000 or more) and Large Manufacturers Supplier Network Projects, regardless of the size of the participating company, shall also

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be included in this definition. The participating companies shall not include units of local, municipal, home rule, county, State or federal government or government agencies or government-operated facilities.

Location Activities – Activities necessary to retain existing companies and to attract new companies to Illinois (e.g., training). All location training incentives, regardless of company size, will be treated as large companies for programmatic purposes.

New Employee – An individual who is hired by the grantee during the term of a training contract or who is permanently transferred to Illinois during the term of a training contract.

Planned Permanent Expansion – Any of the following will apply:

Permanent increase in the workforce (no minimum number of new jobs required);

Addition of new product line or expansion of existing product line; or

New capital investment in machinery or equipment.

Retention Activities – Activities necessary to keep existing companies in Illinois that might otherwise leave the State or reduce their workforce (e.g., retraining,

Retraining – The training of an employee with the intent that the employee will learn to perform a significantly different type of job than was previously held by that employee.

Small to Mid-Sized Company – A company with facilities in Illinois that employs fewer than 250 full-time employees. If the grant amount is greater than or equal to \$100,000, or if the grant is in connection with a development assistance package subject to applicable recapture provisions pursuant to Section 25 of the Corporate Accountability for Tax Expenditures Act [20 ILCS 715/25], the Department shall serve the grantee as a large company, regardless of size, in circumstances where a grantee would be better served as a large company based on variables including, but not limited to: amount of grant; previous experience; number of employees at start and end of training; term of grant; and number of trainees.

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Small to Mid-Sized Multi-Company Training Project – Any project submitted for the benefit of more than two companies that addresses common employee training, retraining or skills, upgrading needs identified by participating companies. The majority of companies participating in the project shall be small to mid-sized. The participating companies shall not include units of local, municipal, home rule, county, State or federal government or government agencies or government-operated facilities.

Strategic Business Partnership – A formal or informal agreement between more than two businesses with facilities in Illinois where an objective of the partnership is to address employee training or other common workforce development issues among the participating businesses.

Trainee – A full-time existing or newly-hired employee of a company who is participating in a training, retraining or skills upgrading program. Part-time, seasonal, temporary and/or contractual employees are not precluded from being considered trainees for program reimbursement if the employer's primary business activity is in the biotechnology, biomedical or film and television production industries. No participating employee may be an unauthorized alien as defined in 8 USC 1324a.

Upgrade Training – The enhancement of employees' job skills with the intent that the employee will continue working at the same type of job (e.g., cross-training of skilled employees).

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 2650.30 Eligible Applicants and Training Activities

- a) Any business concern locating, expanding, or having ~~a~~ facilities in Illinois and that is undertaking one or more of the following training activities:
- 1) Training programs in response to new or changing technologies or processes being introduced in the workplace;
 - 2) Training necessary to implement total quality management or improvement systems in the workplace;

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- 3) Job-linked training to upgrade existing employees' skills that leads directly to long-term job security;
 - 4) Training employees in skills necessary to enable the company to establish or expand into new export markets;
 - 5) Training in conjunction with new or additional product lines;
 - 6) Training related to new machinery or equipment;
 - 7) Training new or existing employees of companies that are locating or expanding in Illinois;
 - 8) Basic and/or remedial training of employees as a prerequisite for other vocational or technical skills training; and
 - 9) Training related to regulatory compliance issues mandated for the workplace.
- b) The Director also will accept applications submitted by Illinois-based business and industry associations, institutions of secondary and higher education, strategic business partnerships, large manufacturers for supplier network companies, and labor organizations on behalf of multi-company training projects when those where such projects address the common employee training needs identified by participating companies or the common training needs identified by the organization's membership. Eligible training activities for multi-company or membership training projects include, but are not limited to, one or more of the following:
- 1) Training programs in response to new or changing technology being introduced in the workplace.
 - 2) Job-linked training to upgrade existing employees' skills that leads directly to long-term job security.
 - 3) Training necessary to implement total quality management or improvement systems within the workplace.
 - 4) Training related to new machinery or equipment.

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- 5) Training of employees ~~of~~ companies that are expanding into new markets or expanding exports from Illinois.
- 6) Basic and/or remedial training of employees as a prerequisite for other vocational or technical skills training.
- 7) Other training activities and/or projects related to the support, development or evaluation of job training programs, activities and delivery systems, including training needs assessment and design.
- 8) Self-employment training of the unemployed and underemployed with comprehensive, competency-based instructional programs and services, entrepreneurial education and training initiatives for youth and/or adult learners in cooperation with the Illinois Institute for Entrepreneurial Education, training and education, conferences, workshops and best practice information for local program operators of entrepreneurial and self-employment training programs.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 2650.40 Allowable Costs

- a) Grants for employee training to single companies will allow for reimbursement or payment on the terms and conditions agreed to between the grantee and the Department through the execution of a Notice of Grant Agreement. The Agreement includes the following sections, all of which are incorporated and made part of the Agreement: (I) ~~Grant~~~~Grantee's Approved~~ Budget, (II) ~~Scope of Work~~~~Special Grant Conditions~~, (III) ~~Grant Fund Control Requirements~~~~Grantee's Scope of Work~~, (IV) Program Terms and Conditions, (V) General Provisions, and (VI) Required Certifications. No grant shall exceed 50% of the total approved training costs. Allowable costs for single company training projects include:
 - 1) Instructor costs, including wages, fringe benefits and travel expenses.
 - 2) Costs for tuition and educational fees.
 - 3) Training materials.

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- 4) Rent or lease of training equipment and/or facilities.
 - 5) Other usual and customary training costs.
 - 6) Trainee travel expenses.
 - 7) Trainee wages and fringe benefits.
 - 8) Audit costs.
- b) Grants for multi-company or membership training projects will allow for reimbursement or payment on the terms and conditions agreed to between the grantee and the Department through the execution of a Notice of Grant Agreement. The Agreement includes the following sections, all of which are incorporated and made part of the Agreement: (I) ~~Grant~~Grantee's Approved Budget, (II) ~~Scope of Work~~Special Grant Conditions, (III) ~~Grant Fund Control~~Requirements~~Grantee's Scope of Work~~, (IV) Program Terms and Conditions, (V) General Provisions, and (VI) Required Certifications. No grant shall exceed 50% of the total approved training costs. Allowable costs for multi-company or membership training projects include:
- 1) Administrative costs of tracking, documenting, reporting, auditing and processing training funds or project costs. Administrative costs must be reasonable and shall not exceed 15% of the total approved direct training expenditures, including indirect costs.
 - 2) Costs of curriculum development.
 - A) The Department will only reimburse for the costs of curriculum development when such curricula are judged by the Department as being of benefit to multiple Illinois employers and such curricula will be considered to be in the public domain.
 - B) The Grantee shall include the following statement in all written materials produced in whole or in part by funds awarded under this Grant Agreement: "This publication and material were supported in whole or in part by an Employer Training Investment Program grant awarded by the Illinois Department of Commerce and Economic Opportunity. Representations made by this publication

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and material do not necessarily reflect the opinions and conclusions of the Department."

- C) The Department reserves the right to request at least one copy of all training materials used by the Grantee or any subcontractor for training which is eligible for reimbursement under the grant. The Department will not distribute any proprietary information nor circulate any training materials without the expressed consent of the Grantee or subcontractor with the exception of those materials that are developed in whole or in part with State funds.
- 3) Training materials, including manuals, workbooks, videotapes and other materials that are used for training purposes only. Any item that can be depreciated will not be considered to be training materials.
- 4) Instructor costs, including wages, fringe benefits, and travel expenses.
- 5) Rent or lease of training equipment and/or facilities.
- 6) Other usual and customary training costs.
- 7) Trainee wages and fringe benefits.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 2650.50 Grant Administration Requirements

- a) Audits – The Department reserves the right to conduct special audits at any time during normal working hours of funds expended under Department grants (e.g., evidence of fraud or abuse). If the Department determines that an audit of grant funds will be required for an individual company, the scope of the audit will be outlined in the grant contract.
- b) Monitoring – The ~~Department may conduct~~ Director will ensure that a minimum of one on-site grant monitoring ~~visits to~~ visit is conducted by the Department either during the course of the grant period or within six months following the end of the grant period. The Department will verify trainee employment dates and wages and to ensure that the Grantee's financial management system is structured to provide for accurate, current and complete disclosure of the financial results of

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the grant program in accordance with all provisions, terms and conditions contained in the grant contract. The Department also reserves the right to contact any company participating in a multi-company training project funded by this program to verify the information submitted by the Grantee on behalf of the participating company.

- c) Training Evaluation Report – The Grantee must submit to DCEO, within 60 days following the end of the grant period, a descriptive written evaluation of the results of the training experience by either the company, in the case of single-company grantees, or the companies participating in the training project, in the case of multi-company training projects. The narrative evaluation report should be based on the measurable outcomes or benefits contained in the grant application submitted and approved by DCEO. DCEO reserves the right to withhold any future year funding for noncompliance with this provision.
- d) Reporting Requirements – To receive payment for training costs which have been incurred by a Grantee in accordance with the Scope of Work and Budget contained in the grant contract with the Department, the Grantee shall furnish evidence to the Department of having completed training by following either a monthly certification schedule or other schedule negotiated by the Department and the Grantee. This certification shall be filed on forms provided to the Grantee by the Department. Payments to the Grantee are subject to the initiation of an invoice-voucher which shall be due to the Department according to the schedule established in the grant contract. A project summary report shall be due to the Department either each month, or as negotiated, consisting of an analysis of major project activities; a listing of clients served, if the project served clients; and an evaluation of how the project's operation is related to the objectives of the grant.
- e) Grant Closeout – The Grantee shall be responsible for completing the grant closeout package which shall be provided by the Department and identifies the financial status of these grant funds. The Grantee, upon submission of the closeout package, or within 45 days after expiration of the grant, whichever is first, shall refund to the Department any balance of funds, including administrative costs, which were unexpended or unobligated at the end of the grant period. In addition, the Grantee shall repay the Department for any funds that are determined by the Department to have been spent in violation of the grant contract. If the grant contract should terminate for any reason, the closeout package shall be due within 45 days after the date of termination.

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- f) For the purpose of Subparts B and D of this Part, the provisions specified in 47 Ill. Adm. Code 1.30, 1.40, 1.60, 1.70, 1.80, 1.90, 1.100, 1.105, 1.110, 1.120, 1.140, and 1.185 are applicable.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART B: SINGLE COMPANY APPLICANTS

Section 2650.120 Application Documentation

Applications will include documentation of the following:

- a) Application Cover Page – thatwhich contains name, address, and telephone number of applicant; name, address, e-mail address and telephone and fax numbers of training coordinator, if different from the applicant; amount of program funds being requested; starting and ending dates of program; total number of new and upgraded employees to be trained; current number of employees working in administration and production; company Federal Employment Identification Number (FEIN); North American Industry Classification System (NAICS); Illinois Unemployment Insurance Account Code; Senate District number; Representative District number; indication whether the company is located in an Illinois State Enterprise Zone; indication whether company is reopening a facility which had been previously closed; the name of labor unions representing employees at the facility, if applicable; and an indication of whether the company applied for or received training assistance under the program in prior fiscal years.
- b) Business Certification – a form thatwhich must be signed and dated by the Chief Executive Officer or duly authorized representative of the applicant company certifying that the applicant:
- 1) Understands that the receipt by the Department of an application for training assistance is not a guarantee or commitment by the Department for funding;
 - 2) Agrees to discuss with representatives of the local Workforce Investment Act (WIA) office the hiring of WIA-eligible individuals for new jobs which are created as a result of this project;

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- 3) Agrees to submit quarterly reports to the Department, outlining training related expenses, participant on a monthly basis, information, and other justifying documentation regarding training activity as required for reimbursement under the Employer Training Investment Program;
- 4) Agrees to submit to the Department, within 60 days following the end of the grant period, a written evaluation of the results of the training experience by the company. The evaluation report should be based on the measurable outcomes or benefits contained in this grant application;
- 5) Maintains that it is a company in good standing, authorized to do business in Illinois and has no delinquent State tax liabilities;
- 6) Authorizes the Department of Commerce and Economic Opportunity to verify in any manner deemed appropriate any and all items indicated in this application which include information obtained through the Illinois Department of Employment Security, Consumer Credit Bureau Services and business reporting services such as Dun and Bradstreet;
- 7) Agrees to immediately notify the Department regarding any major business or personnel changes at their facility (e.g., layoff situations, changes in training plans or schedules);
- 8) Acknowledges that if their application is funded, they will be required to comply with the Illinois Drug Free Workplace Act, the Americans with Disabilities Act and the Illinois Human Rights Act and any future laws enacted which may be applicable to the grant;
- 9) To the best of its knowledge as of the date of the application, is not in material violation of any local, State or federal labor laws at the site and that abnormal labor conditions such as a strike or lockout do not exist at this site;
- 10) Maintains that all information contained in the application, including the documentation, is accurate, complete and true to the best of their knowledge;
- 11) Agrees to submit to the Department by the end of the grant period the Social Security Number of all employees participating in the approved

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training program or, in lieu thereof, an applicant may provide a notarized certification signed and dated by a duly authorized representative, or that representative's authorized designee, certifying that all participating employees are employed at an Illinois facility and that the applicant has adequate written verification of the employees' employment at an Illinois facility. The Department may audit the accuracy of submissions. An applicant sponsoring multi-company training grant programs shall obtain information meeting the requirements of this subsection (b)(11) from each participating company and provide it to the Department upon request;

12) Agrees to notify all trainees that, if funded, the training is being partially funded by an Employer Training Investment Program grant administered by the Department of Commerce and Economic Opportunity; ~~and~~

13) Agrees that, upon request by the Department, it will conduct an audit of the grant funds in accordance with generally accepted auditing standards and any special audit conditions that the Department deems necessary to ensure the accountability of public funds; ~~and-~~

14) Agrees:

A) if the project is funded, to make every effort to reemploy individuals who were previously employed at the facility when:

i) the employer is reopening, or is proposing to reopen, a facility that was last closed during the preceding two years;

ii) at least one-third of the persons who were employed at the facility before its most recent closure remain unemployed; and

iii) the product or service produced by, or proposed to be produced by, the employer at the facility is substantially similar to the product or service produced at the facility before its most recent closure.

B) to notify the Department when all these conditions are met.

c) Training Outline – ~~that which~~ details, by job classification or training course,

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minimum skills desired for entry into training by job or training course and additional skills to be acquired in training by job or training course.

- d) Program Outline Timetable – thatwhich details the training schedule of employee entry by job classification or training course per month into the program.
- e) Training Outline Data/Trainees – thatwhich lists the job classification or training course and the number of trainees for each classification or training course. This form lists the number of new and upgraded trainees, the number of hours of training requested for each trainee or training course, and the average wage paid to the employees in that job classification or training course.
- f) Training Outline Data/Trainers – thatwhich identifies all instructors or entities conducting training. The number of instructors, the total number of instructional hours and the instructor costs, including tuition and fees, are required.
- g) Project Budget Summary – which details the total cost of training and the requested grant amounts of the Program and other available training programs in Illinois (e.g., Workforce Investment Act, Welfare-To-Work, Secretary of State Literacy Office Grant Program).
- h) Attachments as applicable:
 - 1) Attach a brief narrative explaining each line item on the budget summary. The narrative shall state how each "total costs" figure was obtained and should provide information regarding how all training hours and other training costs will be tracked and documented.
 - 2) Financial statements consisting of profit and loss statements and balance sheets for the last two years and tax returns for the last two years at a minimum. For newly-established companies, a three-year projected balance sheet and profit and loss statement and a one-year monthly cash flow statement are required. Companies submitting financial information more than six months old must submit a statement regarding why more current information is not available.
 - 3) Transmittal letter providing information on: recent trends and significant events in the company's workforce, sales, competition, production, markets, and facility locations; how applicant will coordinate and use

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other training programs for funding, as appropriate; describe training activities, including training content, training providers, timeline, training methods, assessment techniques and how the training is linked to any new capital investment; and how these activities will be linked to work unit and/or company performance.

- i) Disclosure of Financial Information – a form ~~that~~~~which~~ may be signed and dated by the Chief Executive Officer certifying that the commercial and financial information contained in the grant application is proprietary, privileged, confidential or is of a nature that its disclosure may cause competitive harm to the applicant, thereby rendering the application exempt from disclosure under Section 7 of the Freedom of Information Act [5 ILCS 140].

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 2650.130 Application Evaluation

The Department shall screen all applications to determine that all requirements of the application package have been addressed. Complete applications will be reviewed and evaluated comparatively by Department staff. This review and evaluation process will be completed within 75 days ~~after~~~~of~~ receipt of all required information. Department staff will conduct a technical and financial evaluation of each application.

- a) Technical Evaluation Component – Each application will be reviewed to assure compliance with technical program requirements as detailed in Sections 2650.30 and 2650.120.
- b) Financial Evaluation Component – The company's audited financial statements, including the annual balance sheets and profit and loss statements for the past three years, or other acceptable financial information as determined by the Department, will be reviewed through a standard credit analysis which will determine the: liquidity and debt coverage for the project; ability of the company to manage debt; business trends; and projected earnings. This data will be compared to similar data for companies in the same industry using "Robert Morris Associates Annual Statement Studies" ~~(2005)~~, if such industry is evaluated by this source. This standard credit analysis will determine the financial stability of the company.
- c) Application Evaluation – Those applications determined eligible for funding

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based on the evaluation process described in subsections (a) and (b), will be evaluated according to the following criteria:

- 1) Project readiness (e.g., time schedule for project initiation, etc.);
- 2) Average wage rate of trainees;
- 3) New capital investment (e.g., training directly relates to jobs, etc.) and capital investment per trainee;
- 4) Applicant has identified specific and measurable training objectives;
- 5) Financial feasibility of the project as determined by the financial evaluation described in subsection (b);
- 6) Compliance with terms and conditions under previous Employer Training Investment Program grant awards;
- 7) County unemployment rate;
- 8) Applicant is adversely affected by foreign competition or training would provide company an advantage in competing in a global market;
- 9) Quality and consistency of the proposed training program;
- 10) Illinois-based company;
- 11) Level of value-added for the specific industry;
- 12) Industries specified in annual application packages; and
- 13) Located in a State-designated enterprise zone.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART D: MULTI-COMPANY AND MEMBERSHIP
TRAINING PROJECT APPLICANTS

Section 2650.320 Application Documentation

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Applications shall include documentation of the following:

- a) A history and summary of the qualifications of the organization submitting the application, including any related experience in coordinating, conducting or sponsoring training programs for businesses or its membership.
- b) A description of how the companies or members will be/were selected to participate in the project and an explanation of how the common employee training needs were determined. The applicant also should indicate if a training needs assessment has been conducted.
- c) A company profile for each of the participating companies, including how long they have been in business, a description of the products manufactured or services provided, the location of their facilities, the North American Industry Classification System, the current number of employees, the name of any labor organizations representing the employees (if applicable) and a company contact and telephone number.
- d) A description of any new capital investment made by the participating companies and if it relates to the proposed training program.
- e) The type of training being requested (e.g., classroom, on-the-job training).
- f) The objectives of the training.
- g) Where the training will be conducted.
- h) The names of the training providers.
- i) The expected measurable outcomes or benefits to the participating companies of the training program and a description of how these benefits will be measured.
- j) An Applicant Certification form which is signed and dated by the Chief Executive Officer or duly authorized representative of the applicant certifying that the applicant:
 - 1) Understands that receipt by the Department of Commerce and Economic Opportunity of an application for training assistance is not a guarantee or

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commitment by DCEO for funding;

- 2) Agrees to submit to DCEO, on either a monthly basis or other basis agreed upon by the Department and the Grantee, information regarding training activity as required for training payment under the Employer Training Investment Program;
- 3) Agrees to submit to DCEO, within 60 days following the end of the grant period, a written evaluation of the results of the training experience by the participating companies. The evaluation report should be based on the measurable outcomes or benefits contained in the grant application;
- 4) Authorizes DCEO to verify in any manner deemed appropriate any and all items indicated in this application which include information obtained through the Illinois Department of Employment Security, Consumer Credit Bureau Services and business reporting services such as Dun and Bradstreet;
- 5) Agrees to submit to DCEO by the end of the grant period ~~the Social Security Number of the participating employees and~~ the Unemployment Insurance Employer Account Number and Taxpayer Identification Number of all employers participating in an approved training program, and the Social Security Number of all employees participating in the approved training program or, in lieu thereof, an applicant may provide a notarized certification signed and dated by a duly authorized representative, or that representative's authorized designee, certifying that all participating employees are employed at an Illinois facility and that the applicant has adequate written verification of the employees' employment at an Illinois facility. The Department may audit the accuracy of submissions. An Applicant sponsoring multi-company training grant programs shall obtain information meeting the requirement of this subsection (j)(5) from each participating company and provide it to the Department upon request;
- 6) Agrees to notify DCEO promptly regarding any major changes in the project (e.g., layoff situations at participating companies, changes in training plans or schedules);
- 7) Maintains that, to the best of its knowledge as of the date of the

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application, no employers participating in the project are in material violation of local, State or federal labor laws at any sites involved in the application, and that abnormal labor conditions such as a strike or lockout do not exist at any of these sites;

- 8) Acknowledges that, if the application is funded, the applicant will be required to comply with the Illinois Drug Free Workplace Act, the Illinois Human Rights Act, the Americans with Disabilities Act and any future laws enacted which may be applicable to the grant;
- 9) Maintains that all information contained in this application, including the documentation, is accurate, complete and true to the best of their knowledge;
- 10) That, if funded, all companies participating in the training and the trainees of those companies will be notified in writing that the training is partially funded by the Employer Training Investment Program grant administered by the Department of Commerce and Economic Opportunity; and
- 11) Agrees that, upon request by the Department, it will conduct an audit of grant funds in accordance with generally accepted auditing standards and any special audit conditions that the Department deems necessary to ensure the accountability of public funds; and;
- 12) Agrees:
 - A) if the project is funded, to make every effort to reemploy individuals who were previously employed at the facility when:
 - i) the employer is reopening, or is proposing to reopen, a facility that was last closed during the preceding two years;
 - ii) at least one-third of the persons who were employed at the facility before its most recent closure remain unemployed; and
 - iii) the product or service produced by, or proposed to be produced by, the employer at the facility is substantially similar to the product or service produced at the facility

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before its most recent closure.

B) to notify the Department when all these conditions are met.

- k) Training Outline – which provides a descriptive picture of each training module or job classification, the requirements for selection to enter training and additional skills to be acquired through training.
- l) Training Outline Data/Trainees – by training module, the number of employees in training, the proposed number of hours of training requested for each trainee and the average wage rates of the trainees.
- m) Training Outline Data/Trainers – which details the trainers or course names, the number of instructional hours and the cost of the training.
- n) A project budget summary listing administration, internal instructor wages and fringe benefits, tuition costs, trainee wages and fringe benefits, training materials and other costs. The budget summary shall contain the total training costs, the local/company share, other sources of training assistance and the amount requested from the Employer Training Investment Program.
- o) A budget narrative detailing how each line item in the budget summary was obtained and how the costs of each line item will be tracked and documented.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

Springfield, Illinois 62704
Telephone Number: 217-785-2012
Fax Number: 217-785-0761

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: Lobbyists and Lobbying Entities
 - B) Reporting, bookkeeping or other procedures required for compliance: Registration, training, and reporting requirements as required under the Lobbyist Registration Act [25 ILCS 170]
 - 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 two most recent agendas because: of the recent multiple amendments to subject matter in the Lobbyist Registration Act [25 ILCS 170].

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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE C: CONSTITUTIONAL OFFICERS
CHAPTER III: SECRETARY OF STATEPART 552
DEPARTMENTAL DUTIES

Section

552.10	Service of Process Upon the Secretary of State
552.20	Filing of Miscellaneous Documents with the Secretary of State
552.30	Initiating, Conducting and Completing Investigations

AUTHORITY: Sections 10, 11 and 13 of the Securities Law of 1953 [815 ILCS 5/10, 11 and 13], Section 1.05 of the Business Corporation Act of 1983 [805 ILCS 5/1.05], Sections 2-104(b) and 2-118 of the Illinois Vehicle Code [625 ILCS 5/2-104(b) and 2-118], Section 14 of the Secretary of State Act [15 ILCS 305/14], and Section 11 of the Lobbyist Registration Act [25 ILCS 170/11].

SOURCE: Adopted at 12 Ill. Reg. 3022, effective February 1, 1988; amended at 14 Ill. Reg. 6854, effective May 1, 1990; amended at 30 Ill. Reg. 15786, effective September 18, 2006; amended at 34 Ill. Reg. 3661, effective March 5, 2010; amended at 35 Ill. Reg. _____, effective _____.

Section 552.30 Initiating, Conducting and Completing Investigations

- a) The Office of Inspector General (OIG) will conduct all investigations in a professional and thorough manner. Investigations will be properly documented and will be submitted in written reports of findings. Proper documentation of an investigation shall include, at a minimum, a description of the alleged misconduct or offense; the events and circumstances surrounding the allegation, including the results of interviews, review of documents and records, and other material information revealed during the investigation; and a recommendation concerning the merits of the allegation.
- b) The OIG will utilize methods for investigative interviews consistent with current police practices and techniques and will observe and comply with all laws and agreements related to the questioning of employees or other individuals.

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- c) For the purposes of this Section, the following provisions shall apply when the OIG initiates investigations:
- 1) The OIG will maintain an intake procedure, under the supervision of the Chief of Investigations, for processing all complaints. Complaints may be received by telephone, letter, fax, e-mail or in person. Anonymous complaints will be accepted. When a complaint is received, it will be documented on a complaint form and assigned a complaint reference number.
 - 2) The Chief of Investigations will review each complaint to determine whether a case should be initiated and assigned to an Inspector. When necessary for this initial decision, an Inspector may be assigned to gather additional information concerning the validity of the complaint and/or the credibility of the complainant. When the Chief of Investigations initiates a case, the complaint will receive a case number and be assigned to an Inspector.
 - 3) To initiate an investigation, a complaint must, at a minimum, include facts demonstrating OIG jurisdiction and:
 - A) a reasonable belief that employee misconduct may have occurred involving a violation of a law, rule or regulation; mismanagement; abuse of authority; or a substantial and specific danger to the public health and safety; or
 - B) credible evidence of a violation of the Lobbyist Registration Act [25 ILCS 170].
- d) For the purposes of this Section, the following provisions shall apply when the OIG conducts investigations:
- 1) The Chief of Investigations, or his/her designee, will be responsible for the supervision of all investigative activities and will ensure that Inspectors:
 - A) Properly document all investigative activities, which shall include, at a minimum, completion of a complaint form, investigative report and investigative summary;

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- B) Properly secure all physical evidence, including completion of an inventory of evidence form and securing the evidence in an evidence vault or other secure location;
 - C) Complete all reports; and
 - D) Submit case summaries to management that are accurate and complete.
- 2) Investigative activities may include, but are not limited to: interviews; requests for information, documents or other materials; custody of physical evidence; surveillance; and inspection of physical premises. The methods of investigation utilized in each case will be those most likely to establish the relevant facts of the case.
- e) For the purposes of this Section, the following provisions shall apply when the OIG completes investigations:
- 1) All cases will be characterized as either Active, Pending or Closed.
 - 2) A case is Active when the matter requires current or continued investigation.
 - 3) A case is Pending when the investigation is completed and awaiting prosecution or civil or administrative action. A case may be Pending/Inactive if no investigative activity is anticipated for a period of 30 days or longer.
 - 4) A case is Closed when investigative action ceases due to unfounded allegations, an administrative closing of the case, the completion of adjudication of all subjects, or the referral of the case to another agency for investigation in which the OIG will not participate.
 - 5) A Case Summary Report will be completed at the conclusion of each investigation.
 - A) Case Summary Reports will be submitted to the Chief of Investigations for approval.

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- B) The approved Case Summary Reports then will be submitted to the Inspector General for final approval.
 - C) Case Summary Reports approved by the Inspector General will be forwarded to the appropriate Director for informational purposes or for the initiation of disciplinary action. Copies of the Summaries also will be forwarded to the Director of Personnel.
 - D) In the case of a violation of the Lobbyist Registration Act [25 ILCS 170], the Inspector General may submit the investigation to the appropriate State's Attorney or to the Attorney General as provided by law.
- f) The following provisions shall apply to interactions between the OIG and other law enforcement agencies.
- 1) When it appears that a case may warrant criminal investigation, the appropriate federal, state or local law enforcement agency will be contacted for possible joint investigation at the earliest practicable time. When warranted by an investigation, a case will be presented to the appropriate local or federal prosecutor for a prosecutorial decision.
 - 2) When necessary for the completion of an OIG investigation, the OIG may request information or assistance from appropriate local, state or federal law enforcement agencies.
 - 3) Upon receipt of a request from a local, state or federal law enforcement agency for assistance or information, the OIG will provide that information or assistance in compliance with applicable State and federal laws.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Regulations under Illinois Securities Law of 1953
- 2) Code Citation: 14 Ill. Adm. Code 130
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
130.200	Amended
130.832	Amended
- 4) Statutory Authority: 815 ILCS 5/1
- 5) A Complete Description of the Subjects and Issues Involved: Section 130.200 adds a definition for the Financial Industry Regulatory Authority (FINRA).

Section 130.832 amends the Section relating to examination requirements for registration as a salesperson by adding a reference to the Series 66 examination (Uniform Combined State Law exam) and the newly established Series 79 examination (Investment Banking). The Series 79 examination was recently devised and approved by FINRA and is a limited registration examination.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: The proposed amendment in 130.200 updates the rule to change the title of the self-regulating organization from the old title of NASD to the new title of FINRA. Section 130.832 adds the latest FINRA approved list of limited salesperson registrations.
- 11) Time, Place and Manner in which interested parties may comment on this proposed rulemaking:

Tanya Solov, Director
Illinois Securities Dept.
69 W. Washington St.
Suite 1220

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Chicago, IL 60602

312/793-3384

All comments must be in writing.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Applies solely to dealer firms that are registered or required to be registered in the State of Illinois.
- B) Reporting, bookkeeping and other procedures required for compliance: No new requirement for the submission of data is needed for compliance. As with existing qualifying examinations, the employing dealer firm arranges the schedule of the examination for its employees.
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 2011

The Proposed Amendments are identical to the Emergency Amendments and can be found in this issue of the *Illinois Register* on page 4781.

DEAF AND HARD OF HEARING COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Interpreter for the Deaf Licensure Act of 2007
- 2) Code Citation: 68 Ill. Adm. Code 1515
- 3) Section Number: 1515.50 Adopted Action: Amendment
- 4) Statutory Authority: Authorized by Section 50(b) of the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443]
- 5) Effective Date of Amendment: March 14, 2011
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: October 1, 2010; 34 Ill. Reg. 13727
- 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? No changes were requested by JCAR, and no agreement letter was issued.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This rulemaking added the Illinois Board for Evaluation of Interpreters (BEI) certification to the accepted certifications for interpreter licensure.
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEAF AND HARD OF HEARING COMMISSION

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Tonia R. Bogener, Legal Counsel
Illinois Deaf and Hard of Hearing Commission
1630 South Sixth Street
Springfield, Illinois 62703

217/557-4495 (V/TTY)

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

DEAF AND HARD OF HEARING COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER IX: DEAF AND HARD OF HEARING COMMISSIONPART 1515
INTERPRETER FOR THE DEAF LICENSURE ACT OF 2007

Section	
1515.10	Definitions
1515.20	Jurisdiction
1515.30	Application for Licensure
1515.40	Application for Provisional Licensure
1515.50	Accepted Certificates
1515.60	Renewals
1515.70	Licensure Fees
1515.80	Continuing Education
1515.90	Proficiency Levels
1515.100	Supervision
1515.110	Inactive Status
1515.120	Restoration
1515.130	Standards of Professional Conduct
1515.140	Granting Variances

AUTHORITY: Authorized by Section 50(b) of the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443/50(b)].

SOURCE: Adopted at 32 Ill. Reg. 18853, effective November 24, 2008; amended at 35 Ill. Reg. 4775, effective March 14, 2011.

Section 1515.50 Accepted Certificates

An applicant for a license as a sign language interpreter shall provide proof of a current and valid acceptable certificate. Based upon the accepted certificate, a proficiency level, as determined under Section 1515.90, will be indicated on the license.

- a) Acceptable certificates for a provisional license include any of the following:
 - 1) Educational Interpreter Performance Assessment (EIPA) 3.5 or above and/or Registry of Interpreters for the Deaf (RID) certification based on EIPA evaluation;

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- 2) Interpreter Skills Assessment Screening (ISAS) Interpreting Level 1 or 2;
 - 3) Interpreter Skills Assessment Screening (ISAS) Transliterating Level 1 or 2;
 - 4) Missouri Interpreter Certification Novice or Apprentice;
 - 5) Illinois Board for Evaluation of Interpreters (BEI) Test of English Proficiency (TEP) or other state's BEI TEP;
 - 6) Deaf Interpreters, with a minimum of 8 contact hours of training on the NAD-RID Code of Professional Conduct, and/or a state accredited college or university course including the Code of Professional Conduct and 8 contact hours on the role and responsibilities of Certified Deaf Interpreter, both completed within 3 years prior to the date of application; or
 - 7) Until January 1, 2011, an interpreter who cannot provide any of the certificates required by this subsection (a), but who maintained a valid and unencumbered registration with the Commission on July 1, 2007 under the Interpreters for the Deaf Act [225 ILCS 442, repealed January 1, 2009].
- b) Acceptable certificates for a license with an intermediate proficiency level include any of the following:
- 1) Interpreter Skills Assessment Screening (ISAS) Interpreting Level 3 or above;
 - 2) Interpreter Skills Assessment Screening (ISAS) Transliterating Level 3 or above;
 - 3) RID Interpretation Certificate (IC);
 - 4) RID Transliteration Certificate (TC);
 - 5) RID IC/TC;
 - 6) Testing Evaluation and Certification Unit Inc. (TECUnit);

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- 7) Missouri Interpreter Certification Intermediate;
 - ~~8)~~ 8) [Illinois BEI or other state's BEI Intermediate Level;](#)
 - ~~9)~~ 8) Deaf Interpreters with the required training under a provisional license and proof of passing a generalized knowledge based test provided by the Commission; or
 - ~~10)~~ 9) Licensure in other states based on qualifications similar to those listed in this subsection (b).
- c) Acceptable certificates for a license with an advanced proficiency level include any of the following:
- 1) Interpreter Skills Assessment Screening (ISAS) Interpreting Level 4 or above and ISAS Transliterating Level 4 or above;
 - 2) RID-CI;
 - 3) RID-CT;
 - 4) National Interpreter Certification (NIC);
 - 5) National Association of the Deaf Certificate Level 3 or 4;
 - 6) Missouri Interpreter Certification Advanced;
 - ~~7)~~ 7) [Illinois BEI or other state's BEI Advanced Level;](#)
 - ~~8)~~ 7) Deaf Interpreters with the required training under a provisional license and proof of passing the RID-CDI knowledge based test; or
 - ~~9)~~ 8) Licensure in other states based on qualifications similar to those listed in this subsection (c).
- d) Acceptable certificates for a license with a master proficiency level include any of the following:
- 1) RID-CI/CT;

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- 2) RID-Comprehensive Skills Certificate (CSC);
- 3) RID-Master Comprehensive Skills Certificate (MCSC);
- 4) RID-Reverse Skills Certificate (RSC);
- 5) RID-Certified Deaf Interpreter (CDI);
- 6) RID Specialist Certificate: Legal (SC:L) (applies to acceptance of legal assignments only under Section 1515.90);
- 7) National Association of the Deaf Certificate Level 5;
- 8) Missouri Interpreter Certificate Comprehensive;
- 9) National Interpreter Certification (NIC) Advanced or Master; ~~or~~
- 10) Illinois BEI or other state's BEI Master Level; or
- 11)40) Licensure in other states based on qualifications similar to those listed in this subsection (d).

(Source: Amended at 35 Ill. Reg. 4775, effective March 14, 2011)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Regulations under the Illinois Securities Law of 1953
- 2) Code Citation: 14 Ill Adm Code 130
- 3)

<u>Section Numbers</u> :	<u>Emergency Action</u> :
130.200	Amended
130.832	Amended
- 4) Statutory Authority: 815 ILCS 5
- 5) Effective Date of Amendments: March 10, 2011
- 6) Does this emergency rule expire before the end of the 150-day period? No
- 7) Date filed with the Index Department: March 10, 2011
- 8) A copy of these emergency amendments are on file at the Department's principal office and is available for public inspection.
- 9) Reason for Emergency: This change amends the Section relating to examination requirements for registration as a salesperson by adding a reference to the Series 66 examination (Uniform Combined State Law exam) and the newly established Series 79 examination (Investment Banking). The Series 79 examination was recently devised and approved by the Financial Industry Regulatory Authority (FINRA) and is a limited registration examination.
- 10) A complete description of the subjects and issues involved: The Series 79 examination was developed by the FINRA for the purpose of registering individuals in a limited capacity as an investment banking representative. Some dealer firms that previously utilized the Series 7 general securities examination for the purpose of registering their salespersons may now choose to file for a limited registration with this new examination.
- 11) Are there any proposed amendments pending on this Part other than those appearing in the same Issue of the *Illinois Register* as the emergency rules? No
- 12) Statement of Statewide Policy Objectives: The proposed amendment at Section 130.832 adds the latest FINRA approved examination, the Series 79, to the approved list of limited salesperson registrations.

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- 13) Name, address and telephone number of the person to whom information and questions regarding this emergency rulemaking shall be directed:

Tanya Solov, Director
Illinois Securities Department
69 W. Washington St.
Suite 1220
Chicago, Illinois 60602

312/793-3384

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

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SUBTITLE A: REGULATION OF BUSINESS
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- 130.APPENDIX A Uniform Consent to Service of Process
- 130.APPENDIX B Uniform Application to Register Securities
- 130.APPENDIX C Uniform Application for Broker-Dealer Registration
- 130.APPENDIX D Subordinated Loan Agreement for Equity Capital

AUTHORITY: Implementing and authorized by the Illinois Securities Law of 1953 [815 ILCS 5].

SOURCE: Filed February 23, 1977, effective March 5, 1977; amended at 5 Ill. Reg. 9139, effective August 27, 1981; amended at 6 Ill. Reg. 6455, effective May 19, 1982; codified at 6 Ill. Reg. 12674; emergency amendment at 7 Ill. Reg. 17427, effective December 31, 1983, for a maximum of 150 days; emergency expired May 31, 1984; emergency amendment at 8 Ill. Reg. 1476, effective January 18, 1984, for a maximum of 150 days; emergency expired June 17, 1984; emergency repealer at 8 Ill. Reg. 3803, effective March 14, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13419, effective July 12, 1984; amended at 8 Ill. Reg. 13840, effective July 19, 1984; emergency amendment at 8 Ill. Reg. 13889, effective July 20, 1984, for a maximum of 150 days; emergency expired December 17, 1984; amended at 9 Ill. Reg. 208, effective December 20, 1984; emergency amendment at 10 Ill. Reg. 393, effective January 1, 1986, for a maximum of 150 days; emergency expired May 30, 1986; amended at 10 Ill. Reg. 10753, effective June 3, 1986; recodified at 10 Ill. Reg. 19554; emergency amendment at 13 Ill. Reg. 11017, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 14 Ill. Reg. 884, effective December 30, 1989; amended at 14 Ill. Reg. 5188, effective March 26, 1990; emergency amendment at 15 Ill. Reg. 14303, effective November 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 6000, effective March 27, 1992; amended at 20 Ill. Reg. 14185, effective October 21, 1996; amended at 21 Ill. Reg. 7523, effective May 23, 1997; amended at 21 Ill. Reg. 7770, effective May 23, 1997; amended at 21 Ill. Reg. 8415, effective June 20, 1997; emergency amendment at 21 Ill. Reg. 9828, effective July 8, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 15892, effective December 1, 1997; amended at 22 Ill. Reg. 1933, effective January 1, 1998; emergency amendment at 24 Ill. Reg. 341, effective December 31, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. 7401, effective May 1, 2000; emergency amendment at 25 Ill. Reg. 973, effective January 1, 2001, for a maximum of 150 days; emergency expired May 30, 2001; amended at 25 Ill. Reg. 8817, effective July 6, 2001; amended at 26 Ill. Reg. 14843, effective September 30, 2002; amended at 27 Ill. Reg. 9490, effective June 9, 2003; emergency amendment at 29 Ill. Reg. 15087, effective September 23, 2005, for a maximum of 150 days; emergency expired February 19, 2006; emergency amendment at 30 Ill. Reg. 13009, effective July 11, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18211, effective October 31, 2006; amended at 33 Ill. Reg. 12817, effective September 8, 2009; amended at 34 Ill. Reg. 17783, effective November 3, 2010;

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emergency amendment at 35 Ill. Reg. 4781, effective March 10, 2011, for a maximum of 150 days.

SUBPART B: DEFINITIONS

Section 130.200 Definitions of Terms Used in the Act and the Rules**EMERGENCY**

- a) As used in the Act and this Part, unless the context otherwise requires, the term:

"Act" means the Illinois Securities Law of 1953 [815 ILCS 5].

"Affiliate" of, or a person "affiliated" with, a specified person means a person who, directly or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

"Amount", when used in regard to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

"Applicant" means the person making application for registration or exemption.

"Certified", when used in regard to financial statements, means examined and reported upon with an opinion expressed by an independent certified public accountant.

"CFTC" means the Federal Commodity Futures Trading Commission.

"Charter" includes articles of incorporation, a declaration of trust, articles of association or partnership, or any similar instrument, as amended, affecting (either with or without filing with any governmental agency) the organization or creation of an incorporated or unincorporated person.

"Correspondent" means the person authorized in the application for registration or exemption to receive notices and communications from the Secretary.

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"Controlling Person" as used in Section 4.F of the Act shall not include any sponsor of a unit investment trust after the completion of the initial distribution.

"CRD" means the computer registration system for the registration of dealers and salespersons known as the "Central Registration Depository" operated by the NASD.

"Customer", as used in Section 130.270 of this Part, means any person for whom the futures commission merchant effects or intends to effect transactions in futures, options on futures, or any other instruments subject to CFTC jurisdiction.

"Director" means any director of a corporation or any person performing similar functions with respect to any organization whether incorporated or unincorporated.

"Employee" does not include a director, trustee, or officer.

"Federal 1933 Act" means the Act of the Congress of the United States known as the Securities Act of 1933 (15 USC 77a-77aa).

"Federal 1934 Act" means the Act of Congress of the United States known as the "Securities Exchange Act of 1934" (15 USC 78a-78aa).

"Federal 1936 Act" means the Act of Congress of the United States known as the Commodity Exchange Act of 1936 (7 USC 1 et seq.).

"Federal 1940 Investment Company Act" means the Act of Congress of the United States known as the Investment Company Act of 1940 (15 USC 80a-1 through 80a-52).

"Federal 1940 Investment Advisers Act" means the Act of Congress of the United States known as the Investment Advisers Act of 1940 (15 USC 80b-1 through 80b-21).

"Federal Banking Act of 1933" means 12 USC 227.

"Federal Covered Investment Adviser Representative" means any person

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with a place of business in this State who is an investment adviser representative of a federal covered investment adviser.

"Federal Public Utility Holding Company Act of 1935" means 15 USC 79 through 79z-6).

"FINRA" means the self-regulatory organization registered under the Federal 1934 Act, as defined in this Section, known as the Financial Industry Regulatory Authority.

"Fiscal Year" means the annual accounting period or, if no accounting period has been adopted, the calendar year ending on December 31.

"Futures" and "Futures Contracts", as used in Section 130.270 of this Part, mean contracts of sale of a commodity for future delivery traded on or subject to the rules of a contract market designated by the CFTC or traded on or subject to the rules of any board of trade located outside the United States, its territories or possessions.

"Futures Commission Merchants", as used in Section 130.270 of this Part, means individuals, associations, partnerships, corporations and trusts engaged in soliciting or in accepting orders for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market and that, in or in connection with such solicitation or acceptance of orders, accepts any money, securities, or property (or extends credit in lieu thereof) to margin, guarantee or secure any trades or contracts that result or may result therefrom.

"Hearing" means a proceeding conducted by the Securities Department in which the rights, privileges, immunities, duties or obligations of any person or party are required by law to be determined by the Secretary only after opportunity for a hearing.

"Hearing Officer" means the designee of the Secretary or the Securities Director who, pursuant to Section 11 of the Act, is designated in the Notice of Hearing to preside at a hearing conducted pursuant to Section 11 of the Act or any person so designated as a substitute hearing officer.

"IARD" means the computer web-based registration system for the

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registration of investment advisers and investment adviser representatives known as the Investment Adviser Registration Depository operated by the NASD.

"Identifying Statement" means a written or oral communication or advertisement meeting the requirements of Section 130.210(b)(1) of this Part.

"Insolvency" or "Insolvent" means the inability to pay debts and obligations when due or when current liabilities exceed current assets. Any party regulated by this Part claiming insolvency shall file with the Securities Department a balance sheet prepared as of a current date and executed and verified by the chief financial officer of the issuer.

"Internal Revenue Code" means the Internal Revenue Code of 1986 (26 USC 1-9602).

"Majority-Owned Subsidiary" means a subsidiary more than 50% of whose outstanding securities, which represent the right, other than as affected by events of default, to vote for the election of directors, is owned by the subsidiary's parent and/or one or more of the parent's other majority-owned subsidiaries.

"Material", when used to qualify a requirement for the furnishing of information as to any subject, limits the information required to those matters as to which there is a substantial likelihood that a reasonable investor would consider it important in deciding upon a course of action to be taken, including, but without limitation, purchasing, selling or holding the security or securities involved, or accepting or rejecting an offer or proposal made with regard to any security or securities.

"NASD" means the self-regulatory organization registered under the Federal 1934 Act, as defined in this Section, known as the "National Association of Securities Dealers, Inc."

"Nonaccredited Investor", as used in Section 130.420 of this Part, means a person who is not a person set forth in Section 4.C, 4.H, 4.R or 4.S of the Act.

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"Office", unless otherwise clarified, refers to the Office of the Securities Department of the Secretary of State, and not to any particular address or location.

"Officer" means the president; any vice president in charge of a principal business unit, division or function; the secretary; the treasurer; any principal financial officer, comptroller or principal accounting officer; any other officer performing a principal policy-making function; and any other person performing similar functions with respect to any organization whether incorporated or unincorporated.

"Options on Futures", as used in Section 130.270 of this Part, means puts or calls on a futures contract traded on or subject to the rules of a contract market designated by the CFTC or traded or subject to the rules of any board of trade located outside the United States, its territories or possessions.

"Pacific Coast Stock Exchange, Inc." means the Pacific Stock Exchange, Inc.

"Parent" of a specified person means an affiliate controlling such person directly or indirectly through one or more intermediaries.

"Party" means any person named as a petitioner or a respondent in a hearing conducted by the Securities Department.

"Person" means a natural person, a corporation, a partnership, a limited partnership, a limited liability company, a limited liability limited partnership, an association, a joint stock company, a trust or any unincorporated organization, except that, as used in this Section, the word "trust" includes only a trust where the interest or the interests of the beneficiary or beneficiaries are a security.

"Place of Business" of a federal covered investment adviser representative means a location at which the federal covered investment adviser representative provides investment advisory services, solicits, meets with, or otherwise communicates with clients, and any other location that is held out to the general public as a location at which the investment adviser representative provides investment advisory services, solicits, meets with,

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or otherwise communicates with clients.

"Predecessor" means a person, the major portion of the business and assets of which another person acquired in a single succession or in a series of related successions in each of which the acquiring person acquired the major portion of the business and assets of the acquired person.

"Preliminary Prospectus" means a document meeting the requirements of Section 130.210(b)(2) of this Part.

"Principal Underwriter" means an underwriter in privity of contract with the issuer of the securities as to which such person is an underwriter.

"Promoter" means any person who, acting alone or in conjunction with one or more other persons, directly or indirectly takes initiative in founding and organizing the business or enterprise of an issuer; or any person who, in connection with the founding and organizing of the business or enterprise of an issuer, directly or indirectly receives in consideration of services or property, or both, 10% or more of any class of securities of the issuer or 10% or more of the proceeds from the sale of any class of securities of the issuer. However, a person who receives the securities or proceeds either solely as underwriting commissions or solely in consideration of property shall not be deemed a promoter within the meaning of this definition if the person does not otherwise take part in founding and organizing the enterprise.

"Prospectus" means any prospectus, notice, circular, advertisement, letter or communication, written or by radio, television or other communications medium that offers any security for sale or confirms the sale of any security; except that a communication sent or given after the effective date of the registration of the security (other than a prospectus permitted under Section 10(b) of the Federal 1933 Act) shall not be deemed a prospectus if it is proved that, prior to or at the same time as the communication, a written prospectus, meeting the requirements of Section 10(a) of the Federal 1933 Act at the time of the communication, was sent or given to the person to whom the communication was made, and a notice, circular, advertisement, letter or communication in respect to a security shall not be deemed to be a prospectus if it states from whom a written prospectus meeting the requirements of Section 5 of the Act may be obtained and, in

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addition, does no more than identify the security, state the price thereof, state by whom orders will be executed, and contain such other information as the Secretary by this Part deems necessary or appropriate in the public interest and for the protection of investors and, subject to such terms and conditions as may be described therein, may permit.

"Regulated Account", as used in Section 130.270 of this Part, means a customer segregation account subject to 17 CFR 1.20 as in effect on August 1, 1997 (no subsequent amendments or editions); provided, however, that, where such regulations do not permit to be maintained in such an account or require to be maintained in a separate regulated account funds or securities in proprietary accounts or funds or securities used as margin for or excess funds related to futures contracts, options on futures or any other instruments subject to CFTC jurisdiction that trade outside the United States, its territories or possessions, the term "regulated account" means such separate regulated account or any other account subject to 17 CFR 1.31 et seq. as in effect on August 1, 1997 (no subsequent amendments or editions).

"Registrant" means the issuer of the securities that are the subject of the application for registration.

"Rules" refers to all rules adopted by the Secretary pursuant to the Act.

"Share" means a share of stock in a corporation or unit of interest in an unincorporated person.

"SEC" means the United States Securities and Exchange Commission.

"Secretary of State" "or Secretary" means the Secretary of State of Illinois.

"Section" refers to a Section of this Part unless a reference to the Act is specifically made.

"Securities Department" means the Securities Department of the Office of the Secretary of State.

"Securities Protection Act of 1970" means the Securities Investor Protection Act of 1970 (15 USC 78aaa et seq.).

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"Segregated Customer Funds", as used in Section 130.270 of this Part, means funds subject to 17 CFR 1.20 as in effect on August 1, 1997 (no subsequent amendments or editions).

"SRD" means the automated computer registration system for the registration and renewal of registration of securities, investment fund shares and unit investment trusts registered under the Federal 1933 Act and Federal 1940 Investment Company Act known as the Securities Registration Depository.

"Significant Subsidiary" means a subsidiary where:

the assets of the subsidiary, or the investments in and advances to the subsidiary by its parent and the parent's other subsidiaries, if any, exceed 15% of the assets of the parent and its subsidiaries on a consolidated basis; or

the sales and operating revenues of the subsidiary exceed 15% of the sales and operating revenues of its parent and the parent's subsidiaries on a consolidated basis.

In determining whether a subsidiary is a significant subsidiary, such a subsidiary shall be considered in the aggregate with any subsidiaries of which it is the parent.

"State Bond and Mortgage Company" means the company currently known as SBM Certificate Company or any successor company.

"Subsidiary" of a specified person is an affiliate controlled by such person directly or indirectly through one or more intermediaries. (See also "Majority-Owned Subsidiary", "Significant Subsidiary" and "Totally-Held Subsidiary".)

"Succession" means the direct acquisition of the assets comprising a going business, whether by merger, consolidation, purchase, or other direct transfer. The term does not include the acquisition of control of a business unless followed by the direct acquisition of its assets. The terms "succeed" and "successor" have the same meaning as "succession".

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"Totally-Held Subsidiary" means a subsidiary substantially all of whose outstanding securities are owned by its parent and/or the parent's other totally-held subsidiaries, and that is not indebted to any person other than its parent and/or the parent's other totally-held subsidiaries in an amount that is material in relation to the particular subsidiary, excepting indebtedness incurred in the ordinary course of business that is not overdue and that matures within one year from the date of its creation, whether evidenced by securities or not.

"Unit Investment Trust" means an investment company which:

is organized under a trust indenture, agency or custodianship contract or similar instrument, does not have a board of directors; and

issues only redeemable securities, each of which represents an undivided interest in a unit of specified securities.

The term "unit investment trust" does not include a voting trust.

"Unsolicited Transaction", as used in Section 130.270 of this Part, means a transaction that is not effected in a discretionary account or recommended to a customer by the futures commission merchant, an associated person of a futures commission merchant, a business affiliate that is controlled by, controlling, or under common control with, the futures commission merchant, or an introducing broker that is guaranteed by the futures commission merchant.

- b) A Section in this Part that defines a term without express reference to the Act or to this Part defines such term for all purposes as used both in the Act and in this Part. Terms defined in the Act and not defined in this Part have the meanings given them in the Act.

(Source: Amended by emergency rulemaking at 35 Ill. Reg. 4781, effective March 10, 2011, for a maximum of 150 days)

SUBPART H: REGISTRATION OF DEALERS, SALESPERSONS, INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES

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Section 130.832 Examinations Deemed Satisfactory for Purposes of Determining Sufficient Knowledge Under Section 8.C(7) of the Act for Registration as a Salesperson**EMERGENCY**

- a) Passage of the Series 63 or Series 66 examination and Series 1, 2, 7, 37, 38, 17 or 47 examination conducted by FINRA~~the NASD~~ shall qualify a natural person who is 18 years of age for registration on behalf of a dealer, controlling person or issuer as a salesperson without limitation in this State.
- b) Passage of the Series 63 or Series 66 examination and Series 6, 22, 52, ~~or 62~~ or 79 examination conducted by FINRA~~the NASD~~ shall qualify by examination a natural person who is 18 years of age for registration as a salesperson in a limited capacity in this State, as follows:
 - 1) The Series 6 (Investment Company/Variable Contract Products (ICVC) Representative Examination) and the Series 63 or Series 66 examination shall qualify a salesperson to offer or sell securities issued by investment companies and variable contracts.
 - 2) The Series 22 examination (Direct Participation Program Limited Representative Qualification Examination) and the Series 63 or the Series 66 examination shall qualify a salesperson to offer or sell direct participation programs in the form of limited partnerships or joint venture interests in tax shelter programs.
 - 3) The Series 52 examination (Municipal Securities Representative Examination) and the Series 63 or Series 66 examination shall qualify a salesperson to offer and sell securities of municipalities and industrial development revenue obligation.
 - 4) The Series 62 Examination (Corporate Securities Representative Examination) and the Series 63 or Series 66 examination shall qualify a salesperson to offer and sell corporate securities and bonds, real estate investment trusts and mortgage investment trusts.
 - 5) The Series 79 Examination (Investment Banking Representative Examination) and either the Series 63 or Series 66 examination shall qualify a salesperson to deal exclusively in investment banking.

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- c) All scheduling for the examinations referred to in subsections (a) and (b) of this Section shall be made with and fees paid to an office of ~~FINRA~~~~the NASD~~. The dealer, controlling person or issuer on whose behalf the salesperson is being registered shall submit in writing satisfactory evidence of passing the examination prior to registration of such person in the State if such information is not available to the Securities Department through the CRD.

(Source: Amended by emergency rulemaking at 35 Ill. Reg. 4781, effective March 10, 2011, for a maximum of 150 days)

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- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.APPENDIX A TABLE N Peremptory Action: 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) Section 310.Appendix A Table N to reflect two Memoranda of Understanding between the American Federation of State, County and Municipal Employees (AFSCME) and the State of Illinois for the Public Service Administrator (PSA) title Option 8L, which is Special License - Law License, signed February 10, 2011. The first PSA title Option 8L Memorandum of Understanding (MOU) assigns positions at the Environmental Protection Agency (EPA) to RC-010-24 pay grade Pay Plan Code B rates effective December 17, 2010. Issued on December 17, 2010 was the Illinois Labor Relations Board (ILRB) State Panel Certification of Representative (Case No. S-RC-09-176) assigning the classification Public Service Administrator, Option 8L (at EPA) to the RC-010 bargaining unit with no position excluded. The second PSA title Option 8L MOU assigns positions at the Department of Healthcare and Family Services (DHFS) to RC-010-24 pay grade Pay Plan Code B rates effective November 15, 2010. Issued on November 15, 2010 was the ILRB State Panel Certification of Representative (Case No. S-RC-11-038) assigning the classification Public Service Administrator, Option 8L (at DHFS) to the RC-010 bargaining unit with no position excluded. The emergency amendment at 35 Ill. Reg. 4412, effective February 23, 2011, remains in effect for Section 310.Appendix A Table N.
- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)], subsection (d) of Section 1-5 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21]
- 6) Effective Date: March 11, 2011
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table N, the Department of Healthcare and Family Services and Environmental Protection Agency are added to the other agencies, boards and commission with positions

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allocated to the Public Service Administrator title Option 8L assigned to the RC-010-24 pay grade.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: March 11, 2011
- 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? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Ill. Reg. Citation:</u>
310.210	Amendment	35 Ill. Reg. 678, January 14, 2011
310.Appendix A Table C	Amendment	35 Ill. Reg. 678, January 14, 2011
310.Appendix A Table G	Amendment	35 Ill. Reg. 678, January 14, 2011
310.Appendix A Table K	Amendment	35 Ill. Reg. 678, January 14, 2011
310.Appendix A Table L	Amendment	35 Ill. Reg. 678, January 14, 2011
310.Appendix A Table P	Amendment	35 Ill. Reg. 678, January 14, 2011
310.Appendix A Table Q	Amendment	35 Ill. Reg. 678, January 14, 2011
310.47		35 Ill. Reg. 2841, February 18, 2011
310.Appendix A Table AA	Amendment	35 Ill. Reg. 2841, February 18, 2011
310.495	Amendment	35 Ill. Reg. 3874, March 4, 2011
310.Appendix A Table N	Amendment	35 Ill. Reg. 3874, March 4, 2011

- 13) Statement of Statewide Policy Objectives: The amendment to the Pay Plan affects only the employees subject to the Personnel Code and does not set out any guidelines that affect local or other jurisdictions in the State.
- 14) Information and questions regarding this preemptory amendment shall be directed to:

Mr. Jason Doggett
 Manager
 Compensation Section
 Division of Technical Services and Agency Training and Development
 Bureau of Personnel

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Department of Central Management Services
504 William G. Stratton Building
Springfield IL 62706

217/782-7964
Fax: 217/524-4570
CMS.PayPlan@Illinois.gov

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

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.45	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.47	In-Hiring Rate
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 (Repealed)
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 (Repealed)
310.240	Daily or Hourly Rate Conversion
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate

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310.270	Legislated Rate
310.280	Designated Rate
310.290	Out-of-State Rate (Repealed)
310.295	Foreign Service Rate (Repealed)
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
310.415	Merit Compensation Salary Range Assignments
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases and Bonuses
310.455	Intermittent Merit Increase (Repealed)
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 and Bonus Guidechart
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 RC-104 (Conservation Police Supervisors, Laborers' – ISEA Local #2002)

310.TABLE B VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' –

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	ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Veterans' Affairs, Natural Resources, Human Services, Historic Preservation Agency and Agriculture Managers, IFPE)
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)
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	VR-704 (Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)
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 (Departments of Natural Resources and Transportation, Teamsters)
310.TABLE AB	RC-150 (Public Service Administrators Option 6, AFSCME)
310.TABLE AC	RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)
310.TABLE AD	RC-184 (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73)
310.TABLE AE	RC-090 (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294)
310.APPENDIX B	Schedule of Salary Grade Pay Grades – Monthly Rates of Pay (Repealed)

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310.APPENDIX C	Medical Administrator Rates (Repealed)
310.APPENDIX D	Merit Compensation System Salary Schedule
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

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

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

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amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 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.

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3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 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,

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effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory 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.

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

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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 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; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3,

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2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; preemptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; preemptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; preemptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; preemptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; preemptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; preemptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; preemptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; preemptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; preemptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; preemptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; preemptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; preemptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; preemptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; preemptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; preemptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; preemptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; preemptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; preemptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; preemptory amendment at 33 Ill. Reg. 9138, effective June 12, 2009; emergency amendment at 33 Ill. Reg. 9432, effective July 1, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 10211, effective July 1, 2009; preemptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; preemptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; preemptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; preemptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; preemptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; preemptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; preemptory amendment at 34

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Ill. Reg. 305, effective December 18, 2009; emergency amendment at 34 Ill. Reg. 957, effective January 1, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 1425, effective January 5, 2010; preemptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; preemptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; preemptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; preemptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill. Reg. 7645, effective May 24, 2010; preemptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; preemptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010; amended at 34 Ill. Reg. 9759, effective July 1, 2010; preemptory amendment at 34 Ill. Reg. 10536, effective July 9, 2010; preemptory amendment at 34 Ill. Reg. 11864, effective July 30, 2010; emergency amendment at 34 Ill. Reg. 12240, effective August 9, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 13204, effective August 26, 2010; preemptory amendment at 34 Ill. Reg. 13657, effective September 8, 2010; preemptory amendment at 34 Ill. Reg. 15897, effective September 30, 2010; preemptory amendment at 34 Ill. Reg. 18912, effective November 15, 2010; preemptory amendment at 34 Ill. Reg. 19582, effective December 3, 2010; amended at 35 Ill. Reg. 765, effective December 30, 2010; emergency amendment at 35 Ill. Reg. 1092, effective January 1, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 2465, effective January 19, 2011; preemptory amendment at 35 Ill. Reg. 3577, effective February 10, 2011; emergency amendment at 33 Ill. Reg. 4412, effective February 23, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 4803, effective March 11, 2011.

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NOTICE OF PEREMPTORY AMENDMENT

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE N RC-010 (Professional Legal Unit, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Hearings Referee	18300	RC-010	23
Hearings Referee – Intermittent	18301	RC-010	23H
Public Service Administrator, Option 8L Departments of Central Management Services, Children and Family Services, <u>Healthcare and Family Services</u> , Labor, Public Health and Revenue, <u>Environmental Protection Agency</u> , Illinois Gaming Board, Guardianship and Advocacy Commission and Property Tax Appeal Board	37015	RC-010	24
Public Service Administrator, Option 8L (Administrative Law Judge) Departments of Healthcare and Family Services and Human Services	37015	RC-010	24
Technical Advisor Advanced Program Specialist	45256	RC-010	24
Technical Advisor I	45251	RC-010	18
Technical Advisor II	45252	RC-010	20
Technical Advisor III	45253	RC-010	23

NOTE: The positions allocated to the Public Service Administrator title that are assigned to the negotiated RC-010 pay grade have the option 8L. See the definition of option in Section 310.50.

Effective July 1, 2009
Bargaining Unit: RC-010

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
18	B	3901	4014	4134	4333	4536	4742	4934	5133	5439	5657
18	Q	4073	4193	4319	4533	4741	4957	5159	5364	5686	5913

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20	B	4343	4471	4603	4836	5061	5301	5533	5762	6111	6356
20	Q	4538	4672	4811	5053	5291	5542	5780	6022	6389	6644
23	B	5139	5292	5451	5740	6034	6321	6612	6899	7333	7627
23	Q	5369	5532	5700	6001	6309	6605	6911	7211	7662	7968
23H	B	31.62	32.57	33.54	35.32	37.13	38.90	40.69	42.46	45.13	46.94
24	B	5469	5632	5802	6110	6431	6738	7050	7368	7830	8143

**Effective January 1, 2010
Bargaining Unit: RC-010**

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
18	B	3979	4094	4217	4420	4627	4837	5033	5236	5548	5770
18	Q	4154	4277	4405	4624	4836	5056	5262	5471	5800	6031
20	B	4430	4560	4695	4933	5162	5407	5644	5877	6233	6483
20	Q	4629	4765	4907	5154	5397	5653	5896	6142	6517	6777
23	B	5242	5398	5560	5855	6155	6447	6744	7037	7480	7780
23	Q	5476	5643	5814	6121	6435	6737	7049	7355	7815	8127
23H	B	32.26	33.22	34.22	36.03	37.88	39.67	41.50	43.30	46.03	47.88
24	B	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306

**Effective July 1, 2010
Bargaining Unit: RC-010**

Pay Grade	Pay Plan Code	S T E P S							
		1a	1	2	3	4	5	6	7

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18	B	4135	4259	4464	4673	4885	5083	5288	5603	5828
18	Q	4320	4449	4670	4884	5107	5315	5526	5858	6091
20	B	4606	4742	4982	5214	5461	5700	5936	6295	6548
20	Q	4813	4956	5206	5451	5710	5955	6203	6582	6845
23	B	5452	5616	5914	6217	6511	6811	7107	7555	7858
23	Q	5699	5872	6182	6499	6804	7119	7429	7893	8208
23H	B	33.55	34.56	36.39	38.26	40.07	41.91	43.74	46.49	48.36
24	B	5802	5977	6294	6626	6942	7263	7590	8067	8389

Effective January 1, 2011
Bargaining Unit: RC-010

Pay Grade	Pay Plan Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
18	B	4176	4302	4509	4720	4934	5134	5341	5659	5886
18	Q	4363	4493	4717	4933	5158	5368	5581	5917	6152
20	B	4652	4789	5032	5266	5516	5757	5995	6358	6613
20	Q	4861	5006	5258	5506	5767	6015	6265	6648	6913
23	B	5507	5672	5973	6279	6576	6879	7178	7631	7937
23	Q	5756	5931	6244	6564	6872	7190	7503	7972	8290
23H	B	33.89	34.90	36.76	38.64	40.47	42.33	44.17	46.96	48.84
24	B	5860	6037	6357	6692	7011	7336	7666	8148	8473

Effective June 1, 2011
Bargaining Unit: RC-010

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Pay Grade	Pay Plan Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
18	B	4260	4388	4599	4814	5033	5237	5448	5772	6004
18	Q	4450	4583	4811	5032	5261	5475	5693	6035	6275
20	B	4745	4885	5133	5371	5626	5872	6115	6485	6745
20	Q	4958	5106	5363	5616	5882	6135	6390	6781	7051
23	B	5617	5785	6092	6405	6708	7017	7322	7784	8096
23	Q	5871	6050	6369	6695	7009	7334	7653	8131	8456
23H	B	34.57	35.60	37.49	39.42	41.28	43.18	45.06	47.90	49.82
24	B	5977	6158	6484	6826	7151	7483	7819	8311	8642

(Source: Amended by preemptory rulemaking at 35 Ill. Reg. 4803, effective March 11, 2011)

JOINT COMMITTEE ON ADMINISTRATIVE RULE
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

DEPARTMENT OF PUBLIC HEALTH

Heading of the Part: Birth Center Demonstration Program Code

Code Citation: 77 Ill. Adm. Code 265

<u>Section Numbers:</u>	265.1000	265.1800	265.2550
	265.1050	265.1850	265.2600
	265.1100	265.1900	265.2650
	265.1150	265.1950	265.2700
	265.1200	265.2000	265.2750
	265.1250	265.2050	265.2800
	265.1300	265.2100	265.2850
	265.1400	265.2150	265.2900
	265.1450	265.2200	265.2950
	265.1500	265.2250	265.3000
	265.1550	265.2300	
	265.1600	265.2350	
	265.1650	265.2400	
	265.1700	265.2450	
	265.1750	265.2500	

Date Originally Published in the Illinois Register: 8/20/10
34 Ill. Reg. 12012

At its meeting on March 8, 2011, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Department of Public Health be more timely in adopting rules implementing statute. The authorizing Public Act became effective 1/8/08 and required DPH to adopt rules within 9 months. DPH waited 2 years to propose this rulemaking.

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

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO
EMERGENCY RULEMAKING

SECRETARY OF STATE

Heading of the Part: Lobbyist Registration and Reports

Code Citation: 2 Ill. Adm. Code 560

Section Numbers: 560.310(d)
560.370

Date Originally Published in the Illinois Register: 2/4/11
35 Ill. Reg. 2424

At its meeting on March 8, 2011, the Joint Committee on Administrative Rules objected to Sections 560.310(d) and 560.370 of the Secretary of State's emergency rules titled Lobbyist Registration and Reports (2 Ill. Adm. Code 560; 35 Ill. Reg. 2424) because the Lobbyist Registration Act does not require that lobbyists report every incident of professional interaction with a State official.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

AGENCY RESPONSE TO JOINT COMMITTEE
RECOMMENDATION ON PROPOSED RULEMAKING

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

<u>Section Numbers</u> :	<u>Proposed Action</u> :
140.2	Amendment
140.10	Amendment
- 4) Date Originally Published in the Illinois Register: February 19, 2010; 34 Ill. Reg. 2646
- 5) JCAR Statement of Recommendation on Proposed Rulemaking Published in the Illinois Register: January 3, 2011; 35 Ill. Reg. 278
- 6) Summary of Action Taken by the Agency: At its meeting on December 14, 2010, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that HFS be more timely in proposing rulemakings implementing statutory changes.

The Department will make a conscientious effort to be more timely in proposing rulemaking required to implement statutory changes.

DEPARTMENT OF LABOR

NOTICE OF PUBLIC INFORMATION

LIST OF CONTRACTORS PROHIBITED FROM AN AWARD
OF A CONTRACT OR SUBCONTRACT
FOR PUBLIC WORKS PROJECTS

Pursuant to 820 ILCS 130/11a of the Prevailing Wage Act, the Director of the Illinois Department of Labor gives notice that the following contractors and subcontractors have been found to have disregarded their obligations to employees under the Prevailing Wage Act on 2 separate occasions and that they, or any firm, corporation, partnership or association in which such contractors or subcontractors have an interest, are prohibited from being awarded any contract or subcontract for a public works project:

B & T Services of Monee, Inc.
4922 W. Margaret Street
Monee, IL 60449
IDOL Case No.(s): 2007-PW-AP06-0839 & 2006-PW-RW06-0939
May 21, 2010 and continuing through May 20, 2014

American Brick Paving, Inc.
c/o John Biebrach, President
825 Seegers Road
Des Plaines, IL 60016
IDOL Case No.: 2010-PW-WJ11-0557
September 24, 2010 and continuing through September 23, 2014

Performance Paving, Ltd.
c/o Larry Kennebeck, President
520 Bonner Road
Wauconda, IL 60084
IDOL Case No.(s): 2008-PW-WJ01-0530 & 2010-PW-WJ08-0214
November 29, 2010 and continuing through November 29, 2014

Dirt & Sod, Inc.
c/o Pat Brandonisio, President
964 Elizabeth Drive
Elgin, IL 60120
IDOL Case No.(s): 2008-PW-WJ02-0633 & 2010-PW-WJ09-0254
November 29, 2010, and continuing through November 29, 2012

DEPARTMENT OF LABOR

NOTICE OF PUBLIC INFORMATION

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

Illinois Department of Labor
Conciliation and Mediation Division
900 S. Spring Street
Springfield, Illinois 62704

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 March 8, 2011 through March 14, 2011 and have been scheduled for review by the Committee at its April 12, 2011 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
4/24/11	Department of Healthcare and Family Services, Medical Payment (89 Ill. Adm. Code 140)	11/29/10 34 Ill. Reg. 17799	4/12/11
4/24/11	Department of Healthcare and Family Services, Medical Payment (89 Ill. Adm. Code 140)	10/29/10 34 Ill. Reg. 16670	4/12/11
4/24/11	Department of Healthcare and Family Services, Hospital Services (89 Ill. Adm. Code 148)	11/29/10 34 Ill. Reg. 17832	4/12/11
4/24/11	Department of Healthcare and Family Services, Hospital Reimbursement Changes (89 Ill. Adm. Code 152)	11/29/10 34 Ill. Reg. 17912	4/12/11
4/24/11	Department of Financial and Professional Regulation, Professional Counselor and Clinical Professional Counselor Licensing Act (68 Ill. Adm. Code 1375)	12/17/10 34 Ill. Reg. 19270	4/12/11

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2011-48**The Honorable Joseph J. Urso Day**

WHEREAS, the contributions of those who practice law are innumerable; lawyers and judges have drafted documents that declare the independence of our nation, they have framed our nation's constitution and, most importantly, they have defended and protected the rights of citizens throughout the history of our country's judicial system; and,

WHEREAS, Joseph J. Urso joined the noble profession of law in 1969 upon his admission to the Illinois Bar. For eight years, Joseph J. Urso served as an Assistant State's Attorney for the County of Cook and among his many accomplishments he conceived and implemented the first Felony Review Unit in the United States, formed to enhance the professionalism of the police and prosecutor in the criminal justice system, which became the model for similar units across the country; and,

WHEREAS, another Illinois Lawyer, Abraham Lincoln, on January 27, 1838 in his Lyceum Address reminded us that "every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the Revolution, never to violate in the least particular, the laws of the country; and never to tolerate their violation by others"; and,

WHEREAS, Joseph J. Urso exemplified this sentiment when he was selected by the Judges of the Circuit Court of Cook County in 1977 to serve as an Associate Judge and later when he was elected by his community to the position of Judge of the Circuit Court in 1994 and later upon his appointment to the position of Supervising Judge in the Criminal Division in 1995; and,

WHEREAS, Judge Joseph J. Urso was named Presiding Judge of the 3rd Municipal District in 1998 leading the District with unprecedented distinction and was appointed by the Illinois Supreme Court as the First Judicial District's representative on the Special Supreme Court Committee on Capital Cases; and,

WHEREAS, Judge Joseph J. Urso, an accomplished lawyer, judge, author, community leader, devoted husband to his wife Mary, father and grandfather, has retired after distinguished, dedicated and exemplary service to the people of the State of Illinois and the entire legal community for over thirty-three years; and,

WHEREAS, the citizens of the State of Illinois will incur the loss of a true public servant; Judge Joseph J. Urso, a model judge, a true "Judge's Judge", a confidant and mentor to his colleagues and young lawyers:

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THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 11, 2011 as **THE HONORABLE JOSEPH J. URSO DAY** in Illinois, in recognition of his many accomplishments in the profession of law and his contributions to the Land of Lincoln.

Issued by the Governor March 1, 2011

Filed by the Secretary of State March 11, 2011

2011-49**Alcohol Awareness Month**

WHEREAS, alcohol abuse and addiction continue to present a major health crisis and have serious consequences within our society, such as increased costs in health care, welfare, insurance and criminal justice services. Alcohol dependence can also impact an individual and his or her family by affecting job performance and family relationships; and,

WHEREAS, persons with alcoholism can experience periods of sobriety and stability and periods of relapse. As with other forms of addiction, recovery is possible through effective treatments and rehabilitation programs; and,

WHEREAS, for both health and legal reasons, many people should not drink alcohol – including those who are under the age of 21, women who are pregnant or trying to become pregnant, persons taking prescriptions or over-the-counter medications, those with a serious medical condition, anyone driving a vehicle or participating in activities requiring skill, coordination and alertness, or recovering from alcoholism; and,

WHEREAS, it is imperative that Illinois joins with other states in advancing efforts to strengthen the enforcement of our underage drinking laws, and build partnerships among local agencies, elected officials, law enforcement, businesses, schools and communities to prevent underage drinking and alcoholism; and,

WHEREAS, Illinois supports national efforts to prevent alcoholism among youth by responding to the Surgeon General's call to action to stop and reduce underage drinking, and,

WHEREAS, Illinois residents recognize the contributions of credentialed alcoholism and substance abuse prevention professionals and counselors in our society, who, along with other specialists in schools, communities and the workplace serve an important role in fighting alcoholism and related problems, therefore enabling many people to recover and lead productive and healthy lives; and,

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WHEREAS, the State of Illinois supports National Alcohol Awareness Month, which calls attention to the disease of alcoholism, and promotes understanding that alcoholism is a chronic, treatable disease from which people can recover:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim April 2011 as **ALCOHOL AWARENESS MONTH** in Illinois.

Issued by the Governor March 2, 2011

Filed by the Secretary of State March 11, 2011

2011-50
American Red Cross Month

WHEREAS, in 1881, the efforts of Clara Barton led to the establishment of the American Red Cross. For more than a century the American Red Cross has been helping Americans prevent, prepare for and respond to disasters large and small; and,

WHEREAS, the American Red Cross has grown into an organization that is uniquely chartered by the United States Congress to act in times of need by providing assistance to persons afflicted by local, state, national or international disasters, as well as to assist American military personnel and their families; and,

WHEREAS, American Red Cross chapters in Illinois have responded to over 2,200 local emergencies, assisted over 5,800 military families, educated over 79,400 people in disaster preparedness and trained over 311,000 people in lifesaving skills such as First Aid, CPR and the use of Automated External Defibrillators; and,

WHEREAS, the American Red Cross is committed to assuring a safe and adequate blood supply for Illinois, and the entire nation, by performing blood drives so that blood is readily available when needed by members of our communities; and,

WHEREAS, we celebrate March as American Red Cross Month, and I encourage all Illinoisans to commit themselves to strengthening their own communities through service with the Red Cross. Volunteers help make our country stronger, and never is that more evident than when communities come together to support each other in times of disaster:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2011 as **AMERICAN RED CROSS MONTH** in Illinois, and encourage all citizens to support the noble efforts of the American Red Cross by giving their time, money and blood donations to this worthy organization so that it may continue to help our communities in time of need.

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Issued by the Governor March 2, 2011
Filed by the Secretary of State March 11, 2011

2011-51
Better Hearing and Speech Month

WHEREAS, founded in 1960, the Illinois Speech-Language-Hearing Association (ISHA) is a non-profit organization representing over 4,000 licensed professionals with advanced degrees in speech-language pathology and audiology; and,

WHEREAS, specializing in normal and disordered human communication, speech language pathologists and audiologists are professionals who serve people with communicative disorders; and,

WHEREAS, speech-language pathologists are specialists trained to identify, evaluate, and remediate communication or swallowing problems and determine the best treatment solutions; and,

WHEREAS, speech-language pathologists work with people of all ages, from infants to the elderly, and provide treatment to improve language, voice, stuttering, articulation, memory, literacy, and swallowing; and,

WHEREAS, audiologists specialize in the prevention, identification, and evaluation of hearing and balance disorders and the habilitation/rehabilitation of individuals with hearing impairment; and,

WHEREAS, ISHA has three main goals: to make the public aware of services available to persons with speech, language and hearing disorders; to advocate for quality hearing services throughout the state; and to support the scientific study of human communication and its disorders; and,

WHEREAS, approximately 46 million Americans are affected by communicative disorders, including 28 million individuals with hearing loss and 16 million individuals with a speech and/or language disorder; and,

WHEREAS, 45 percent of individuals reported to have a chronic speech and/or language disorder are under the age of 18; and,

WHEREAS, speech language pathologists and audiologists serve these individuals in a wide variety of settings, including hospitals, nursing homes/extended care facilities, rehabilitation centers, private practice, home health agencies, parent-infant centers, pre-schools, public and

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private schools, college and university speech-language and hearing clinics, government facilities, and research laboratories:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2011 as **BETTER HEARING AND SPEECH MONTH** in Illinois, to raise awareness of the contributions of speech-language pathologists and audiologists and the help that is available to those individuals with a speech, language or hearing problem.

Issued by the Governor March 2, 2011

Filed by the Secretary of State March 11, 2011

2011-52**Medical Laboratory Professionals Week**

WHEREAS, the health and well-being of all citizens depends upon the hard work of individuals with educated minds and skilled hands; and,

WHEREAS, medical laboratory professionals, which include clinical laboratory scientists/medical technologists, clinical laboratory technicians/medical laboratory technicians, histologic technicians, cytotechnologists, phlebotomists, clinical chemists, clinical microbiologists, pathologists' assistants, pathologists, forensic scientists, and other related professionals play a critical role in providing patients with the best possible health care; and,

WHEREAS, the role of a medical laboratory professional is to perform and evaluate medical laboratory tests to detect, diagnose, monitor treatment, and help prevent diseases. In addition, they perform tests to identify and detect biohazardous substances; and,

WHEREAS, the practice of modern medicine at the exacting standards we now enjoy would be impossible without the numerous types of scientific tests performed daily in the medical laboratory; and,

WHEREAS, there are currently almost 8,000 medical technologists working in the State of Illinois, and that number is expected to grow by 15 percent by 2016; and,

WHEREAS, through their dedication, the medical laboratories of Illinois have made vital contributions to the quality of health care in our state, yet the dedicated efforts of these laboratory professionals often go unnoticed:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 24-30, 2011 as **MEDICAL LABORATORY PROFESSIONALS WEEK** in Illinois, and urge all

PROCLAMATIONS

citizens to recognize and support the vital services provided by the laboratory practitioner for the benefit of all citizens.

Issued by the Governor March 2, 2011

Filed by the Secretary of State March 11, 2011

2011-53**Motorcycle Awareness Month**

WHEREAS, Illinois is a national leader in motorcycle education and safety; and,

WHEREAS, in 1976, the Illinois Department of Transportation (IDOT) found that motorcycle ridership was increasing, as were the number of crashes and fatalities involving motorcycles; and,

WHEREAS, research indicated that motorcycle riders involved in crashes were essentially without training; 92 percent were self-taught or learned from family or friends. Formal motorcycle rider training was found to reduce both crash involvement and the severity of injuries in the event of a crash; and,

WHEREAS, as a result of these finding, the Cycle Rider Safety Training Program was developed to reduce the incidence of motorcycle crashes in Illinois. Specific objectives in reaching this goal included increasing and improving the formalized training offered to Illinois motorcycle riders and heightening public awareness of motorcycle operators and safety issues; and,

WHEREAS, the Illinois Department of Transportation has been conducting the Illinois Cycle Rider Safety Training program since 1976; and,

WHEREAS, for more than three decades now, IDOT's Cycle Rider Safety Training Program has functioned as a national model for motorcycle safety programs; and,

WHEREAS, the program is supported by state motorcycle registration fees and has been responsible for training more than 308,000 cyclists; and,

WHEREAS, better rider education, licensing and public awareness lead to safer motorcycling; and,

WHEREAS, sharing a roadway is where motorist awareness starts. The Illinois Department of Transportation urges all motor vehicle drivers to expect to see more motorcyclists riding in traffic in spring and summer months and to respect that they rightfully enjoy the same access to the roads as other traffic:

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THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2011 as **MOTORCYCLE AWARENESS MONTH** in Illinois, and encourage all drivers to help keep our roadways safe through proper motorist awareness.

Issued by the Governor March 2, 2011
Filed by the Secretary of State March 11, 2011

2011-54
Telecommunications Week

WHEREAS, public safety telecommunicators, specialists in operating state-of-the-art radio and computer aided communications systems, are a cornerstone of the public safety community; and,

WHEREAS, every hour of every day, telecommunicators access, monitor, and disseminate information of critical importance to public safety officials in order to contribute to the safety of the public and success of public safety goals; and,

WHEREAS, these professional men and women effectively and efficiently perform their duties to help ensure the safety and protection of life, property, and individual rights of all people in Illinois; and,

WHEREAS, it is appropriate that we set aside a time to demonstrate our appreciation of their knowledge, training, service and dedication:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 10-16, 2011 as **TELECOMMUNICATIONS WEEK** in Illinois, in recognition of the vital contributions telecommunicators make to the safety and well-being of our citizens.

Issued by the Governor March 2, 2011
Filed by the Secretary of State March 11, 2011

2011-55
Youth Art Month

WHEREAS, the study of art leads to a fuller, more meaningful life; and,

WHEREAS, the training and visual acuity gained through the art experience opens new worlds of seeing to all involved; and,

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WHEREAS, the society our youth will be entering and shaping will require both physical and philosophical vision; and,

WHEREAS, the problem solving and survival skills promoted through art education are basic elements leading to creative thinking; and,

WHEREAS, the National Art Education Association, in conjunction with the Illinois Art Education Association, is striving to better the human condition by upgrading visual awareness and the cultural strength of Illinois and the United States as a whole; and,

WHEREAS, the citizens of Illinois have joined the National Art Education Association and the Illinois Art Education Association in supporting the youth of our community in their artistic development:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2011 as **YOUTH ART MONTH** in Illinois, in recognition of the importance of art programs in our schools and educational system.

Issued by the Governor March 2, 2011

Filed by the Secretary of State March 11, 2011

2011-56**Chicago Latino Film Festival Days**

WHEREAS, 2011 marks the 27th Edition of the Chicago Latino Film Festival presented by the International Latino Cultural Center of Chicago (ILCC); and,

WHEREAS, the ILCC is a nonprofit, multi-arts organization dedicated to developing, promoting, and increasing awareness of Pan-Latino cultures among Latinos and all communities through a wide variety of art forms and education; and,

WHEREAS, the ILCC has screened more than 1000 films and videos, including many award-winners that otherwise would have never been shown in Chicago; sponsored workshops and discussions with over 600 visiting filmmakers; and hosted more than 100 foreign journalists; and,

WHEREAS, each year, the ILCC produces the two-week Festival in the spring, screening more than 100 of the best films of all genres from Latin America, Portugal, Spain, and the United States; and,

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WHEREAS, aiming to promote Latino arts and culture in the United States, the Chicago Latino Film Festival places a special emphasis on films that portray examples of the diversity in Latin America and films that challenge Latino stereotypes; and,

WHEREAS, in an effort to highlight the importance of the artistic and educational value of films, the Chicago Latino Film Festival is non-competitive with the exception of the coveted Audience Choice Award, as determined by the filmgoers and the *Gloria* Achievement Award, presented to individuals and institutions that have contributed to the development of Latino arts and culture; and,

WHEREAS, the growth of the Chicago Latino Film Festival from 500 attendees in 1985 to more than 35,000 in 26 years is clear evidence of the great demand for quality Latino arts programming in Chicago; and,

WHEREAS, the Chicago Latino Film Festival is now the largest and oldest Latino film festival in the country; and,

WHEREAS, every year for two weeks over 35,000 audience members from all walks of life enjoy cultural and educational programming including film screenings, workshops, and special events held in various venues, colleges, universities and community-based organizations, providing Latinos and other communities an unforgettable cross-cultural experience; and,

WHEREAS, this year, the ILCC will celebrate the Chicago Latino Film Festival from April 1 to April 14:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 1 – 14, 2011 as **CHICAGO LATINO FILM FESTIVAL DAYS** in Illinois, in celebration of the International Latino Cultural Center of Chicago's 27th Edition of the Chicago Latino Film Festival.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-57
Purple Day

WHEREAS, epilepsy is one of the most common neurological conditions, estimated to affect over 3 million people in the United States, and more than 50 million worldwide; and,

WHEREAS, epilepsy is a group of disorders of the central nervous system, specifically the brain, characterized by recurrent unprovoked seizures; and,

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WHEREAS, a seizure occurs when the normal electrical balance in the brain is lost, causing the brain's nerve cells to misfire, either firing when they shouldn't or not firing when they should. Seizures are the physical effects of these sudden, brief, uncontrolled bursts of abnormal electrical activity; and,

WHEREAS, the type of seizure depends on how many cells fire and which area of the brain is involved. A person that has a seizure may experience an alteration in behavior, consciousness, movement, perception and/or sensation; and,

WHEREAS, one in ten persons will have at least one seizure during his or her lifetime; and,

WHEREAS, the public is often unable to recognize common seizure types, or how to respond with appropriate first aid; and,

WHEREAS, Purple Day is a global effort initiated in 2008 dedicated to promoting epilepsy awareness in countries around the world; and,

WHEREAS, Purple Day is celebrated on March 26 annually to increase understanding, reduce stigma and improve the quality of life for people with epilepsy:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 26, 2011 as **PURPLE DAY** in Illinois, in support of this important effort to raise awareness of epilepsy.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-58**Save Abandoned Babies Month**

WHEREAS, signed into law in August 2001, the Illinois Abandoned Newborn Protection Act allows parents to relinquish a newborn infant to personnel at a local hospital, police station, fire station, or emergency medical facility anonymously and free from prosecution; and,

WHEREAS, relinquished babies then may become custody of the state and are placed in a responsible and nurturing safe haven; and,

WHEREAS, the Illinois Abandoned Newborn Protection Act provides a safe alternative to abandonment for Illinois parents who feel they cannot cope with the responsibility of caring for a newborn baby; and,

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WHEREAS, it is the hope of the State of Illinois that as awareness of this Act increases, it will stop the abandonment of newborn infants, a practice that has led to healthy babies being found harmed, deceased or in unsafe places; and,

WHEREAS, since the signing of the Illinois Abandoned Newborn Protection Act, numerous newborn babies have been safely relinquished in Illinois pursuant to this Act, but at the same time, newborn infants continue to be unsafely relinquished; and,

WHEREAS, the Illinois Abandoned Newborn Protection Act is a critical statute in the State of Illinois, as it affords the chance of a better life for abandoned newborn babies, but continued public awareness of the Act is necessary to fulfill the goals of protecting all newborn infants and providing parents with a responsible and safe mechanism to relinquish a newborn infant:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2011 as **SAVE ABANDONED BABIES MONTH** in Illinois, and encourage all citizens to recognize the importance of protecting abandoned infants and giving them the proper care they deserve.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-59**Senior Driving Awareness Weeks**

WHEREAS, Illinois is a national leader in safety belt usage and has just completed the second consecutive year with motor vehicle fatalities falling under 1000; and,

WHEREAS, sharing a roadway is where motorist awareness begins, the Illinois Department of Transportation, the Illinois Secretary of State and the Illinois Department on Aging are joining forces with the American Association of Retired Persons (AARP) in an effort to reduce injuries and fatalities among our senior drivers; and,

WHEREAS, in an effort to maintain mobility and independence through driving, seniors are encouraged to take advantage of the numerous free driving courses available through the Illinois Secretary of State. Additionally, driving classes are available statewide through the AARP; and,

WHEREAS, these voluntary programs include Rules of the Road Course reviews, safe driving techniques and Illinois driving laws; and,

WHEREAS, we know better education and awareness lead to independence and safer driving:

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THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 21-31, 2011 as **SENIOR DRIVING AWARENESS WEEKS** in Illinois, and encourage all drivers to continue to help keep our roadways safe through education.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-60**Stop the Violence Month**

WHEREAS, every person can move the world in the direction of peace through his or her daily nonviolent choices and actions; and,

WHEREAS, an awareness of nonviolent principles and practices is a powerful way to heal, transform and empower our lives and communities; and,

WHEREAS, the observance of Stop the Violence Month serves as an opportunity to recognize the individuals, programs and organizations who are making a difference in our communities and to join in their efforts to move our society in a more peaceful direction; and,

WHEREAS, the State of Illinois is proud to join this effort to educate the public regarding the impact of crime on society and help prevent violence wherever and whenever possible; and,

WHEREAS, community crime and violence prevention efforts can significantly reduce victimization and help rebuild a sense of mutual responsibility and shared pride in our neighborhoods, communities, state and nation; and,

WHEREAS, the month of April has been designated as National Stop the Violence Month, honoring the men and women of law enforcement, the military, EMTs, firefighters, educators, and community leaders, who dedicate their efforts to protecting others:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2011 as **STOP THE VIOLENCE MONTH** in Illinois, in support of this important effort to reduce violence within our communities.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-61**SUR/FIN Week**

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WHEREAS, the State of Illinois recognizes the importance of quality surface engineering and its contribution to U.S. manufacturing; and,

WHEREAS, the National Association for Surface Finishing (NASF) is a trade association formed in 2007 as a means to better serve the surface finishing industry by providing education, industry networking events, technology and economic industry reports, and an active government relations program to promote and advance the North American surface finishing industry globally; and,

WHEREAS, the efforts of the NASF are helping to transform an economic crisis into an advantage for the industry through comprehensive programs such as SUR/FIN 2011; and,

WHEREAS, the NASF and its member companies have provided leadership and successfully focused on the value of investing in the future in the face of a challenging economic downturn through their efforts in providing the latest innovations in surface technology, international collaboration and communication, advanced training and education, and sustainable practices to achieve environmental excellence; and,

WHEREAS, the NASF will present its international conference for Surface Finishers, SUR/FIN 2011, in part to recognize and promote these accomplishments on June 13 through 15, 2011 in Rosemont, Illinois at the Donald E. Stephens Convention Center; and,

WHEREAS, SUR/FIN 2011 is presented to enhance the reach, visibility, networking and economic opportunities for all companies, large or small:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim June 12-18, 2011 as **SUR/FIN WEEK** in Illinois, to welcome and recognize all of the surface finishing industry leaders gathered in the Land of Lincoln for the annual SUR/FIN conference.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-62
World TB Day

WHEREAS, 374 cases of active tuberculosis disease were reported in Illinois in 2010 and an estimated 650,000 Illinoisans are infected with the bacterium that causes tuberculosis; and,

WHEREAS, Illinois remains among states reporting the highest incidence of TB cases in the nation; and,

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WHEREAS, there is a disproportionate burden of TB in minorities and persons born outside the United States; and,

WHEREAS, each year thousands of household members, health care employees and others who share the air with infectious tuberculosis patients are at risk of becoming infected with the tuberculosis bacterium and progressing to active disease; and,

WHEREAS, the Illinois Department of Public Health is working to promote prompt diagnosis and treatment of tuberculosis cases; implementation of strategies to prevent tuberculosis in children; improved working relationships between public health providers and private providers, hospitals, long-term care facilities, correctional facilities, managed care organizations and others; and decreased tuberculosis transmission in health care facilities and community settings; and,

WHEREAS, maintaining control of TB in Illinois requires strengthening current TB control and prevention systems, and progress toward the elimination of TB cannot occur without mobilizing support and engaging in global TB prevention and control; and,

WHEREAS, this year's World Tuberculosis Day local theme of "TB: What We Know, What Lies Below," national theme of "TB Elimination: Together We Can!" and global theme of "On the Move Against Tuberculosis: Transforming the Fight Towards Elimination" recognize that tuberculosis prevention and control is possible, that every individual can have a role in stopping TB, and that Illinois is committed to working toward the elimination of tuberculosis:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 24, 2011 as **WORLD TB DAY** in Illinois, and urge all citizens to increase their awareness and understanding of tuberculosis infection and disease and to join the global effort to stop the spread of this disease.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-63
Italian Unification Day

WHEREAS, after a tumultuous movement to unite the many states of the Italian peninsula, Victor Emmanuel II assembled the deputies of the first Italian Parliament in Turin, Italy on February 18, 1861 and the Italian Parliament proclaimed Victor Immanuel II King of Italy on March 17, 1861, creating an Italy unified in democracy; and,

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WHEREAS, this movement, known as The Resurgence, or "il Risorgimento", was led by many figures within the Italian political and social communities, most notably Giuseppe Mazzini, Giuseppe Garibaldi and Camillo di Cavour; and,

WHEREAS, Italian cuisine has become world-renowned for its superb recipes, and has been imitated the world over; and,

WHEREAS, the Italian government's National Institute of Tourist Research developed a quality control program in 1997 to recognize authentic restaurants in Italy, and this program was expanded to include restaurants around the World just last year; and,

WHEREAS, the social, economic and cultural contributions of Italian-Americans to the State of Illinois have greatly improved the quality of life for all residents of the Land of Lincoln; and,

WHEREAS, the Italian National Institute of Tourist Research, in coordination with the Italian-American Chamber of Commerce has certified eight restaurants in Chicago with the prestigious "Ospitalita Italiana" certification; and,

WHEREAS, the eight restaurants receiving this honor include: Spiaggia Restaurant, Piccolo Sogno, Coco Pazzo, Merlo on Maple, Tocco, The Village (at Italian Village), Volare and Pelago Ristorante; and,

WHEREAS, The Italian-American Chamber of Commerce will celebrate the 150th anniversary of the unification of Italy as well as the recognition of these eight restaurants as "Ospitalita Italiana" at a special event on March 17, 2011 at the National Italian American Hall of Fame in Chicago:

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 17, 2011 as **ITALIAN UNIFICATION DAY** in Illinois, in recognition of the contributions of all Italian-Americans to the State of Illinois, and do hereby commend all recipients of the "Ospitalita Italiana" award.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-64**Cycle of Success Institute Day**

WHEREAS, small businesses are the backbone of our state's economy; according to the Small Business Association (SBA), over ninety-nine percent of businesses in Illinois are defined as a small business, employing almost eighty-five percent of our state's workforce; and,

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WHEREAS, in order to grow the economy, we must invest in small businesses through our time and our resources to ensure that these businesses are given the opportunity to create and retain good paying jobs for all residents of the Land of Lincoln; and,

WHEREAS, the Cycle of Success Institute (COSi) is a business school that trains small and midsize companies to increase sales, capacity, quality and profitability; and,

WHEREAS, COSi has trained over 400 owners, managers and employees per year for the past decade, producing over 4,000 certified individuals through their 52-week program. Ninety percent of trainees are Illinois employees and employers; and,

WHEREAS, COSi has helped small and mid-size businesses create 400 new jobs and retain 2,000 jobs by helping them remain sustainable; and,

WHEREAS, COSi graduates are enabled to grow their businesses more quickly as a result of the business tools and training provided by the institute; and,

WHEREAS, COSi will celebrate its ten-year anniversary on March 16, 2011 in Chicago, Illinois:

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 16, 2011 as **CYCLE OF SUCCESS INSTITUTE DAY** in Illinois, in recognition of COSi's contributions to the economic growth of our state.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-65**Research, Development & Innovation Day**

WHEREAS, American innovations in science and technology, fueled by public and private research investments, have created economic prosperity, improved healthcare as well as overall quality of life, and aided those who bravely provide our nation with safety and security; and,

WHEREAS, the Illinois Innovation Council was recently formed to identify and advance strategies to foster and accelerate the innovation and economic growth that will create the jobs of today and tomorrow; and,

WHEREAS, the Illinois Jobs Now! capital plan is attracting additional research, development and innovation funding to the state through strategic investments in programs for sustainability

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and green transportation, while encouraging long-term economic growth, supporting innovation and creating the jobs of today and tomorrow; and,

WHEREAS, the American Association for the Advancement of Science estimates that up to half of all economic growth in the United States over the past five decades is due to innovations in technology; and,

WHEREAS, Illinois' economic growth is tied to its ability to successfully execute long-range research development and innovation projects that will address problems facing our industries and reach toward areas of likely scientific and technological advancement; and,

WHEREAS, Illinois' higher education and research institution community maintains preeminent faculties of capable and world-renowned scientists, engineers and technological experts; and,

WHEREAS, sustained investment of state resources leverage additional research, development and innovation dollars to our universities and national labs, allowing them to address issues in high-priority areas such as biotechnology and life sciences; energy and energy storage; food innovation; and nanotechnology; and,

WHEREAS, on Wednesday, March 16, 2011, the Illinois Science & Technology Coalition has organized Illinois Research, Development & Innovation Day to showcase the exceptional work being done by Illinois' world-class research institutions to contribute to our state's economic growth through innovation:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 16, 2011 as **RESEARCH, DEVELOPMENT & INNOVATION DAY** in Illinois, and encourage everyone in the Land of Lincoln to recognize the important role that research, development and innovation plays in the future of our state.

Issued by the Governor March 4, 2011

Filed by the Secretary of State March 11, 2011

2011-66**Braille Readers are Leaders Day**

WHEREAS, since its invention by Louis Braille (1809-1852), the reading and writing code for the blind that bears his name has become the accepted method of reading and writing for the blind the world over; and,

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WHEREAS, the Braille code is used to represent not only the alphabets of most written languages, but is also used for mathematical and scientific notation and the reproduction of musical scores; and,

WHEREAS, contrary to widely believed myths, Braille is not difficult to learn, nor is reading Braille slower than reading print; and,

WHEREAS, while technology has improved the lives of blind people by facilitating quick access to information, no technology can replace Braille literacy, since literacy is the ability to read and to write and to do the two interactively; and,

WHEREAS, despite its efficiency, versatility, and universal acceptance by the blind, the rate of Braille literacy in the United States has declined to the point where only 10 percent of blind children are learning the code; and,

WHEREAS, the decline in Braille literacy is a crisis and swift action must be taken to reverse this dangerous trend; and,

WHEREAS, Braille is the key to independence, productivity, and success for blind people, as evidenced by the fact that while 70 percent of the blind are unemployed, 85 percent of those who are employed use Braille; and,

WHEREAS, the National Federation of the Blind, the nation's oldest and largest organization of blind people and the leading advocate for Braille literacy in the United States, is strongly committed to promote awareness of the importance of Braille and to increase the availability of competent Braille instruction and Braille reading materials in this country:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 26, 2011 as **BRILLE READERS ARE LEADERS DAY** in Illinois, and call upon all public officials, educators, and citizens of Illinois to recognize the importance of Braille to the lives of blind people and to assist the National Federation of the Blind in its efforts to increase the instruction in and use of Braille in this state and across the nation.

Issued by the Governor March 10, 2011

Filed by the Secretary of State March 11, 2011

2011-67

Certified Government Financial Manager Month

PROCLAMATIONS

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

WHEREAS, there are more than 250 active members representing state, federal, municipal and private sector accountants, auditors, and financial managers in Illinois; and,

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

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

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

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2011 as **CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH** in Illinois, in recognition of the unique skills and special knowledge of the professionals who specialize in government financial management.

Issued by the Governor March 10, 2011

Filed by the Secretary of State March 11, 2011

2011-68**Child Abuse Prevention Month**

WHEREAS, no child should have to endure mistreatment or abuse, especially at the hands of an adult. However, the unfortunate truth is that far too often children are abused and neglected by the very people that should protect them; and,

WHEREAS, studies show that child abuse and neglect can ruin children's lives by making them more likely to drop out of school, suffer from drug and alcohol abuse, and ultimately become abusers themselves; and,

PROCLAMATIONS

WHEREAS, discovering solutions to child abuse and neglect requires the involvement and collaboration of citizens, organizations, and government entities throughout Illinois; and,

WHEREAS, it is important that society learns to recognize the warning signs that a child might be abused or neglected. These include: nervousness around adults; aggression toward children or adults; frequent or unexplained bruises or injuries; low self-esteem; and poor hygiene; and,

WHEREAS, in Illinois, effective child abuse prevention programs have contributed to a decline in the number of children reported as being abused or neglected, from 139,720 children in 1995 to 109,183 children in 2010; and,

WHEREAS, child abuse prevention programs in Illinois are effective because of partnerships created by the Illinois Department of Children and Family Services, Prevent Child Abuse-Illinois, Strengthening Families Illinois, Parents Care & Share of Illinois, and other government entities, social service agencies, schools, religious organizations, law enforcement agencies, businesses and individual citizens:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2011 as **CHILD ABUSE PREVENTION MONTH** in Illinois, and encourage all citizens to support child abuse prevention programs and report suspected cases of abuse to the Illinois Child Abuse Hotline at 1 (800) 25-ABUSE.

Issued by the Governor March 10, 2011

Filed by the Secretary of State March 11, 2011

2011-69**Community Support Group Awareness Day**

WHEREAS, the hard work and determination of American citizens continue to be among our nation's greatest resources; and,

WHEREAS, one person can effect a positive change with just a single volunteer action, no matter how big or small; and,

WHEREAS, the basis for a safe and productive nation is the willingness of citizens to work together, without prejudice, to find solutions to the everyday struggles of our society; and,

WHEREAS, the United States is blessed with men and women who selflessly dedicate their time and energy to performing acts of good will and improving the quality of life for all people; and,

PROCLAMATIONS

WHEREAS, in McHenry, Illinois, the McHenry Rotary Club, in cooperation with other local volunteer and nonprofit groups, is organizing a St. Patrick's Day parade through downtown McHenry, which will be held on March 13 of this year; and,

WHEREAS, this event will not only serve to honor volunteers and nonprofit groups across the state for their contributions to our communities, but will also raise awareness of the wide variety of opportunities for volunteering that are available:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 13, 2011 as **COMMUNITY SUPPORT GROUP AWARENESS DAY** in Illinois, and urge all citizens to promote the spirit of volunteerism in our families and communities by expressing their gratitude to the noble volunteers across our state and learning more about the opportunities for volunteering available in their communities.

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Filed by the Secretary of State March 11, 2011

2011-70**Great American Meatout Day**

WHEREAS, health advocacy organizations and the official U.S. Dietary Guidelines tout plant-based eating, recommending 5 to 9 servings of fruits and vegetables daily; and,

WHEREAS, a wholesome diet of vegetables, fresh fruits, and whole grains promotes health and reduces the risk of heart disease, stroke, cancer, diabetes, and other chronic diseases; and,

WHEREAS, such a diet helps preserve topsoil, water, energy, and other food production resources that are essential to human survival; and,

WHEREAS, as a result, a change in eating habits will help preserve our forests, grasslands, and other wildlife habitats and reduces pollution of our waterways by crop debris, manure, and pesticides; and,

WHEREAS, such a diet helps enormously in reducing the emissions of greenhouse gases that contribute to global warming; and,

WHEREAS, on March 20 residents of Illinois and more than 1,000 communities in all 50 states will welcome Spring with information tables, lectures, cooking demonstrations, public dinners, and food festivals; and,

PROCLAMATIONS

WHEREAS, this occasion is the 27th annual observance of The Great American Meatout. Since 1985, The Great American Meatout has encouraged Americans to adopt eating habits that are healthy for their families, good for our planet, and kind to animals; and,

WHEREAS, Americans have shown an increased interest in plant-based eating, with more than 30 million exploring such a diet, resulting in national fast food chains offering veggie burgers, several major baseball parks selling veggie dogs, and major manufacturers and retailers increasingly marketing meatless foods; and,

WHEREAS, each year, dedicated Illinois Meatout volunteers encourage their neighbors to explore a wholesome diet of vegetables, fruits, legumes, and grains:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 20, 2011 as **GREAT AMERICAN MEATOUT DAY** in Illinois, and encourage all citizens to take an interest in their nutrition in the hope of achieving optimum health for both today and tomorrow.

Issued by the Governor March 10, 2011

Filed by the Secretary of State March 11, 2011

2011-71**Segundo Ruiz Belvis Cultural Center Day**

WHEREAS, established in 1971, the Segundo Ruiz Belvis Cultural Center (SRBCC) is the longest-standing Puerto Rican cultural center in Chicago; and,

WHEREAS, the SRBCC is named in honor of Segundo Ruiz Belvis, a Puerto Rican patriot and member of the secret abolitionist society in Puerto Rico that bought and freed slave children; and,

WHEREAS, in that spirit, the Segundo Ruiz Belvis Cultural Center's mission is to present and promote appreciation of the arts and culture of Puerto Rico, specifically its African heritage; and,

WHEREAS, the Segundo Ruiz Belvis Cultural Center realizes its program philosophy by developing multi-disciplinary programs highlighting the presence of African cultures in Latin America, utilizing dance, music, theatre, singing and other artistic mediums to celebrate these Afro-Latino cultural traditions; and,

WHEREAS, the Segundo Ruiz Belvis Cultural Center has been serving our communities for 40 years, developing educational programs in the Afro-Latino influenced arts and culture; and,

PROCLAMATIONS

WHEREAS, over the last forty years, the Segundo Ruiz Belvis Cultural Center has provided multi-week arts education services to hundreds of children and has provided a space for cultural entertainment and performance to thousands of Chicagoans; and,

WHEREAS, on March 24, 2011, the Segundo Ruiz Belvis Cultural Center will celebrate its 40th anniversary at its annual fundraising event at the Logan Square Auditorium, the proceeds from which will help underwrite instructors, workshops, instruments, teaching materials, curriculum development, and future performances in the community:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 24, 2011 as **SEGUNDO RUIZ BELVIS CULTURAL CENTER DAY** in Illinois, in recognition of their 40th anniversary and their ongoing contributions to the arts and culture in the Land of Lincoln.

Issued by the Governor March 10, 2011

Filed by the Secretary of State March 11, 2011

ILLINOIS ADMINISTRATIVE CODE
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