

TABLE OF CONTENTS

April 28, 2017 Volume 41, Issue 17

PROPOSED RULES

GAMING BOARD, ILLINOIS

Riverboat Gambling

86 Ill. Adm. Code 3000.....4483

ADOPTED RULES

INSURANCE, DEPARTMENT OF

Misrepresentation and False Warranties

50 Ill. Adm. Code 941.....4496

GAMING BOARD, ILLINOIS

Video Gaming (General)

11 Ill. Adm. Code 1800.....4499

LABOR RELATIONS BOARD, ILLINOIS

Impasse Resolution

80 Ill. Adm. Code 1230.....4510

PUBLIC HEARINGS ON PROPOSED RULES

AGING, DEPARTMENT ON

Community Care Program.....4516

Community Reinvestment Program.....4518

NOTICE OF EXPEDITED CORRECTION

LABOR RELATIONS BOARD, ILLINOIS

General Procedures

80 Ill. Adm. Code 1200.....4520

NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENT

STATE BOARD OF EDUCATION

Evaluation of Educator Licensed Employees under Articles 24a
and 34 of the School Code (Withdrawal)

23 Ill. Adm. Code 50.....4524

SECOND NOTICES RECEIVED

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received.....4525

**JCAR STATEMENT OF RECOMMENDATION TO PROPOSED
RULEMAKING**

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

Reports of Child Abuse and Neglect

89 Ill. Adm. Code 300.....4527

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 2017

Issue#	Rules Due Date	Date of Issue
1	December 27, 2016	January 6, 2017
2	January 3, 2017	January 13, 2017
3	January 9, 2017	January 20, 2017
4	January 17, 2017	January 27, 2017
5	January 23, 2017	February 3, 2017
6	January 30, 2017	February 10, 2017
7	February 6, 2017	February 17, 2017
8	February 14, 2017	February 24, 2017
9	February 21, 2017	March 3, 2017
10	February 27, 2017	March 10, 2017
11	March 6, 2017	March 17, 2017
12	March 13, 2017	March 24, 2017
13	March 20, 2017	March 31, 2017
14	March 27, 2017	April 7, 2017
15	April 3, 2017	April 14, 2017
16	April 10, 2017	April 21, 2017
17	April 17, 2017	April 28, 2017
18	April 24, 2017	May 5, 2017
19	May 1, 2017	May 12, 2017
20	May 8, 2017	May 19, 2017

21	May 15, 2017	May 26, 2017
22	May 22, 2017	June 2, 2017
23	May 30, 2017	June 9, 2017
24	June 5, 2017	June 16, 2017
25	June 12, 2017	June 23, 2017
26	June 19, 2017	June 30, 2017
27	June 26, 2017	July 7, 2017
28	July 3, 2017	July 14, 2017
29	July 10, 2017	July 21, 2017
30	July 17, 2017	July 28, 2017
31	July 24, 2017	August 4, 2017
32	July 31, 2017	August 11, 2017
33	August 7, 2017	August 18, 2017
34	August 14, 2017	August 25, 2017
35	August 21, 2017	September 1, 2017
36	August 28, 2017	September 8, 2017
37	September 5, 2017	September 15, 2017
38	September 11, 2017	September 22, 2017
39	September 18, 2017	September 29, 2017
40	September 25, 2017	October 6, 2017
41	October 2, 2017	October 13, 2017
42	October 10, 2017	October 20, 2017
43	October 16, 2017	October 27, 2017
44	October 23, 2017	November 3, 2017
45	October 30, 2017	November 13, 2017
46	November 6, 2017	November 17, 2017
47	November 13, 2017	November 27, 2017
48	November 20, 2017	December 1, 2017
49	November 27, 2017	December 8, 2017
50	December 4, 2017	December 15, 2017
51	December 11, 2017	December 26, 2017
52	December 18, 2017	December 29, 2017

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Riverboat Gambling
- 2) Code Citation: 86 Ill. Adm. Code 3000
- 3) Section Number: 3000.245 Proposed Action:
Amendment
- 4) Statutory Authority: Authorized by Section 5 (c) (3) and (6) of the Riverboat Gambling Act [230 ILCS 10].
- 5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking amends the temporary and permanent badge requirements for occupational license applicants and employees under the Riverboat Gambling Act. It deletes the requirement that these badges shall contain the social security number of the individual. A social security number is not necessary for identification purposes, and its display can potentially cause identity violations.
- 6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule already in effect? No
- 8) Does this proposed rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under 30 ILCS 805.
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this Notice in the *Illinois Register* to:

Agostino Lorenzini
General Counsel
Illinois Gaming Board

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

160 North LaSalle Street
Chicago IL 60601

fax: 312/814-7253
James.pellum@igb.illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will have no effect on small businesses, small municipalities, or not-for-profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: The proposed rulemaking will impose no additional requirements.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda because it was not anticipated at the time agendas were published.

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

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 86: REVENUE
CHAPTER IV: ILLINOIS GAMING BOARDPART 3000
RIVERBOAT GAMBLING

SUBPART A: GENERAL PROVISIONS

Section	
3000.100	Definitions
3000.101	Invalidity
3000.102	Public Inquiries
3000.103	Organization of the Illinois Gaming Board
3000.104	Rulemaking Procedures
3000.105	Board Meetings
3000.110	Disciplinary Actions
3000.115	Records Retention
3000.120	Place to Submit Materials
3000.130	No Opinion or Approval of the Board
3000.140	Duty to Disclose Changes in Information
3000.141	Applicant/Licensee Disclosure of Agents
3000.150	Owner's and Supplier's Duty to Investigate
3000.155	Investigatory Proceedings
3000.160	Duty to Report Misconduct
3000.161	Communication with Other Agencies
3000.165	Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees
3000.170	Fair Market Value of Contracts
3000.180	Weapons on Riverboat

SUBPART B: LICENSES

Section	
3000.200	Classification of Licenses
3000.210	Fees and Bonds
3000.220	Applications
3000.221	Other Required Forms
3000.222	Identification and Requirements of Key Persons
3000.223	Disclosure of Ownership and Control

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

3000.224	Economic Disassociation
3000.225	Business Entity and Personal Disclosure Filings
3000.230	Owner's Licenses
3000.231	Distributions
3000.232	Undue Economic Concentration
3000.234	Acquisition of Ownership Interest By Institutional Investors
3000.235	Transferability of Ownership Interest
3000.236	Owner's License Renewal
3000.237	Renewed Owner's Licenses, Term and Restrictions
3000.238	Appointment of Receiver for an Owner's License
3000.240	Supplier's Licenses
3000.241	Renewal of Supplier's License
3000.242	Amendment to Supplier's Product List
3000.243	Bankruptcy or Change in Ownership of Supplier
3000.244	Surrender of Supplier's License
3000.245	Occupational Licenses
3000.250	Transferability of Licenses
3000.260	Waiver of Requirements
3000.270	Certification and Registration of Electronic Gaming Devices
3000.271	Analysis of Questioned Electronic Gaming Devices
3000.272	Certification of Voucher Systems
3000.280	Registration of All Gaming Devices
3000.281	Transfer of Registration (Repealed)
3000.282	Seizure of Gaming Devices (Repealed)
3000.283	Analysis of Questioned Electronic Gaming Devices (Repealed)
3000.284	Disposal of Gaming Devices
3000.285	Certification and Registration of Voucher Validation Terminals
3000.286	Contracting Goals for Owners Licensees

SUBPART C: OWNER'S INTERNAL CONTROL SYSTEM

Section	
3000.300	General Requirements – Internal Control System
3000.310	Approval of Internal Control System
3000.320	Minimum Standards for Internal Control Systems
3000.330	Review of Procedures (Repealed)
3000.340	Operating Procedures (Repealed)
3000.350	Modifications (Repealed)

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

SUBPART D: HEARINGS ON NOTICE OF DENIAL,
RESTRICTION OF LICENSE, PLACEMENT ON BOARD EXCLUSION LIST OR
REMOVAL FROM BOARD EXCLUSION LIST OR SELF-EXCLUSION LIST

Section	
3000.400	Coverage of Subpart
3000.405	Requests for Hearings
3000.410	Appearances
3000.415	Discovery
3000.420	Motions for Summary Judgment
3000.424	Subpoena of Witnesses
3000.425	Proceedings
3000.430	Evidence
3000.431	Prohibition on Ex Parte Communication
3000.435	Sanctions and Penalties
3000.440	Transmittal of Record and Recommendation to the Board
3000.445	Status of Applicant for Licensure or Transfer Upon Filing Request for Hearing

SUBPART E: CRUISING

Section	
3000.500	Riverboat Cruises
3000.510	Cancelled or Disrupted Cruises

SUBPART F: CONDUCT OF GAMING

Section	
3000.600	Wagering Only with Electronic Credits, Approved Chips, Tokens and Electronic Cards
3000.602	Disposition of Unauthorized Winnings
3000.605	Authorized Games
3000.606	Gaming Positions
3000.610	Publication of Rules and Payout Ratio for Live Gaming Devices
3000.614	Tournaments, Enhanced Payouts and Give-aways
3000.615	Payout Percentage for Electronic Gaming Devices
3000.616	Cashing-In
3000.620	Submission of Chips for Review and Approval
3000.625	Chip Specifications
3000.630	Primary, Secondary and Reserve Sets of Gaming Chips
3000.631	Tournament Chips

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

3000.635	Issuance and Use of Tokens for Gaming
3000.636	Distribution of Coupons for Complimentary Chips, Tokens, Vouchers, Cash and Electronic Credits
3000.640	Exchange of Chips, Tokens, and Vouchers
3000.645	Receipt of Gaming Chips or Tokens from Manufacturer or Distributor
3000.650	Inventory of Chips
3000.655	Destruction of Chips, Tokens, and Vouchers
3000.660	Minimum Standards for Electronic Gaming Devices
3000.661	Minimum Standards for Voucher Systems
3000.665	Integrity of Electronic Gaming Devices
3000.666	Bill Validator Requirements
3000.667	Integrity of Voucher Systems
3000.670	Computer Monitoring Requirements of Electronic Gaming Devices
3000.671	Computer Monitoring Requirements of Voucher Systems

SUBPART G: EXCLUSION OF PERSONS

Section	
3000.700	Organization of Subpart
3000.701	Duty to Exclude
3000.705	Voluntary Self-Exclusion Policy (Repealed)
3000.710	Distribution and Availability of Board Exclusion List
3000.720	Criteria for Exclusion or Ejection and Placement on the Board Exclusion List
3000.725	Duty of Licensees
3000.730	Procedure for Entry of Names
3000.740	Petition for Removal from the Board Exclusion List
3000.745	Voluntary Self-Exclusion Policy
3000.750	Establishment of a Self-Exclusion List
3000.751	Locations to Execute Self-Exclusion Forms
3000.755	Information Required for Placement on the Self-Exclusion List
3000.756	Stipulated Sanctions for Failure to Adhere to Voluntary Self-Exclusion
3000.760	Distribution and Availability of Confidential Self-Exclusion List
3000.770	Duties of Licensees
3000.780	Request for Removal from the IGB Self-Exclusion List
3000.782	Required Information, Recommendations, Forms and Interviews
3000.785	Appeal of a Notice of Denial of Removal
3000.786	Duties of Owner Licensees to Persons Removed from the Self-Exclusion List
3000.787	Placement on the Self-Exclusion List Following Removal
3000.790	Duties of the Board

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

SUBPART H: SURVEILLANCE AND SECURITY

Section

3000.800	Required Surveillance Equipment
3000.810	Riverboat and Board Surveillance Room Requirements
3000.820	Segregated Telephone Communication
3000.830	Surveillance Logs
3000.840	Storage and Retrieval
3000.850	Dock Site Board Facility
3000.860	Maintenance and Testing

SUBPART I: LIQUOR LICENSES

Section

3000.900	Liquor Control Commission
3000.910	Liquor Licenses
3000.920	Disciplinary Action
3000.930	Hours of Sale

SUBPART J: OWNERSHIP AND ACCOUNTING RECORDS AND PROCEDURES

Section

3000.1000	Ownership Records
3000.1010	Accounting Records
3000.1020	Standard Financial and Statistical Records
3000.1030	Annual and Special Audits and Other Reporting Requirements
3000.1040	Accounting Controls Within the Cashier's Cage
3000.1050	Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
3000.1060	Handling of Cash at Gaming Tables
3000.1070	Tips or Gratuities
3000.1071	Admission Tax and Wagering Tax
3000.1072	Cash Reserve Requirements

SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

Section

3000.1100	Coverage of Subpart
-----------	---------------------

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

3000.1105	Duty to Maintain Suitability
3000.1110	Board Action Against License or Licensee
3000.1115	Complaint
3000.1120	Appearances
3000.1125	Answer
3000.1126	Appointment of Hearing Officer
3000.1130	Discovery
3000.1135	Motions for Summary Disposition
3000.1139	Subpoena of Witnesses
3000.1140	Proceedings
3000.1145	Evidence
3000.1146	Prohibition of Ex Parte Communication
3000.1150	Sanctions and Penalties
3000.1155	Transmittal of Record and Recommendation to the Board

AUTHORITY: Implementing and authorized by the Riverboat Gambling Act [230 ILCS 10].

SOURCE: Emergency rule adopted at 15 Ill. Reg. 11252, effective August 5, 1991, for a maximum of 150 days; adopted at 15 Ill. Reg. 18263, effective December 10, 1991; amended at 16 Ill. Reg. 13310, effective August 17, 1992; amended at 17 Ill. Reg. 11510, effective July 9, 1993; amended at 20 Ill. Reg. 5814, effective April 9, 1996; amended at 20 Ill. Reg. 6280, effective April 22, 1996; emergency amendment at 20 Ill. Reg. 8051, effective June 3, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14765, effective October 31, 1996; amended at 21 Ill. Reg. 4642, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 14566, effective October 22, 1997, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 978, effective December 29, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 4390, effective February 20, 1998; amended at 22 Ill. Reg. 10449, effective May 27, 1998; amended at 22 Ill. Reg. 17324, effective September 21, 1998; amended at 22 Ill. Reg. 19541, effective October 23, 1998; emergency amendment at 23 Ill. Reg. 8191, effective July 2, 1999 for a maximum of 150 days; emergency expired November 28, 1999; amended at 23 Ill. Reg. 8996, effective August 2, 1999; amended at 24 Ill. Reg. 1037, effective January 10, 2000; amended at 25 Ill. Reg. 94, effective January 8, 2001; amended at 25 Ill. Reg. 13292, effective October 5, 2001; proposed amended at 26 Ill. Reg. 9307, effective June 14, 2002; emergency amendment adopted at 26 Ill. Reg. 10984, effective July 1, 2002, for a maximum of 150 days; adopted at 26 Ill. Reg. 15296, effective October 11, 2002; amended at 26 Ill. Reg. 17408, effective November 22, 2002; emergency amendment at 27 Ill. Reg. 10503, effective June 30, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 15793, effective September 25, 2003; amended at 27 Ill. Reg. 18595, effective November 25, 2003; amended at 28 Ill. Reg. 12824, effective August 31, 2004; amended at 31 Ill. Reg. 8098, effective June 14, 2007; amended at 32 Ill. Reg. 2967,

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

effective February 15, 2008; amended at 32 Ill. Reg. 3275, effective February 19, 2008; amended at 32 Ill. Reg. 7357, effective April 28, 2008; amended at 32 Ill. Reg. 8592, effective May 29, 2008; amended at 32 Ill. Reg. 8931, effective June 4, 2008; amended at 32 Ill. Reg. 13200, effective July 22, 2008; amended at 32 Ill. Reg. 17418, effective October 23, 2008; amended at 32 Ill. Reg. 17759, effective October 28, 2008; amended at 32 Ill. Reg. 17946, effective November 5, 2008; amended at 34 Ill. Reg. 3285, effective February 26, 2010; amended at 34 Ill. Reg. 3748, effective March 11, 2010; amended at 34 Ill. Reg. 4768, effective March 16, 2010; amended at 34 Ill. Reg. 5200, effective March 24, 2010; amended at 34 Ill. Reg. 15386, effective September 23, 2010; amended at 36 Ill. Reg. 13199, effective July 31, 2012; amended at 37 Ill. Reg. 12050, effective July 9, 2013; amended at 37 Ill. Reg. 18255, effective November 1, 2013; amended at 38 Ill. Reg. 2808, effective January 8, 2014; amended at 38 Ill. Reg. 21471, effective October 29, 2014; amended at 39 Ill. Reg. 4362, effective March 10, 2015; amended at 39 Ill. Reg. 12312, effective August 18, 2015; amended at 40 Ill. Reg. 12776, effective August 19, 2016; amended at 41 Ill. Reg. 380, effective December 29, 2016; amended at 41 Ill. Reg. _____, effective _____.

SUBPART B: LICENSES

Section 3000.245 Occupational Licenses

- a) Overview of Licensing Procedures. Applications for Occupational Licenses shall be subject to the following procedures prior to licensing:
 - 1) Application;
 - 2) Issuance of a temporary identification badge;
 - 3) Investigation of the applicant;
 - 4) Action of the Board; and
 - 5) Different or additional licensing procedures as required of the applicant by the Board.

- b) Temporary Identification Badge Requirements
 - 1) The temporary identification badge shall:
 - A) Be a white card bearing the name and logo of the Riverboat

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

Gaming Operation;

- B) Provide space for a photograph with a minimum size of 1" by 1¼";
 - C) Display applicant's first name and job title;
 - D) Provide a space for a 9-digit number;
 - E) Provide a space for the Administrator's signature;
 - F) Provide spaces for the dates of issuance and expiration of ~~the such~~ temporary badge; and
 - G) Provide on the reverse side a line for the employee's last name, signature, ~~social security number~~ and date of birth.
- 2) The applicant shall be photographed and fingerprinted.
- 3) A temporary identification badge will not be issued if the Administrator or his ~~or her~~ designated agent has reason to believe the applicant is the subject of a pending investigation or disciplinary action, or is ineligible for licensing pursuant to Section 9(a)(1) or 9(a)(2) of the Act. If the temporary identification badge is not issued, the applicant is not permitted to work for the Riverboat Gaming Operation until and unless the Board issues a license to the applicant.
- 4) Temporary identification badges are valid for up to one year from the date of the application unless extended by the Administrator. A temporary identification badge is not transferable and upon resignation or termination of employment, must be returned by the Occupational License applicant to the holder of an Owner's License or to the Board. If returned to the holder of an Owner's License, the holder must then return the badge to the Board.
- 5) ~~Recission of Temporary Identification Badge-~~
- A) The Administrator, upon written notification to the applicant and the holder of the Owner's License, shall rescind an applicant's temporary identification badge upon the issuance of a notice of denial.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

- B) Following rescission of an applicant's temporary identification badge, the applicant shall not be permitted to work for the Riverboat Gaming Operation until and unless the Board issues a license to the applicant.
 - C) Following rescission of an applicant's temporary identification badge, the applicant remains entitled to request a hearing on the license denial in accordance with Section 3000.405.
- c) Investigation of the Applicant and Application. An applicant is responsible for compliance with all requests for information, documents, or other materials relating to the applicant and his or her application.
- d) Action of the Board
- 1) In determining whether to grant an occupational license, the Board shall consider the character, associations and reputation of the applicant and the qualifications of the applicant to perform the duties of the position to be licensed.
 - 2) If the Board finds the applicant suitable for licensing, it shall direct the Administrator to issue the applicant a license.
 - 3) If the Board finds the applicant not suitable for licensing, it shall issue the applicant a Notice of Denial by certified mail or personal delivery.
- e) Request for Hearing
- 1) An applicant who is served with a Notice of Denial may request a hearing in accordance with Section 3000.405.
 - 2) If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the applicant's license application.
- f) Reapplication for Denied License. If an applicant is denied a license, the applicant may not reapply for a license within one year from the date on which the final order of denial was voted upon by the Board, without leave of the Board.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

- g) Permanent Identification Badge Requirements
- 1) The permanent identification badge shall:
 - A) Be of a color selected by the Riverboat Gaming Operation for use on all permanent identification badges utilized by its occupational licensees;
 - B) Be a card bearing the name and logo of the Riverboat Gaming Operation;
 - C) Provide space for a photograph with a minimum size of 1" by 1¼";
 - D) Provide a space for a 9-digit number;
 - E) Display the employee's first name and job title;
 - F) Provide a space for the Administrator's signature;
 - G) Provide a space for the dates of issuance and expiration of applicant's Occupational License;
 - H) Provide on the reverse side of the card a line for the employee's last name, signature, ~~social security number~~ and date of birth.
 - 2) Permanent identification badges are not transferable and upon resignation or termination of employment must be returned by the occupational licensee to the holder of an Owner's License or to the Board. If returned to the holder of an Owner's License, the holder must then return the badge to the Board.
- h) Display of Identification Badges. Identification badges as required by subsections (b) and (g) ~~of this Section~~ shall be worn by all employees during work hours, including those persons employed on the dock site. Identification badges shall be clearly displayed.
- i) A fee of \$10.00 shall be paid to the Board for any necessary replacement of identification badges.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 41 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Misrepresentation and False Warranties
- 2) Code Citation: 50 Ill. Adm. Code 941
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
941.10	New Section
941.20	New Section
- 4) Statutory Authority: 215 ILCS 5/154
- 5) Effective Date of Rules: April 14, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 11232; August 26, 2016
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version:

Section 941.20, first and second lines, changed "...for named insureds and drivers provided by the applicant at the time of application..." to "...about the named insureds and drivers listed on the application..."

Section 941.20, fourth line, added quotation marks before "Readily" and after "information".

Section 941.20, seventh line, changed "the corresponding subsequent equivalent" to "any of their corresponding subsequent equivalents".
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? None were made.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Section 154 of the Illinois Insurance Code has a provision that was enacted to protect consumers from having a policy voided, defeated or rescinded by an insurance company (for policies not exempt under this provision) unless the insured made a misrepresentation with actual intent to deceive or a misrepresentation that materially affects either the acceptance of the risk or the hazard assumed by the company.

When a policy of insurance is issued, the insurance company is supposed to underwrite the risk in order to properly assess and rate the coverage. The Department has seen a number of complaints regarding rescissions based on an alleged misrepresentation or material change in risk where the Department believes the rescission and basis for such rescission is not valid. Due to the concern from our regulators, and the harm to consumers, who are often third parties (for example, an individual who gets into an accident with someone whose insurance company rescinds their policy), the Department believes it is necessary to clarify via rule that if a company opts not to obtain the readily available information for named insureds and drivers provided by the applicant at the time of application to underwrite the risk prior to issuing the policy, the company shall not defeat, avoid or rescind the policy of insurance based on obtaining the readily available information after a loss has occurred or a claim is filed.

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

Barbara Delano
Assistant General Counsel
Illinois Department of Insurance
122 S. Michigan Ave, 19th Fl.
Chicago IL 60603

312/814-0919
fax: 312/814-2826

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

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER I: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 941

MISREPRESENTATION AND FALSE WARRANTIES

Section

941.10	Applicability
941.20	Misrepresentation

AUTHORITY: Implementing Section 154 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/154 and 401].

SOURCE: Adopted at 41 Ill. Reg.4496, effective April 14, 2017.

Section 941.10 Applicability

No misrepresentation or false warranty made by the insured or in the insured's behalf in the negotiation for a policy of insurance, or breach of a condition of the policy, shall defeat or avoid the policy or prevent its attaching unless such misrepresentation, false warranty or condition shall have been stated in the policy or endorsement, or in a rider to or in the written application for the policy. No such misrepresentation or false warranty shall defeat or avoid the policy unless it was made with actual intent to deceive or materially affects either the acceptance of the risk or the hazard assumed by the company. With respect to a policy of insurance as defined in Section 143.13(a), (b) or (c) of the Insurance Code, except life, accident and health, fidelity and surety, and ocean marine policies, a policy or policy renewal shall not be rescinded after the policy has been in effect for one year or one policy term, whichever is less. This Section shall not apply to policies of marine or transportation insurance.

Section 941.20 Misrepresentation

If the company opts not to obtain readily available information about the named insureds and drivers listed on the application to underwrite the risk prior to issuing the policy, the company shall not defeat, avoid or rescind the policy of insurance based on obtaining the readily available information after a loss has occurred or a claim is filed. "Readily available information" is defined to be limited to the information that appears on the motor vehicle record (MVR) maintained by the Illinois Secretary of State and LexisNexis Comprehensive Loss Underwriting Exchange (C.L.U.E.) Auto Reports, or any of their corresponding subsequent equivalents.

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3) Section Number: 1800.220 Adopted Action:
Amendment
- 4) Statutory Authority: Authorized by the Video Gaming Act [230 ILCS 40], specifically Section 78(a)(3) of that Act [230 ILCS 40/78(a)(3)].
- 5) Effective Date of Rule: April 14, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain an incorporation by reference? No
- 8) A copy of this adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 16454; December 30, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Changes from the proposed version in amended Section 1800.220 are the following:

First Notice Changes:

In Section 1800.220(d), the coverage of the subsection is broadened to include failures to timely renew a liquor license. Previously, this subsection applied only to adverse actions taken or nonrenewal of a liquor license.

In Section 1800.220(d), the fine which the Administrator may impose for a violation of this subsection is changed from all to 50 percent of the total amount of Net Terminal Income for the period of time that the establishment operated without a valid liquor license in violation of Section 55 of the Video Gaming Act [230 ILCS 40/55].

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

In Section 1800.220(d), the coverage of the provisions of this amendatory rulemaking is broadened to include licensed fraternal establishments and licensed veterans establishments as defined by Section 5 of the Video Gaming Act (Act) [230 ILCS 40/5]. As originally drafted, the rulemaking covered only licensed establishments as defined in Section 5 of the Act.

Second Notice Changes:

In Section 1800.220(c), various changes are made to the second sentence of the subsection as amended, which before the Second Notice changes provided that:

"Information to be reported under this subsection shall include, but not be limited to, all changes relating to criminal arrest or criminal proceeding disposition history, whether charged or uncharged, concerning any criminal offense under the laws of any jurisdiction or the Uniform Code of Military Conduct, in any state or foreign country, including any arrest or disposition that has been expunged or sealed."

The Second Notice changes delete the following language from the above sentence:

", whether charged or uncharged,";

", including any arrest or disposition that has been expunged or sealed."

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1800.320	Amendment	41 Ill. Reg. 2669; February 24, 2017
1800.250	Amendment	41 Ill. Reg. 2751; March 3, 2017
1800.110	Amendment	41 Ill. Reg. 2777; March 10, 2017
1800.320	Amendment	41 Ill. Reg. 2777; March 10, 2017
1800.1710	New Section	41 Ill. Reg. 2777; March 10, 2017
1800.1720	New Section	41 Ill. Reg. 2777; March 10, 2017
1800.1730	New Section	41 Ill. Reg. 2777; March 10, 2017
1800.1740	New Section	41 Ill. Reg. 2777; March 10, 2017

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

1800.810 Amendment 41 Ill. Reg. 3088: March 17, 2017

- 15) Summary and Purpose of Rulemaking: The proposed rulemaking amends Section 1800.220 (Continuing Duty to Report Information) in the following respects:

In Section 1800.220(c), the rulemaking amends the current provision requiring licensees and applicants to report "[e]ach arrest, summons, citation or charge for any criminal offense or violation, excluding minor traffic violations." New language provides that the information to be reported includes, but is not limited to, all changes relating to criminal arrest or criminal proceeding disposition history concerning any criminal offense under the laws of any jurisdiction or Uniform Code of Military Conduct, in any state or foreign country.

Fines which the Administrator is authorized to issue under the new language of Section 1800.220(c) shall be \$250 for a first violation and \$500 for a second or subsequent violation. Imposition of a fine by the Administrator does not preclude the Illinois Gaming Board from initiating additional disciplinary action for a violation of this subsection. Licensees or applicants that have been issued fines may contest them under the disciplinary hearings procedures of Subpart G [Sections 1800.710 through 1800.795].

In Section 1800.220(d), the rulemaking authorizes the Administrator to issue fines against licensed establishments, licensed fraternal establishments, and licensed veterans establishments for any adverse action taken, nonrenewal, or failure to timely renew relative to a liquor license. Fine amounts shall be 50 percent of the Net Terminal Income for the period of time that the establishment operated without a valid liquor license in violation of Section 55 of the Video Gaming Act [230 ILCS 40/55]. Imposition of a fine by the Administrator does not preclude the Illinois Gaming Board from initiating additional disciplinary action for a violation of this subsection, and licensees or applicants that have been issued fines may contest them under the disciplinary hearings procedures of Subpart G.

- 16) Information and questions regarding this adopted rule may be addressed to:

Agostino Lorenzini
General Counsel
Illinois Gaming Board
160 North LaSalle Street
Chicago IL 60601

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

fax: 312/814-7253

email: Agostino.lorenzini@igb.illinois.gov

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

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

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

PART 1800
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

Section	
1800.110	Definitions
1800.115	Gender
1800.120	Inspection
1800.130	Board Meetings

SUBPART B: DUTIES OF LICENSEES

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

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

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

SUBPART D: LICENSING QUALIFICATIONS

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

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

1800.440 Undue Economic Concentration

SUBPART E: LICENSING PROCEDURES

Section

1800.510 Coverage of Subpart
1800.520 Applications
1800.530 Submission of Application
1800.540 Application Fees
1800.550 Consideration of Applications by the Board
1800.555 Withdrawal of Applications and Surrender of Licenses
1800.560 Issuance of License
1800.570 Renewal of License
1800.580 Renewal Fees and Dates
1800.590 Death and Change of Ownership of Video Gaming Licensee

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section

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

SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

Section

1800.710 Coverage of Subpart
1800.715 Notice of Proposed Disciplinary Action Against Licensees
1800.720 Hearings in Disciplinary Actions

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

1800.725	Appearances
1800.730	Appointment of Administrative Law Judge
1800.735	Discovery
1800.740	Subpoenas
1800.745	Motions for Summary Judgment
1800.750	Proceedings
1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board
1800.795	Persons Subject to Proposed Orders of Economic Disassociation

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

Section

1800.810	Location and Placement of Video Gaming Terminals
1800.815	Licensed Video Gaming Locations Within Malls
1800.820	Measurement of Distances from Locations
1800.830	Waivers of Location Restrictions

SUBPART I: SECURITY INTERESTS

Section

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

SUBPART J: TRANSPORTATION, REGISTRATION,
AND DISTRIBUTION OF VIDEO GAMING TERMINALS

Section

1800.1010	Restriction on Sale, Distribution, Transfer, Supply and Operation of Video Gaming Terminals
1800.1020	Transportation of Video Gaming Terminals into the State
1800.1030	Receipt of Video Gaming Terminals in the State
1800.1040	Transportation of Video Gaming Terminals Between Locations in the State
1800.1050	Approval to Transport Video Gaming Terminals Outside of the State
1800.1060	Placement of Video Gaming Terminals

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1800.1065 Registration of Video Gaming Terminals
- 1800.1070 Disposal of Video Gaming Terminals

SUBPART K: STATE-LOCAL RELATIONS

- Section
- 1800.1110 State-Local Relations

SUBPART L: FINGERPRINTING OF APPLICANTS

- Section
- 1800.1210 Definitions
- 1800.1220 Entities Authorized to Perform Fingerprinting
- 1800.1230 Qualification as a Livescan Vendor
- 1800.1240 Fingerprinting Requirements
- 1800.1250 Fees for Fingerprinting
- 1800.1260 Grounds for Revocation, Suspension and Denial of Contract

SUBPART M: PUBLIC ACCESS TO INFORMATION

- Section
- 1800.1310 Public Requests for Information

SUBPART N: PAYOUT DEVICES AND REQUIREMENTS

- Section
- 1800.1410 Ticket Payout Devices
- 1800.1420 Redemption of Tickets Following Removal or Unavailability of Ticket Payout Devices

SUBPART O: NON-PAYMENT OF TAXES

- Section
- 1800.1510 Non-Payment of Taxes

SUBPART P: CENTRAL COMMUNICATIONS SYSTEM

- Section
- 1800.1610 Use of Gaming Device or Individual Game Performance Data

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

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

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150 days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. 10029, effective June 28, 2012; emergency amendment at 36 Ill. Reg. 11492, effective July 6, 2012, for a maximum of 150 days; emergency expired December 2, 2012; emergency amendment at 36 Ill. Reg. 12895, effective July 24, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 13178, effective July 30, 2012; amended at 36 Ill. Reg. 15112, effective October 1, 2012; amended at 36 Ill. Reg. 17033, effective November 21, 2012; expedited correction at 39 Ill. Reg. 8183, effective November 21, 2012; amended at 36 Ill. Reg. 18550, effective December 14, 2012; amended at 37 Ill. Reg. 810, effective January 11, 2013; amended at 37 Ill. Reg. 4892, effective April 1, 2013; amended at 37 Ill. Reg. 7750, effective May 23, 2013; amended at 37 Ill. Reg. 18843, effective November 8, 2013; emergency amendment at 37 Ill. Reg. 19882, effective November 26, 2013, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 38 Ill. Reg. 3384, effective January 14, 2014; suspension withdrawn at 38 Ill. Reg. 5897; emergency repeal of emergency amendment at 38 Ill. Reg. 7337, effective March 12, 2014, for the remainder of the 150 days; amended at 38 Ill. Reg. 849, effective December 27, 2013; amended at 38 Ill. Reg. 14275, effective June 30, 2014; amended at 38 Ill. Reg. 19919, effective October 2, 2014; amended at 39 Ill. Reg. 5401, effective March 27, 2015; amended at 39 Ill. Reg. 5593, effective April 1, 2015; amended at 40 Ill. Reg. 2952, effective January 27, 2016; amended at 40 Ill. Reg. 8760, effective June 14, 2016; amended at 40 Ill. Reg. 12762, effective August 19, 2016; amended at 40 Ill. Reg. 15131, effective October 18, 2016; emergency amendment at 41 Ill. Reg. 2696, effective February 7, 2017, for a maximum of 150 days; amended at 41 Ill. Reg. 2939, effective February 24, 2017; amended at 41 Ill. Reg. 4499, effective April 14, 2017.

SUBPART B: DUTIES OF LICENSEES

Section 1800.220 Continuing Duty to Report Information

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

Licenses and applicants for licensure under the Act and persons with significant influence or control have a continuing duty to ~~promptly~~ report within 21 days all of the following to the Administrator or his or her designee:

- a) A violation of the Act, this Part or any illegal conduct, including, but not limited to, the possession, maintenance, facilitation or use of any illegal gaming device.;
- b) Any fact, event, occurrence, matter or action that may affect the conduct of video gaming or the business and financial arrangements incidental to the conduct of video gaming, or the ability to conduct the activities for which the licensee is licensed, including, but not limited to, any change or addition in persons identified as having significant influence or control.;
- c) Each arrest, summons, citation or charge for any criminal offense or violation, excluding minor traffic violations. Information to be reported under this subsection shall include, but not be limited to, all changes relating to criminal arrest or criminal proceeding disposition history concerning any criminal offense under the laws of any jurisdiction or the Uniform Code of Military Conduct, in any state or foreign country. As disciplinary action for a violation of this subsection, the Administrator may impose a fine of \$250 for a first violation and \$500 for a second or subsequent violation. Imposition of a fine by the Administrator under this subsection shall not preclude the Board from initiating additional or further disciplinary action against a licensee or applicant. A licensee or applicant that has been issued a fine under this subsection may contest the fine under Subpart G. For purposes of filing a response under Section 1800.720, a notice of fine under this subsection shall be considered a notice of proposed disciplinary action.;
- d) Any adverse action taken, nonrenewal, or failure to timely renew ~~or nonrenewal~~ relative to a liquor license. As disciplinary action for a violation of this subsection, the Administrator may impose a fine not to exceed 50 percent of the total amount of Net Terminal Income for the period of time that the establishment, fraternal establishment, or veterans establishment operated video gaming terminals in violation of Section 55 of the Video Gaming Act. Imposition of a fine by the Administrator under this subsection shall not preclude the Board from initiating additional or further disciplinary action against a licensee or applicant. A licensee that has been issued a fine under this subsection may contest the fine under Subpart G. For purposes of filing a response under Section 1800.720, a notice of fine shall be considered a notice of proposed disciplinary action. ~~and~~

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

- e) Any changes or additions to all material information provided in an application for a video gaming license, including but not limited to:
 - 1) Use Agreements;
 - 2) Persons who have acted or will act as a sales agent or broker, or otherwise engage in the solicitation of business from current or potential licensed video gaming locations; and
 - 3) Agreements with any individual or business entity related to the sharing of, or allotting, any sums of money derived from the operation of video gaming.

(Source: Amended at 41 Ill. Reg. 4499, effective April 14, 2017)

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Impasse Resolution
- 2) Code Citation: 80 Ill. Adm. Code 1230
- 3) Section Number: 1230.50 Adopted Action:
Amendment
- 4) Statutory Authority: Authorized by Section 5(i) of the Illinois Public Labor Relations Act [5 ILCS 315].
- 5) Effective Date of Rule: April 17, 2017
- 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 rule, including any material incorporated by reference, is on file in the Illinois Labor Relation Board's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 14574; October 28, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: All changes were typographical or stylistic in nature.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this part? No
- 15) Summary and Purpose of Rulemaking: The Board became aware of an inaccurate citation to another Section of the rules. This proposed amendment seeks to correct that error.
- 16) Information and questions regarding this adopted rule shall be directed to:

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENT

Anna Hamburg-Gal
Associate General Counsel
Illinois Labor Relations Board
160 N. LaSalle St., Ste. 400
Chicago IL 60601

312/793-6380
Anna.Hamburg-Gal@Illinois.gov

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

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE C: LABOR RELATIONS
CHAPTER IV: ILLINOIS LABOR RELATIONS BOARD

PART 1230
IMPASSE RESOLUTION

SUBPART A: STATEMENT OF PURPOSE AND DEFINITIONS

- Section
1230.10 General Statement of Purpose
1230.20 Definitions (Repealed)

SUBPART B: IMPASSE PROCEDURES FOR PROTECTIVE SERVICES UNITS

- Section
1230.30 General Purpose of this Subpart
1230.40 Filing of Contracts (Repealed)
1230.50 Bargaining Notices for Protective Services Units
1230.60 Mediation
1230.70 Demand for Compulsory Interest Arbitration
1230.80 Composition of the Arbitration Panel
1230.90 Conduct of the Interest Arbitration Hearing
1230.100 The Arbitration Award
1230.110 Employer Review of the Award

SUBPART C: IMPASSE PROCEDURES FOR GENERAL PUBLIC EMPLOYEE UNITS

- Section
1230.120 General Purpose of this Subpart
1230.130 Filing of Contracts (Repealed)
1230.140 Bargaining Notices for General Public Employee Units
1230.150 Mediation
1230.160 Fact-finding
1230.170 Voluntary Interest Arbitration
1230.180 Strikes
1230.190 Petitions for Strike Investigations

SUBPART D: GRIEVANCE ARBITRATION AND MEDIATION

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENT

Section

1230.200 Grievance Arbitration

1230.210 Grievance Mediation

SUBPART E: ILLINOIS PUBLIC EMPLOYEE MEDIATION/ARBITRATION ROSTER

Section

1230.220 Mediation/Arbitration Roster

AUTHORITY: Implementing Sections 7, 12, 13, 17 and 18 and authorized by Section 5(i) and (j) of the Illinois Public Labor Relations Act [5 ILCS 315].

SOURCE: Emergency rule adopted at 8 Ill. Reg. 17322, effective September 11, 1984, for a maximum of 150 days; adopted at 9 Ill. Reg. 1857, effective January 25, 1985; Part repealed, new Part adopted at 11 Ill. Reg. 6434, effective March 27, 1987; amended at 12 Ill. Reg. 20102, effective November 18, 1988; amended at 14 Ill. Reg. 19903, effective November 30, 1990; amended at 17 Ill. Reg. 15599, effective September 13, 1993; amended at 27 Ill. Reg. 7456, effective May 1, 2003; amended at 41 Ill. Reg. 4510, effective April 17, 2017.

SUBPART B: IMPASSE PROCEDURES FOR PROTECTIVE SERVICES UNITS

Section 1230.50 Bargaining Notices for Protective Services Units

- a) The following notice requirements shall apply ~~when~~where the parties are bargaining for a successor contract:
 - 1) Pursuant to Section 7 of the Act, any party wishing to terminate or modify an existing collective bargaining agreement shall serve on the other party a written Notice of the Intent to Terminate or Modify. ~~The Notice of their intent to terminate or modify. The notice~~ shall be served on the other party 60 days prior to the scheduled termination date of the existing agreement. A copy of the ~~Notice~~notice shall be filed with the Board by the party wishing to terminate or modify at the same time it is served on the other party. The ~~Notice~~notice filed with the Board shall reference the existing contract's number as assigned by the Board.
 - 2) If, no later than 30 days after service of the Notice of Intent to Terminate or Modify~~notice of the intent to terminate or modify~~, the parties have not

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENT

reached agreement on a new contract, the party who filed the ~~Notice~~^{notice} shall serve on the other party and the Board a Notice of No Agreement. The Notice shall be on a Board-designated form and shall set forth:

- A) whether the parties are engaged in mediation and, if so, with whom;
 - B) if the parties are not in mediation, whether the parties desire the Board's assistance in obtaining mediation;
 - C) if the parties are not in mediation and do not require the Board's assistance in obtaining mediation, a statement from the parties that they are fully aware of the mandate of Section 14 of the Act that they engage in mediation 30 days prior to the expiration of a contract.
- b) The following notice requirements shall apply when the parties are bargaining for an initial contract:
- 1) Any time after the Board certifies an exclusive representative or at any time when there exists a valid historical bargaining relationship but no current contract, any party may serve on the other party a written demand for bargaining. A copy of the demand for bargaining shall be filed with the Board by the party making the demand at the same time it is served on the other party. The parties shall begin bargaining at any reasonable time after the demand is filed and served.
 - 2) Thirty days after the initial bargaining session between the parties, the party who filed the demand for bargaining shall file with the Board a Notice of Status of Negotiations. The Notice shall be on a Board-designated form and set forth:
 - A) whether the parties are engaged in mediation and, if so, with whom;
 - B) if the parties are not in mediation, whether the parties desire the Board's assistance in obtaining mediation.
- c) Upon completing negotiations for either a successor or initial contract, the parties

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENT

shall file with the Board a copy of the contract pursuant to [80 Ill. Adm. Code 1200.145](#)~~Section 1230.40(a)(1)~~.

(Source: Amended at 41 Ill. Reg. 4510, effective April 17, 2017)

DEPARTMENT ON AGING

NOTICE OF PUBLIC HEARINGS ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3) Register Citation to Notice of Proposed Rules: 41 Ill. Reg. 3584; March 31, 2017
- 4) Date, Time and Location of Public Hearings:

Monday, May 15, 2017	Thursday, May 18, 2017
9:00 a.m. – 11:00 a.m.	9:00 a.m. – 11:00 a.m.
Michael J. Howlett Building	Michael A. Bilandic Building
Auditorium	Room C-500, 5th Floor
2nd & Edwards Streets	160 N. LaSalle
Springfield IL	Chicago IL
- 5) Other Pertinent Information: The hearings will be held for the sole purpose of gathering public comments on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Illinois Department on Aging will adhere to the following procedures in the conduct of the hearing:
 - a) All persons attending the hearing must sign in at the registration desk and those persons wishing to provide oral testimony must indicate this on the registration form in the space provided.
 - b) No oral testimony shall exceed an aggregate of 5 minutes. This time may be reduced based on the number of people testifying.
 - c) Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
 - d) All oral testimony will be recorded by mechanical means.
 - e) No person will be recognized to speak for a second time until all persons wishing to testify have done so.

DEPARTMENT ON AGING

NOTICE OF PUBLIC HEARINGS ON PROPOSED AMENDMENTS

- f) In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedures, including the order of call of witnesses, as she/he deems necessary.
- g) The hearing officer may end the public hearing before the listed ending time in the event there is no one available and ready who desires to offer comments on the proposed amendments or if there is insufficient time for a person to offer comments for a full five-minute span, at to accommodate public safety in an emergency situation.
- h) Unforeseen changes regarding the public hearing will be posted on the Department's web site.
- i) Persons requiring reasonable accommodation due to disability must contact the Department on Aging by May 8, 2017.
- j) Name and Address of Agency Contact Person: Questions regarding these proposed amendments or the public hearing shall be directed to:

Jennifer Reif
Deputy Director
Illinois Department on Aging
One Natural Resources Way, #100
Springfield IL 62702-1271

jennifer.reif@illinois.gov
217/785-2870

DEPARTMENT ON AGING

NOTICE OF PUBLIC HEARINGS ON PROPOSED RULES

- 1) Heading of the Part: Community Reinvestment Program
- 2) Code Citation: 89 Ill. Adm. Code 237
- 3) Register Citation to Notice of Proposed Rules: 41 Ill. Reg. 3503; March 31, 2017
- 4) Date, Time and Location of Public Hearings:

Monday, May 15, 2017 1:00 p.m. – 3:00 p.m. Michael J. Howlett Building Auditorium 2nd & Edwards Streets Springfield IL	Thursday, May 18, 2017 1:00 p.m. – 3:00 p.m. Michael A. Bilandic Building Room C-500, 5th Floor 160 N. LaSalle Chicago IL
---	--
- 5) Other Pertinent Information: The hearings will be held for the sole purpose of gathering public comments on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Illinois Department on Aging will adhere to the following procedures in the conduct of the hearing:
 - a) All persons attending the hearing must sign in at the registration desk and those persons wishing to provide oral testimony must indicate this on the registration form in the space provided.
 - b) No oral testimony shall exceed an aggregate of 5 minutes. This time may be reduced based on the number of people testifying.
 - c) Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
 - d) All oral testimony will be recorded by mechanical means.
 - e) No person will be recognized to speak for a second time until all persons wishing to testify have done so.

DEPARTMENT ON AGING

NOTICE OF PUBLIC HEARINGS ON PROPOSED RULES

- f) In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedures, including the order of call of witnesses, as she/he deems necessary.
- g) The hearing officer may end the public hearing before the listed ending time in the event there is no one available and ready who desires to offer comments on the proposed amendments or if there is insufficient time for a person to offer comments for a full five-minute span, at to accommodate public safety in an emergency situation.
- h) Unforeseen changes regarding the public hearing will be posted on the Department's web site.
- i) Persons requiring reasonable accommodation due to disability must contact the Department on Aging by May 8, 2017.
- j) Name and Address of Agency Contact Person: Questions regarding these proposed amendments or the public hearing shall be directed to:

Jennifer Reif
Deputy Director
Illinois Department on Aging
One Natural Resources Way, #100
Springfield IL 62702-1271

jennifer.reif@illinois.gov
217/785-2870

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF EXPEDITED CORRECTION

- 1) Heading of the Part: General Procedures
- 2) Code Citation: 80 Ill. Adm. Code 1200
- 3) Section Number: 1200.5
- 4) Date Proposal published in *Illinois Register*: 40 Ill. Reg. 2414; February 5, 2016
- 5) Date Adoption published in *Illinois Register*: 40 Ill. Reg. 10892; August 12, 2016
- 6) Date Request for Expedited Correction published in *Illinois Register*: 40 Ill. Reg. 738; January 27, 2017
- 7) Adoption Effective Date: August 1, 2016
- 8) Correction Effective Date: August 1, 2016
- 9) Reason for Approval of Expedited Correction: The corrective language meets the requirements and serves the purposes of Section 5-85(b) of the Illinois Administrative Procedure Act.

The full text of the Corrected Rules begins on the following page:

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF EXPEDITED CORRECTION

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE C: LABOR RELATIONS
CHAPTER IV: ILLINOIS LABOR RELATIONS BOARDPART 1200
GENERAL PROCEDURES

Section

1200.3	General Statement of Purpose
1200.5	Board Information and Business Hours
1200.7	Board Meetings
1200.10	Definitions
1200.20	Filing and Service of Documents
1200.30	Computation and Extensions of Time
1200.40	Authority of Administrative Law Judges
1200.45	Motions
1200.50	Recording of Hearings and Payment of Court Reporting Services
1200.60	Closing Arguments and Briefs Before An Administrative Law Judge
1200.70	Representation of Parties
1200.80	Ex Parte Communications
1200.90	Subpoenas
1200.100	Transfer of Jurisdiction
1200.105	Consolidation of Proceedings
1200.110	Amicus Curiae Briefs (Repealed)
1200.120	Voluntary Settlement or Adjustment of Disputes
1200.130	Rules of Evidence
1200.135	Appeals Procedures, Board Review and Court Review
1200.140	Briefs
1200.143	Declaratory Rulings
1200.145	Filing of Contracts
1200.150	Conflicts of Interest
1200.160	Variations and Suspensions of Rules
1200.170	Board Member Meeting Attendance by Means other than Physical Presence

AUTHORITY: Implementing and authorized by the Illinois Public Labor Relations Act [5 ILCS 315].

SOURCE: Emergency rule adopted at 8 Ill. Reg. 17314, effective September 11, 1984, for a maximum of 150 days; adopted at 9 Ill. Reg. 1846, effective January 25, 1985; amended at 11 Ill.

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF EXPEDITED CORRECTION

Reg. 6428, effective March 27, 1987; amended at 12 Ill. Reg. 20096, effective November 18, 1988; amended at 14 Ill. Reg. 19896, effective November 30, 1990; amended at 17 Ill. Reg. 15588, effective September 13, 1993; amended at 20 Ill. Reg. 7391, effective May 10, 1996; amended at 27 Ill. Reg. 7365, effective May 1, 2003; emergency amendment at 27 Ill. Reg. 15557, effective September 22, 2003, for a maximum of 150 days; emergency amendment expired February 18, 2004; amended at 28 Ill. Reg. 4166, effective February 19, 2004; emergency amendment at 28 Ill. Reg. 7540, effective May 12, 2004, for a maximum of 150 days; emergency expired October 8, 2004; amended at 28 Ill. Reg. 15154, effective November 1, 2004; emergency amendment at 37 Ill. Reg. 5897, effective April 22, 2013, for a maximum of 150 days; amended at 37 Ill. Reg. 14064, effective August 23, 2013; amended at 37 Ill. Reg. 20637, effective December 13, 2013; emergency amendment at 39 Ill. Reg. 10641, effective July 15, 2015, for a maximum of 150 days; amended at 39 Ill. Reg. 15803, effective November 25, 2015; amended at 40 Ill. Reg. 10892, effective August 1, 2016; expedited correction at 41 Ill. Reg. 4520, effective August 1, 2016.

Section 1200.5 Board Information and Business Hours

- a) The Springfield office of the Illinois Labor Relations Board is located at:

One Natural Resources Way, First Floor
Springfield IL 62702
telephone: 217-785-3155
facsimile: 217-785-4146

- b) The Chicago office of the Board is located at:

160 N. LaSalle St., Suite S-400
Chicago IL 60601
telephone: 312-793-6400
facsimile: 312-793-6989

- c) The Board's website address is www.Illinois.gov/ilrb. The Board's designated email address for electronic filing purposes is ILRB.filing@Illinois.gov.

- d) The official business hours of the Board are 8:30 a.m. to 5:00 p.m., Monday through Friday.

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF EXPEDITED CORRECTION

(Source: Amended at 40 Ill. Reg. 10892, effective August 1, 2016; expedited correction at 41 Ill. Reg. 4520, effective August 1, 2016)

STATE BOARD OF EDUCATION

NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENT

- 1) Heading of the Part: Evaluation of Educator Licensed Employees under Articles 24a and 34 of the School Code
- 2) Code Citation: 23 Ill. Adm. Code 50
- 3) Section Number: 50.400 Proposed Action: Amendment
- 4) Date Notice of Proposed Amendment published in the *Illinois Register*: 41 Ill. Reg. 1690; February 10, 2017
- 5) Reason for the Withdrawal: During the First Notice period, 18 of the public comments the State Board of Education received were opposed to the change stating the potential negative impact it could have on educator evaluators. Specifically, the timing of the Administrators' Academies that evaluators are required to attend to receive retraining do not align to the proposed changes and therefore would prevent evaluators from performing evaluations in a timely manner. The proposed changes would prohibit evaluators from conducting teacher or principal performance evaluations until they have completed re-training. The proposed language would not allow ample time for retraining if the evaluators' renewal cycles begin July 1, 2017 and they are expected to conduct evaluations by the beginning of the school year.

The remaining public comment in support of the rulemaking stated that while the Performance Evaluation Reform Act of 2010 (PERA) was not perfect, it was what was needed to improve public confidence in public education. Among other things, the commenter states this proposed rule change provides liberty and trust that school districts will develop and maintain their own training plan using PERA as its guide.

While SBE appreciates the support from the public commenter, the proposed change ultimately did not provide any further clarification of the statute. The overwhelming comments highlighting the potential negative impact of the proposed change has led SBE staff to reconsider moving forward with this rulemaking. While the intent was to clarify when evaluators should complete their retraining it has become clear that the proposed changes would present obstacles to the evaluation process and, more importantly, confusion to the field.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of April 11 2017 through April 17, 2017. The rulemakings are scheduled for review at the Committee's May 9, 2017 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
5/24/17	<u>Office of the State Treasurer</u> , Achieving a Better Life Experience (ABLE) Account Program (74 Ill. Adm. Code 722)	2/3/17 41 Ill. Reg. 00789	5/9/17
5/25/17	<u>Illinois Racing Board</u> , Rulemaking (2 Ill. Adm. Code 2250)	2/17/17 41 Ill. Reg. 1952	5/9/17
5/25/17	<u>Illinois Racing Board</u> , Access to Public Records of the Illinois Racing Board (Repealer) (2 Ill. Adm. Code 2251)	2/17/17 41 Ill. Reg. 1958	5/9/17
5/25/17	<u>Illinois Racing Board</u> , Supertrifecta Exchange (Repealer) (11 Ill. Adm. Code 310)	2/17/17 41 Ill. Reg. 1986	5/9/17
5/25/17	<u>Illinois Racing Board</u> , Hi/Low (Repealer) (11 Ill. Adm. Code 313)	2/17/17 41 Ill. Reg. 1994	5/9/17
5/25/17	<u>Illinois Racing Board</u> , Show Quinella (Repealer) (11 Ill. Adm. Code 316)	2/17/17 41 Ill. Reg. 1999	5/9/17
5/25/17	<u>Illinois Racing Board</u> , Countdown (Repealer) (11 Ill. Adm. Code 317)	2/17/17	5/9/17

		41 Ill. Reg. 2004	
5/25/17	<u>Illinois Racing Board</u> , WPS Pick (N) (Repealer) (11 Ill. Adm. Code 323)	2/17/17 41 Ill. Reg.2012	5/9/17
5/25/17	<u>Illinois Racing Board</u> , General Licensee Rules (11 Ill. Adm. Code 1313)	2/17/17 41 Ill. Reg. 2021	5/9/17
5/27/17	<u>Illinois Student Assistance Commission</u> , Veterans' Home Nurse Loan Repayment Program (23 Ill. Adm. Code 2757)	2/3/17 41 Ill. Reg. 832	5/9/17
5/27/17	<u>Illinois Student Assistance Commission</u> , Illinois National Guard (ING) Grant Program (23 Ill. Adm. Code 2730)	2/3/17 41 Ill. Reg. 825	5/9/17
5/27/17	<u>Illinois Student Assistance Commission</u> , Illinois Special Education Teacher Tuition Waiver (SETTW) Program (23 Ill. Adm. Code 2765)	2/3/17 41 Ill. Reg. 838	5/9/17
5/27/17	<u>State Board of Education</u> , Public Schools Evaluation, Recognition, and Supervision (23 Ill. Adm. Code 1)	2/10/17 41 Ill. Reg. 1645	5/9/17
5/27/17	<u>State Board of Education</u> , Standards for Endorsements in Elementary Education (23 Ill. Adm. Code 20)	2/10/17 41 Ill. Reg. 1680	5/9/17
5/27/17	<u>State Board of Education</u> , Standards for Endorsements in Early Childhood Education and in Elementary Education (23 Ill. Adm. Code 26)	2/10/17 41 Ill. Reg. 1684	5/9/17

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Heading of the Part: Reports of Child Abuse and Neglect

Code Citation: 89 Ill. Adm. Code 300

Section Numbers: 300.APPENDIX B

Date Originally published in the *Illinois Register*: 9/16/16
40 Ill. Reg. 13064

At its meeting on April 4, 2017, the Joint Committee on Administrative Rules considered the above-referenced rulemaking and recommended that the agency be more diligent in the future in meeting statutorily imposed deadlines for implementation of a Public Act by 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.

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 41, Issue 17 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

86 - 3000	4483
23 - 50	4524

ADOPTED RULES

50 - 941	4/14/2017	4496
11 - 1800	4/14/2017	4499
80 - 1230	4/17/2017	4510

NOTICE OF EXPEDITED CORRECTION

80 - 1200	8/1/2016	4520
-----------	----------------	------

JCAR REVIEW OF EXISTING RULES

STATEMENT OF RECOMMENDATIONS

89 - 300	4527
----------	-------	------

ORDER FORM

<input type="checkbox"/> Print Version of the Illinois Register <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
<input type="checkbox"/> Back Issues of the Illinois Register (Current Year Only) Volume # _____ Issue# _____ Date _____	\$ 10.00 (each)
<input type="checkbox"/> Microfiche sets of the Illinois Register (1977 – 2004) Specify Year(s) _____	\$ 200.00 (per set)
<input type="checkbox"/> Yearly Index Cumulative/Sections Affected Indices (Current Year)	\$ 5.00 (per set)
(Processing fee for credit cards purchases, if applicable.)	\$ 2.00
TOTAL AMOUNT OF ORDER	\$ _____

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

<input type="checkbox"/> VISA <input type="checkbox"/> Master Card <input type="checkbox"/> Discover <small>(There is a \$2.00 processing fee for credit card purchases.)</small>
Card #: _____ Expiration Date: _____
Signature: _____

Send Payment To: Secretary of State E-mail: eAdministrativeCode@ilsos.net
 Department of Index Phone: (217) 782-7017
 Administrative Code Division
 111 E. Monroe
 Springfield, IL 62756

Name:	Attention:	ID #:
Address:		
City:	State:	Zip Code:
Phone:	Fax:	E-Mail:

Published by **JESSE WHITE** • Secretary of State
www.cyberdriveillinois.com