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Illinois General Assembly

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Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

New Rules

■ SCHOOL FUNDRAISERS

The STATE BOARD OF EDUCATION adopted amendments to the Part titled School Food Service (23 IAC 305; 38 Ill Reg 14227), effective 11/19/14. A companion emergency rulemaking effective 6/25/14 appeared in the *Illinois Register* at 38 Ill Reg 14445. The rulemaking implements, in stages, a new U.S. Department of Agriculture rule prohibiting sale of foods that do not meet federal school nutrition guidelines on school premises during the school day, with "infrequent" exceptions for school fundraising purposes (e.g., bake sales) to be established by state education agencies. SBE will allow high schools up to 36 exempted fundraising days during the 2014-15 school year and 9 days per school year thereafter. For non-high schools, 9 fundraising

days will be allowed in 2014-15 and none will be allowed thereafter. Since 1st Notice, the phase-in period has been shortened so that permanent restrictions take effect in the 2015-16 school year (instead of 2016-17). Local school districts, student clubs or organizations, parent organizations and booster clubs will be affected by these rulemakings.

TEACHER EVALUATION

SBE also adopted amendments to Evaluation of Certified Employees under Articles 24A and 34 of the School Code (23 IAC 50; 38 Ill Reg 14200) effective 11/19/14, adjusting the implementation of the Performance Evaluation Reform Act (PERA) (PA 96-861). The amendments lay out detailed requirements for the State Performance Evaluation

(cont. page 2)

Proposed Rulemakings

■ CANNABIS CULTIVATION

The DEPARTMENT OF AGRICULTURE proposed amendments to Compassionate Use of Medical Cannabis Pilot Program (8 IAC 1000; 38 Ill Reg 22275) that make changes to the process of applying for a cannabis cultivation center license from DOA. A companion emergency rule, effective 8/8/14 for a maximum of 150 days, appeared in the *Illinois Register* at 38 Ill Reg 17772. The proposed amendments specify how many points of a cultivation center permit applicant's score will be determined by each section of an application. Required elements of an application (totaling 1,000 points) are scored as follows: cultivation plan, 300 points; security plan, 200 points; product safety and labeling,

(cont. page 3)

NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.
PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.
PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.
■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.
QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.
RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

New Rules

(cont. from page 1)

Model, the Student Learning Objective (SLO) process, and establish clear criteria differentiating between performance evaluation ratings of unsatisfactory, needs improvement, proficient, and excellent. Changes since 1st Notice replace the term “evaluation cycle” with “interval of instruction”; allow teachers to propose SLOs from which qualified evaluators will choose those used in the evaluation; clarify when certain measurement models are used; and allow a combination of student growth and professional practices ratings to be used in certain circumstances.

Questions/requests for copies of the 2 SBE rulemakings: Part 305, Mark Haller (217/782-2491) or Part 50, Jason Helfer (217/557-6763), SBE, 100 North First Street, Springfield IL 62777-0001.

■ HUNTING

The DEPARTMENT OF NATURAL RESOURCES adopted amendments to the following 8 Parts: General Hunting and Trapping on Department-Owned or –Managed Sites (17 IAC 510; 38 Ill Reg 17195), Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 IAC 530; 38 Ill Reg 17203), Duck, Goose, and Coot Hunting (17 IAC 590; 38 Ill Reg 17216), White-Tailed Deer Hunting by Use of Firearms (17 IAC 650; 38 Ill Reg 17223), White-Tailed Deer Hunting by Use of

Muzzleloading Rifles (17 IAC 660; 38 Ill Reg 17229), White-Tailed Deer Hunting by Use of Bow and Arrow (17 IAC 670; 38 Ill Reg 17233), Youth Hunting Seasons (17 IAC 685; 38 Ill Reg 17253), and The Taking of Wild Turkeys – Spring Season (17 IAC 710; 38 Ill Reg 17261), all effective 11/18/14. The amendments to Parts 510 and 590 clarify that regulations on use of firearms do not prohibit legal possession of concealed firearms by persons with valid concealed carry licenses. Part 510 is also amended to allow non-hunting and non-trapping partners to accompany hunters. Amendments to Part 530 change the controlled pheasant hunting season dates at Ramsey Lake State Park and allow the sale of pheasant permits by public/private partnership concessionaires at Ramsey Lake, Horseshoe Lake State Park, Chain O’Lakes State Park, and Silver Springs State Park. Amendments to Parts 650, 660, 670, and 710 remove Burning Star 5 State Wildlife Management Area from the list of sites open to deer and turkey hunting, since DNR no longer manages that area. The Part 650 rulemaking also adds provisions for a disabled hunt at Lake Shelbyville Projects Lands, while Part 670 is amended to clarify that archery deer hunters may possess arrows with non-broadhead points, but may only use broadhead point arrows to take deer. A change since 1st Notice to Part 670 removes a provision requiring hunters at Newton Lake State Fish and Wildlife Area to

check deer at the site office. Finally, amendments to Parts 685 and 710 add provisions for the new youth hunting license. Those affected by these rulemakings include hunters, trappers, and outfitters.

Questions/requests for copies of these 8 DNR rulemakings: John Buhnerkempe, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/785-2511.

■ LAKE MICHIGAN WATER

DNR also adopted amendments to the Part titled Allocation of Water From Lake Michigan (17 IAC 3730; 38 Ill Reg 5754) effective 11/18/14. The amendments implement DNR’s program for apportionment of water to be diverted from Lake Michigan that is not to exceed a 40-year running average of 3,200 cubic feet per second. The rulemaking adds Kendall County and the Chicago Metropolitan Agency for Planning to the list of those notified of hearings. The Department will hold an amount of Lake Michigan water in reserve for lockage and leakage based on the running average over 40 accounting periods. Applications for an allocation permit must now contain a description of the applicant’s current and proposed water conservation program, measures and ordinances that promote the efficient use of its water supply. The rulemaking renames several of the water demands titles and

(cont. page 4)

Proposed Rulemakings

(cont. from page 1)

150 points; facility suitability, 150 points; staffing plan, 100 points; and business plan, 100 points. In addition, up to 160 bonus points will be awarded for optional submissions such as labor and employment practices, environmental impact statements and proof of minority, female or disabled person majority business ownership as defined in the Business Enterprise for Minorities, Females and Persons with Disabilities Act. The rulemaking also allows applicants who are awaiting local zoning decisions to submit verification of zoning approval no later than 60 days after submitting the remainder of their applications to DOA. Applicants for cultivation center permits and local zoning authorities are affected by this rulemaking.

Questions/requests for copies/comments through 1/20/15: Susan Baatz, DOA, State Fairgrounds, Springfield IL 62794-9281, 217/524-6905, fax 217/785-4505.

■ LIBRARIES

The SECRETARY OF STATE (State Library) proposed amendments to Illinois State Library, Library Operations Division (23 IAC 3010; 38 Ill Reg 22462), Illinois State Library Grant Programs (23 IAC 3035; 38 Ill Reg 22593) and Public Library Non-Resident Services (23 IAC 3050; 38 Ill Reg 22625); repeal

of the current Part titled The Illinois Library System Act (23 IAC 3030; 38 Ill Reg 22480); and proposed a new Part, also titled The Illinois Library System Act (23 IAC 3030; 38 Ill Reg 22526). Amendments to Part 3010 update library patron policies for the State Library in Springfield. The book stacks area is open only to SOS Library employees, maintenance personnel and persons granted a stacks pass by a State Library Operations Manager or reference librarian. No briefcases, other containers, food or drink are allowed in the book stacks areas. Circulation desk staff shall keep an updated list of persons approved for stacks passes and will sign them in and out. Map storage rooms and the Folio Room are not available to persons with stacks passes. The new Part 3030 sets out a new structure for library systems and defines new terms such as “multitype library system” (a system serving at least 10 libraries in an area of at least 150,000 residents covering at least 4,000 square miles), “Statewide reciprocal borrowing”, and “systemwide reciprocal borrowing”, which grant cardholders the same borrowing privileges with other libraries in the State or within a particular system as they have at their home library. The rule establishes criteria libraries must meet to be admitted to a library system, including adherence to the ILLINET Interlibrary Loan Code, and phases out provisions for “developmental libraries” that do not yet meet requirements for

full library system membership. Other topics addressed in the new Part include merger, liquidation, and boundary adjustment of library systems; rules for library system boards; qualifications for library system directors; requirements for library polices on “core services”; and administrative hearing rules to be used when an adverse action (e.g. suspension or revocation of a system’s approval) is appealed. The Part 3035 rulemaking includes updated cross references along with revisions to State Library grant program policies and to administrative hearing procedures. Finally, the Part 3050 rulemaking clarifies how endowed libraries that receive no income from local taxes may determine maximum non-resident fees. Public libraries and library systems are affected by these rulemakings.

Questions/requests for copies/comments concerning the 5 SOS rulemakings through 1/20/15: Joe Natale, SOS, Illinois State Library, Gwendolyn Brooks Bldg., Springfield IL 62701-1796, 217/558-4185, jnatale@ilsos.net

■ MEDICATION AIDES

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed amendments to the Part titled Nurse Practice Act (68 IAC 1300; 38 Ill Reg 22373) implementing PA 98-990,

(cont. page 5)

New Rules

(cont. from page 1)

states that for new applicants allocation of Lake Michigan water will be made with the goal of reducing withdrawals from the deep aquifer. Category III applicants will not qualify for an allocation of water. The rulemaking lowers the allocation for the Chicago Area Waterway System and states that DNR will consider minimum navigational needs and sanitary conditions. DNR will normally make allocations to meet the full water needs of Category IA and IB before any water is allocated to those in Category IIA and IIB. Conservation practices now include ordinances that promote the efficient use of water for lawn sprinkling and other outside uses and the use of WaterSense labeled products for plumbing. Applicants in Category IA and IB shall limit non-revenue water so that it is 12% or less of the total pumpage, decreasing to 10% in 2019. In certain cases, waivers may be issued. This rulemaking may also require ordinance changes, including plumbing codes and lawn sprinkling, and require the use water use audit methodology for calculating water usage. Changes since 1st Notice define a “water year”, mandate compliance with certain provisions of the Illinois Plumbing License Law, and recommend applying the rules in Subpart N of the Illinois Plumbing Code (77 IAC 890) when WaterSense labeled products are unavailable for the type of plumbing fixture in use. This rule affects units of local

government, commercial businesses and water utilities that have or seek a Lake Michigan water allocation permit.

MINING

DNR also adopted amendments to Procedure for Conducting Examinations of Persons seeking Certificates of Competency (62 IAC 230; 38 Ill Reg 14804), effective 11/18/14, creating a certificate, examination and corresponding fee related to the training and certification of mine electricians. Apprentice mine electricians who have successfully completed or are in the process of completing several named training programs are eligible to take the examination. The certificate fee is \$50 and applicants must score 80% or better to pass. Other topics addressed include retakes of failed categories, examination times, the structure of the examination, training, disciplinary action by the Board and limited grandfathering/exemption for current electricians employed and holding a Mine Safety and Health Administration electrical qualification card on 1/1/15 (changed since 1st Notice from 1/1/14). These rulemakings may affect small businesses involved in the extraction, storage or movement of coal or other mining operations.

Questions/requests for copies of the 2 DNR rulemakings above: Robert G. Mool (17 IAC 3730) or Nick San Diego (62 IAC 230), DNR, One Natural Resources Way,

Springfield IL 62702-1271, 217/782-1809.

MERCURY THERMOSTATS

The ENVIRONMENTAL PROTECTION AGENCY adopted a new Part titled Collection of Out-of-Service Mercury Thermostats (35 IAC 190; 38 Ill Reg 15811), effective 11/20/14, setting collection goals for the Agency for mercury thermostat collection programs for calendar years 2015-2020. Since 1st Notice, the collection goals for the years 2016, 2018 and 2020 have been increased, and provisions have been made to revise the program if collection goals for 2015 and 2017 are not met. Revisions may be suggested by thermostat manufacturers, while modifications implemented by EPA may include expanded outreach and education efforts, adding new collection sites, or offering cash incentives to manufacturers. Manufacturers of mercury thermostats and businesses or other entities that have used them are affected by this rulemaking.

Questions/requests for copies: James Jennings, EPA, 1021 N. Grand Avenue East, PO Box 19276, Springfield, IL 62794-9276, 217/782-5544, James.M.Jennings@illinois.gov

MENTAL HEALTH SERVICES

The DEPARTMENT OF PUBLIC HEALTH adopted a new Part titled Specialized Mental Health

(cont. page 6)

Proposed Rulemakings

(cont. from page 3)

creating the Medication Aide Pilot Program. The application fee for a medication aide is \$50 while the application fee for participating as a qualified facility is \$500. The pilot program will run between 1/1/16 and 12/31/18. Facilities are limited to 10 qualified nursing homes (2 in each of the 5 Appellate Court Districts). Medication aide applicants must be licensed certified nursing assistants, show proof of 2,000 hours of practice as a CNA within 3 years before application, show proof of completing a medication aide education program, have current CPR certification, verify fingerprint processing, show proof of employment at a qualified facility, pay the fee, and provide proof of a high school diploma or GED. All applicants must pass the Medication Aide Certification Examination. Qualified facilities must meet the following criteria in order to be considered for the program: be a licensed skilled nursing facility by DPH, have a Five Star Quality rating of 3 or better from the Centers for Medicare and Medicaid Services website, certify employment of a medication aide will not replace or diminish employment of a registered nurse or licensed practical nurse, certify an RN will be in duty and present to delegate to and supervise the medication aide, and certify it will provide information regarding patient safety, efficiency and

errors. Applicants for qualified facilities must also submit a sample curriculum, course schedule, instructors, education materials and copies of the 2 most recent DPH annual surveys. Additional factors that DFPR may use to select qualified facilities include the geographic location, number of beds and length of time the facility has been licensed. The rulemaking establishes criteria to terminate qualified facilities that include failure to adhere to the medication aide plan submitted and failure to ensure that certified medication aides do not have access to Schedule II Controlled Substances (medications with a high potential for abuse or addiction, e.g., codeine, morphine, hydrocodone). DFPR or DPH may conduct site visits. The rulemaking outlines the requirements for the 60 hour certified medication aide curriculum that includes hours for medication fundamentals and safety. Qualified facilities must submit quarterly reports that must include the listed materials (e.g., medication errors and the outcome, costs and other financial implications, benefits of the program). CNAs and licensed skilled nursing facilities that wish to participate in the pilot program are affected.

Questions/requests for copies/comments through 1/20/15: Craig Cellini, DFPR, 320 W. Washington, 3rd Floor, Springfield IL 62786, 217/785-0813.

■ PROCUREMENT

The AUDITOR GENERAL proposed amendments to Purchases and Contracts (44 IAC 500; 38 Ill Reg 22295) to align the Office's procurement rules with recent statutory revisions. The terms "subcontract" and "subcontractor" are clarified to refer to contracts with a total value of more than \$50,000 and which do not provide goods or services incidental to the performance of a contract. In providing required notice of subcontractors, a subcontractor or contractor may identify information that is deemed proprietary or confidential and the Procurement Officer, after review, shall redact or exclude the information. Various notice periods are clarified (e.g. 14 calendar days after publication but before the opening of bids in electronic bidding for reverse auctions). Each lease must provide for actual or liquidated damages in the event a lessor fails to make improvements agreed upon in the lease contract. The thresholds for categorization as a small business are raised from \$10 million in annual sales to \$13 million for wholesale businesses; from \$10 million to \$14 million for construction businesses; and from \$6 million to \$8 million for retail businesses or service entities. Sales thresholds for businesses offering combined services or types of sales are also raised. Numerous procurement

(cont. page 8)

New Rules

(cont. from page 4)

Rehabilitation Facilities Code (77 IAC 380; 38 Ill Reg 11713), effective 11/21/14. The Part was originally implemented by emergency rule effective 5/22/14 and appeared in the *Illinois Register* at 38 Ill Reg 11819. The new Part implements Public Act 98-104, effective 7/22/13, also known as the Specialized Mental Health Rehabilitation Act of 2013. The rulemaking permanently establishes a process for licensing facilities providing services to people with serious mental illness. It also contains provisional and full licensure requirements and processes, training requirements for staff, consumer assessment standards and processes, and facility physical plant requirements. DPH also delineates the care to be provided to consumers in the four levels of service that will be provided in specialized mental health rehabilitation facilities. Since 1st Notice, DPH has clarified that a facility may close and reopen in an underserved part of Illinois if it receives a Certificate of Need from the Health Facilities and Services Review Board. Other changes clarify policies regarding psychotropic medications, triage centers, and the minutes of care a patient must receive per week. DPH also adopted amendments to Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300; 38 Ill Reg 11666), also effective 11/21/14, repealing Subpart T, which established a demonstration certification program in concert with the

Department of Healthcare and Family Services for facilities serving persons with serious mental illness. DPH will no longer certify these facilities under the demonstration program rules.

■ MEDICAL GRANTS

DPH also adopted amendments to Visa Waiver Program for International Medical Graduates (77 IAC 591; 38 Ill Reg 15816) and Dental Student Grant Act (77 IAC 592; 38 Ill Reg 15847), both effective 11/21/14. The Part 591 rulemaking adds new definitions, clarifies eligibility requirements, updates application criteria, revises selection standards; and amends the term of performance for participating physicians. Since 1st Notice, DPH has clarified how a shortage of a medical specialty in a given area or population will be determined. The Part 592 rulemaking implements 3 Public Acts. PA 87-665 removed the Act's definition of designated shortage area and the requirement that a grant recipient work in a shortage area after graduating from dental school. PA 91-798 repealed the Act's provisions for creation and administration of the Dental Student Grant Advisory Committee, while PA 97-396 updated the definition of "racial minority". A change since 1st Notice states that if available grant funds are not sufficient to award each approved applicant the maximum amount, funds shall be divided equally among all qualified applicants (originally, DPH proposed allocating funds

via a ranking of applicants or another method as an option). Other changes explain how underrepresentation of a particular minority in the dental field will be determined and clarify that the Director makes final decisions in disputes over terms of performance or repayment. Those affected by this rulemaking include medical and dental students, recently graduated physicians and dentists, and their employers.

■ FOOD SERVICE

DPH adopted amendments to Food Service Sanitation Code (77 IAC 750; 38 Ill Reg 10822), effective 11/20/14, implementing a provision of Public Act 98-566 requiring DPH to establish food handler training requirements for any food handler working in a retail food establishment. The rulemaking provides general training program requirements, course approval and content standards, and specific food handler training requirements. Retail food establishments, food processors, and dairies are among those affected by these rulemakings.

■ TANNING FACILITIES

DPH also adopted amendments to Tanning Facilities Code (77 IAC 795; 38 Ill Reg 10885), effective 11/24/14, making technical clean-ups and clarifications, including updating reference materials to reflect the most

(cont. page 7)

New Rules

(cont. from page 6)

recent editions/versions. The rulemaking also clarifies tanning facility application requirements and operator criteria.

Questions/requests for copies of the 6 DPH rulemakings: Susan Meister, DPH, 535 W. Jefferson St., 5th Flr., Springfield IL, 62761, 217/782-2043, dph.rules@illinois.gov.

■ DOMESTIC VIOLENCE

The DEPARTMENT OF HUMAN SERVICES repealed the Part titled Partner Abuse Intervention (89 Ill Adm Code 501; 37 Ill Reg 19437) and adopted a new Part with the same title (89 Ill Adm Code 501; 37 Ill Reg 19457), both effective 11/19/14. The new Part 501 is rewritten to reflect current best practices for intervention programs that work with persons who have been convicted of or have admitted domestic violence against an adult partner. Subpart B of the new Part 501 has been significantly revised to include more detail regarding program requirements and content. (For example, intervention programs must approach substance abuse and partner abuse as separate issues, and former perpetrators of partner abuse must have been abuse-free for at least 5 years before they can co-facilitate an intervention group.) Since 1st Notice, several definitions have been added, changed or deleted, and some terminology has been modified. The changes made by this rulemaking are too extensive to be addressed solely in this description; please

contact DHS for further details. Organizations that sponsor domestic violence intervention programs are affected by this rulemaking.

■ ABUSE REPORTING

DHS adopted amendments to Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies (59 IAC 50; 38 Ill Reg 18065) effective 11/20/14 that add financial exploitation to the list of reportable offenses or substantiated findings. The rulemaking implements a provision of Public Act 98-711, effective 7/16/14, which requires substantiated findings of financial exploitation to be reported to the DPH Health Care Worker Registry. A companion emergency rulemaking effective 7/16/14 appeared in the *Illinois Register* at 38 Ill Reg 18242.

■ PUBLIC ASSISTANCE

DHS also adopted an amendment to Aid to the Aged, Blind or Disabled (89 IAC 113; 38 Ill Reg 17183), effective 11/20/14. An identical emergency amendment effective 7/30/14 appeared in the *Illinois Register* at 38 Ill Reg 17470. The rulemaking implements PA 98-674, effective 6/30/14, which increases the monthly cash assistance allowance for certain non-U.S. citizens whose eligibility for Supplemental Security Income (SSI) has expired. (Federal law allows certain

groups of refugees, asylum seekers, and victims of human trafficking to qualify for SSI for up to 7 years.) These persons may receive an allowance equal to 90% of the current maximum SSI monthly payment, or \$648.90 (formerly, no more than \$500).

Questions/requests for copies of the 4 DHS rulemakings: Tracie Drew, DHS, 100 S. Grand Ave. East, 3rd Fl., Springfield IL 62762, 217/785-9772.

■ INCOME TAX

The DEPARTMENT OF REVENUE adopted an amendment to Income Tax (86 IAC 100; 38 Ill Reg 18122) effective 11/21/14 concerning withholding income tax by an employer for an employee. Employers owing no more than \$12,000 in the previous complete State fiscal year may file a return annually during the current calendar year. Employers that reported a liability of no more than \$1,000 may pay the tax when the return for the current calendar year is due. An employer eligible to file annually who withholds or is required to withhold more than \$12,000 in any quarter must make a return for each subsequent quarter and make semi-weekly payments for the current and following calendar year. However, employers filing annually have the option to file quarterly, in which case monthly payments must be made, unless liability exceeds \$12,000 in any

(cont. page 8)

New Rules

(cont. from page 7)

quarter. Small businesses may be affected by this rulemaking.

Questions/requests for copies: Paul Caselton, DOR, 101 W. Jefferson, Springfield IL 62794, 217/782-7055.

■ DCFS FACILITIES

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES adopted amendments to the Part titled Use of Department Facilities and Grounds (89 IAC 433; 38 Ill Reg 610), effective 11/21/14, restricting non-DCFS use of meeting space at Department facilities to employee organizations. (Formerly, these facilities were available to community-based groups on a non-discriminatory, first-come first-served basis.) Since 1st Notice, DCFS has removed language limiting facility use by employee organizations to business hours only. Municipalities and non-profit organizations may be affected by this rulemaking.

Questions/requests for copies: Jeff Osowski, DCFS, 406 E. Monroe St., Station #65, Springfield IL 62701-1498, 217/524-1983, e-mail: cfpolicy@idcfs.state.il.us.

LEGAL PRACTICE

The ILLINOIS COMMERCE COMMISSION adopted amendments to Rules of Practice (83 IAC 200; 385 Ill Reg 3416) effective 11/21/14 that reflect the

Illinois Supreme Court's expansion of its Rule 707 regarding practices of out-of-State attorneys. Attorneys from outside Illinois must meet specified eligibility requirements (authorized to practice in another jurisdiction, not prohibited from practice due to discipline, and, on and after 1/1/14, has not entered an appearance in more than 5 other proceedings in the calendar year). The rule lists proceedings requiring permission to provide legal services; information that must be provided in a verified statement; and registration and proceedings fees.

Questions/requests for copies: Brian Allen, ICC, 527 E. Capitol Ave., Springfield IL 62701, 217/558-2387, ballen@iccillinois.gov.

Proposed Rulemakings

(cont. from page 5)

ethics provisions are being revised in accordance with statute to trigger compliance requirements regarding offers as well as bids for various types of activity. This rulemaking will affect small businesses seeking contracts with the Auditor General's office.

Questions/requests for copies/comments through 1/20/15: Rebecca Patton, OAG, 740 E. Ash St., Springfield IL 62703, 217/782-6698, Fax: 217/785-8222, TTY 888/261-2887.

PUBLIC INFORMATION

The POLLUTION CONTROL BOARD adopted amendments to Organization, Public Information, and Types of Proceedings (2 IAC 2175; 38 Ill Reg 22384) updating the Part to reflect recent changes to the Freedom of Information Act and to the Board's organizational structure and procedures. References to print subscriptions to the *Environmental Register* are also removed as the publication is now online-only.

Questions/requests for copies: Marie Tipsord, FOIA Officer, PCB, 100 W. Randolph St., Suite 11-500, Chicago IL 60601, 312/814-4925. Please reference docket R 15-10. Copies are also available at www.ipcb.state.il.us.

■ WATER POLLUTION

The POLLUTION CONTROL BOARD proposed amendments to Standards and Requirements for Potable Water Supply Well Surveys and for Community Relations Activities Performed in Conjunction with Agency Notices of Threats from Contamination (35 IAC 1600; 38 Ill Reg 22411) updating the Part to comply with new statutory and rule changes that classify soil gas (in addition to soil and groundwater) as a possible vehicle for contaminant exposure. The rulemaking requires notice to the public if

(cont. page 9)

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's December 16, 2014 meeting, scheduled for 11:30 a.m. at the Michael Bilandic Building, 160 N. La Salle St. Chicago.

DEPT OF INSURANCE

Health Carrier External Review (50 IAC 5430) proposed 8/8/14 (38 Ill Reg 16596)

DEPT OF NATURAL RESOURCES

Open Space Lands Acquisition and Development Grant Program (17 IAC 3025)
proposed 8/1/14 (38 Ill Reg 16143)

DEPT ON AGING

Elder Rights (89 IAC 270) proposed 1/24/14 (38 Ill Reg 2469)

IL HOUSING DEVELOPMENT AUTHORITY

Foreclosure Prevention Program Graduated Fund (47 IAC 386) proposed 9/5/14
(38 Ill Reg 18332)

Proposed Rulemakings

(cont. from page 8)

offsite soil gas contamination from the site of a contaminant release, or from volatile chemicals that could escape the water in gaseous form and be inhaled, exceed acceptable levels of exposure. Those affected by this rulemaking include businesses and municipalities from whose property a contaminant release occurs.

Comments through 1/20/15: John Therriault, Clerk, PCB, 100 W. Randolph St., Suite 11-500, Chicago IL 60601. Questions: Tim Fox at the same address, 312/814-

6085, Tim.Fox@illinois.gov. Please reference docket R14-23. Copies of the Board's opinion and order are available at <http://www.ipcb.state.il.us> or 312/814-3620.

■ HIV/AIDS

The DEPARTMENT OF PUBLIC HEALTH proposed a new Part titled Quality of Life Code (77 IAC 974; 38 Ill Reg 22435) establishing a board to oversee grants from the Quality of Life Fund established to support HIV prevention and treatment programs. (The fund is supported by an Instant Lottery scratch-off game.) The new Part

establishes criteria for Quality of Life grant eligibility; application and grant issuance guidelines and procedures; and requirements for intervention staff training and service documentation. Those affected by this rulemaking include small businesses and non-profits that provide counseling, treatment or other services to persons at risk of or living with HIV.

Questions/requests for copies/comments through 1/20/15: Susan Meister, DPH, 535 W. Jefferson St., 5th Fl., Springfield IL 62761, 217/782-2043, dph.rules@illinois.gov