**Section 1225.130 Procedures**

a) Notice of proposed rulemaking.

 Rulemaking shall be initiated by the issuance of a notice of proposed rulemaking and interested persons will be invited to participate in the rulemaking proceedings with respect to each substantive rule.

b) Contents of notices.

 Each notice of proposed rulemaking is published in the Illinois Register pursuant to the provision of Section 5-40 of the Illinois Administrative Procedure Act.

c) Petitions for extension of time to comment.

1) Any person may petition the Secretary for an extension of time to submit comments in response to a notice of proposed rulemaking. The petition must be submitted not later than 14 days after publication of the notice in the Illinois Register. The filing of the petition does not automatically extend the time for petitioner's comments.

2) The Secretary grants the petition only if the petitioner shows a substantive interest in the proposed rule and good cause for the extension, and if the extension is in the public interest. If an extension is granted, it is granted to all persons and is published in the Illinois Register.

d) Contents of written comments.

 When the Secretary specifies in the notice that written comments will be received, it is requested, but not required, that three copies of the comments be submitted. Persons submitting written comments should submit along with the written comments, any material that the person believes supports the comments.

e) Nature of oral comments; Informal hearings.

1) The Secretary may specify in the notice that an informal hearing be held for the purpose of receiving oral comments on the proposed rulemaking. The notice shall state the time and place for informal hearing and the Department representative who can be contacted for future information. It is requested that interested persons, whenever possible, notify the Department representative of their desire to give oral comment within 14 days of publication of the notice.

2) Informal hearings on proposed rulemaking shall be presided over by officials designated by the Secretary. An accurate and complete transcript of the proceeding shall be kept as a record of the oral comments.

3) Unless otherwise specified, hearings held under this Section are informal, nonadversary, fact-finding proceedings, at which there are no formal pleadings or adverse parties. Any regulation issued in a case in which an informal hearing is held will not necessarily be based exclusively on the record of the hearing.

f) Petitions for hearing.

1) If a notice of proposed rulemaking does not provide for a hearing, any interested person may petition the Secretary for an informal hearing. The petitions must be received by the Secretary within 14 days of the publication of the notice. The filing of the petition does not automatically result in the scheduling of a hearing. A petition is granted only if the petitioner shows good cause for a hearing. If a petition for a hearing is granted, notice of the hearing is published in the Illinois Register.

2) All informal hearings held pursuant to this Section shall be subject to all the provisions for informal hearings set out in Section 1225.130(e).

g) Consideration of comments received.

 All timely comments are considered before final action is taken on a rulemaking proposal. Late filed comments may be considered so far as possible without incurring additional expense or delay.

h) Additional rulemaking proceedings.

 The Secretary may initiate any further rulemaking proceedings that he finds necessary or desirable. For example, he may invite interested persons to present oral arguments, participate in conferences, appear at informal hearings, or participate in any other proceeding.

i) Adoption of final rules.

 Final rules are prepared by representatives of the offices concerned and the Office of Chief Counsel. The rule is then submitted to the Secretary for his consideration. If the Secretary adopts the rule, it is published in the Illinois Register.