

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 is designed to inform and involve the public in changes taking place in agency administration.

New Regulations

ENTERPRISE ZONES

The DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY adopted amendments to "Enterprise Zone and High Impact Business Programs" (14 Ill Adm Code 520; 37 Ill Reg 16171), effective 12/20/13, that implement PA 98-109. The amendments require proposed enterprise zones to meet at least 3 of 10 criteria instead of 1 of 6. New criteria being added include the presence of an abandoned coal mine, brownfield or federal disaster area; large scale business closings affecting at least 50 workers in the last 5 years; a high number of vacant buildings; and significantly lower than average equalized assessed valuations for industrial and commercial properties. Criteria being removed include population loss, median household income thresholds, and the presence of a closed military base. Provisions of the characteristics of the proposed zone must be identified at time of application. The rulemakings also add definitions, set timelines for establishing new enterprise zones or renewing existing zones, add a point system for ranking applica-

tions, and outline DCEO Enterprise Zone Board duties. Those affected by this rulemaking include units of local government seeking to create new enterprise zones or renew existing zones and small businesses in existing or potential enterprise zones.

Questions/requests for copies: Jolene Clarke, DCEO, 500 E. Monroe St., Springfield IL 62701, 217/557-1820, e-mail: jolene.clarke@illinois.gov.

SCHOOL SAFETY GRANTS

The ILLINOIS EMERGENCY MANAGEMENT AGENCY adopted a new Part titled "School and Campus Safety Grants" (29 Ill Adm Code 310; 37 Ill Reg 13963), effective 12/19/13, that allows grants to public schools and institutions of higher education to implement protective measures to reduce facility vulnerability to emergency situations and enhance preparedness and response. Covered topics include application procedures and requirements; project requirements; grant agreement requirements; and audit and grant recovery procedures.

(cont'd next page)

Proposed Regulations

SCHOOL ADMINISTRATORS

The STATE BOARD OF EDUCATION proposed amendments to "Public Schools Evaluation, Recognition and Supervision" (23 IAC 1; 38 Ill Reg 1) reflecting the transition from teacher and administrator certification to educator licensure, clarifying the qualifications districts must use in assigning staff to administrative positions, reflecting new requirements for the elementary education and middle grades endorsements, and clarifying the administrative posts available to a teacher leader endorsement holder.

EDUCATOR LICENSURE

SBE also proposed numerous amendments to "Educator Licensure" (23 IAC 25; 38 Ill Reg 61), that include the following: establishing requirements for part-time provisional career/technical educator endorsement; allowing certain endorsement holders with qualifications exceeding those for paraprofessional to serve as paraprofessionals without a separate application process; clarifying basic skills test requirements

(cont'd next page)

NEW REGULATIONS: Rules adopted by agencies this week.

PROPOSED REGULATIONS: Rules proposed by agencies this week, commencing a 45-day First Notice period. Public comments must be accepted by the agency for the period of time indicated.

☞: Symbol designating 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/RULE TEXT: Direct mail or phone calls to the agency personnel listed below each summary. Providing volume and issue number of The Flinn Report or the Illinois Register will expedite the process. Some agencies charge copying fees. However, copy requests do not have to be made under the Freedom of Information Act.

New Regulations

Questions/requests for copies: Traci Burton, IEMA, 1035 Outer Park Drive, Springfield IL 62704, 217/785-9860, TDD 217/782-6133.

DNR GRANTS

The DEPARTMENT OF NATURAL RESOURCES adopted a new Part titled "Grant Review and Processing Fees" (17 Ill Adm Code 3000; 37 Ill Reg 2843), effective 12/17/13. The rules institute a new ¼ of 1% grant application fee (capped at \$300) which must be submitted with any application for a DNR grant program. Applications submitted without the fee or an incorrect fee will not be accepted and unsuccessful applicants will not receive a refund. A separate grant award fee of 1% of the grant amount (capped at \$5,000) will be charged for processing successful applications. Several programs and/or classes of grants are exempt from the fee, including operation grants and grants of less

than \$25,000. The rulemaking also establishes definitions and outlines other program practices. Changes since 1st Notice include raising the grant amount exempt from fees from \$10,000 to \$25,000; and institution of a separate, smaller grant application fee for all applicants, with the 1% fee now charged only to applicants that are awarded grants. Several new definitions have also been added. Applicants for DNR grants will be affected.

Questions/requests for copies: George Sisk, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/782-1809.

COMMERCIAL DRIVERS

The DEPARTMENT OF TRANSPORTATION adopted amendments to "Motor Safety Carrier Safety Regulations: General" (92 Ill Adm Code 390; 37 Ill Reg 390), effective 12/19/13. The rulemakings add and update

incorporations of federal laws by reference effective 10/1/12 and amendments to federal regulations effective 3/14/13, along with the DOT address where copies of the incorporated material can be obtained. These amendments also update the definition of "commercial vehicle inspection" to be consistent with the definition established by the Commercial Vehicle Safety Alliance. A change since 1st Notice revises the definition of "covered farm vehicle" to be consistent with the Illinois Vehicle Code. Additional language clarifies registration plate requirements for truck-trailer combinations. Those affected by these rulemakings include small businesses that own or operate commercial vehicles.

Questions/requests for copies: Catherine Allen, DOT, PO Box 19212, Springfield IL 62794-9212, 217/785-3031.

Proposed Regulations

for substitute teachers; removing the 5-attempt limit on basic skills test completion; clarifying the minimum writing scores required to meet the basic skills test's writing requirement; and allowing student teachers to be paid for teaching while they are fulfilling early childhood education student teaching requirements and also to receive credit for that student teaching.

PRINCIPAL MENTORING

SBE proposed amendments to "Programs for the Preparation of Principals in Illinois" (23 IAC 30; 38 Ill Reg 161) that permit superintendents, assistant superintendents or directors of special education with at least 2 years of successful experience as a building principal to mentor principal candidates (currently: only the

principal of the school at which the candidate is placed may mentor), allow principal candidates to pass the applicable content-area test and evaluation assessment prior to licensure (currently, before beginning the internship and before beginning the last semester of the internship, respectively); and raise the maximum number of candidates a mentor may supervise to 5, or 6 with special permission from the State Educator Preparation and Licensure Board (SEPLB) (currently 2 or 3 with SEPLB permission).

Questions/requests for copies/comments of these rules through 2/18/14: Shelley Helton, Agency Rules Coordinator, Illinois State Board of Education, 100 North First Street, S-493, Springfield, Illinois 62777-0001, 217/782-5270, email: rules@isbe.net.

INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to "Assigned Risk Procedures" (50 Ill Adm Code 2904; 38 Ill Reg 184). The rulemaking provides that, an insurance producer for an employer may submit an application online for assignment to the Assigned Risk Pool, but coverage is not bound until eligibility is determined by the DOI Administrator and the signed application is received with the appropriate premium. For electronic applications, the total appropriate premium payment must be paid by credit card or electronic funds transfer. Minimum premium policy payments must also be paid in full. Instead of every assigned carrier seeking written approval from the Department to terminate a policy,

Proposed Regulations

assigned carriers may terminate a policy as permitted by law. Notification and appeal procedures for employers that have a policy terminated are clarified.

Questions/requests for copies through 2/18/14: Susan Anders, DOI, 320 W. Washington St., Springfield IL 62767-0001, 217-785-8220, Fax: 217-524-9033.

HISTORIC PLACES

The ILLINOIS HISTORIC PRESERVATION AGENCY proposed the repeal of two Parts titled "The Illinois Register of Historic Places" (17 Ill Adm Code 4140; 38 Ill Reg 176) and "Inclusion and Removal of Places from the Illinois Register of Historic Places" (17 Ill Adm Code 4120; 38 Ill Reg 171). The rulemakings implement Public Act 97-785, which removed the Illinois Register of His-

toric Places program from the Illinois Historic Preservation Act and from IHPA jurisdiction.

Questions/requests for copies/comments on the 2 IHPA rulemakings through 2/18/14: Sara Meek, IHPA, 313 S. Sixth St., Springfield IL 62701, 217/558-8942, fax 217/785-7937, e-mail: sara.meek@illinois.gov.

STATE EMPLOYEES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES proposed amendments to "Pay Plan" (80 Ill Adm Code 310; 38 Ill Reg 196). The amendments implement a collective bargaining agreement between AFSCME and the Departments of Corrections and Juvenile Justice, effective 7/1/12 through 6/30/13. The contract includes general 2% pay increases effective 7/1/13 and 7/1/14; three new substeps prior to Step

1 for new employees hired on or after 10/9/13; increased longevity pay for persons who have worked at least 10 years and attained Step 8, the highest pay grade; and shift differential pay provisions. Other amendments clarify which bargaining units have shift differential and longevity pay provisions; add new job titles with merit compensation system (MS) salary ranges (Food Services Program Manager, Private Secretary I, Pharmacy Manager, Corrections Nurse Trainee); and add an in-hire rate for student interns in the Governor's Natural Resources Fellowship Program.

Questions/requests for copies/comments through 2/18/14: Jason Doggett, DCMS, 504 Stratton Bldg., Springfield IL 62706, 217/782-7964, fax 217/524-4570, e-mail: CMS.PayPlan@illinois.gov.

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. The rulemakings will be considered at JCAR's January 14, 2014 meeting.

ILLINOIS COMMERCE COMMISSION

"Standard Information Requirements for Public Utilities and Telecommunications Carriers in Filing for an Increase in Rates" (83 Ill Adm Code 285) proposed 7/19/13 (37 Ill Reg 110903)

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

"State Toll Highway Rules" (92 Ill Adm Code 2520) proposed 10/25/13 (37 Ill Reg 16915)