

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.

Proposed Rules

■ CO DETECTORS/ALARMS

The OFFICE OF THE STATE FIRE MARSHAL proposed a new Part titled Carbon Monoxide Alarms and Detectors (41 IAC 112; 40 Ill Reg 5165), implementing Public Act 99-470, effective 1/1/16, which requires public schools to be equipped with carbon monoxide (CO) alarms or detectors and directs OSFM to establish guidelines for approved CO alarms and detectors in schools and multi-unit dwellings. The new Part incorporates by reference current National Fire Protection Association and Underwriters Laboratories standards for CO alarms and detectors, and specifies which NFPA or UL standards must be met by CO devices used in schools or multi-unit dwellings. Public school buildings designed on or after 1/1/16 must have CO alarms permanently wired into the

building's electrical system and monitored by the fire alarm system. CO detection systems for schools must include automatic occupant notification throughout the building, or else transmit a signal to a constantly attended location on or off the premises where response action can be taken. Signals transmitted from a CO detector to a fire alarm system

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also must not be the same as fire alarm signals. Local school districts and owners of multi-unit apartments or other dwellings are affected by this rulemaking.

Questions/requests for copies/comments through 5/9/16: Deborah J. Williams, OSFM, 1035 Stevenson Dr., Springfield IL 62703-4259, 217/785-0978.

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Emergency Rulemaking

■ ORGAN/TISSUE DONATION

The DEPARTMENT OF PUBLIC HEALTH adopted emergency amendments to Illinois Vital Records Code (77 IAC 500; 40 Ill Reg 5217), effective 3/10/16 for a maximum of 150 days, implementing Public Act 99-262 allowing temporary removal of a dead human body for harvesting of donated organs or tissue. An identical permanent rulemaking appears in this week's *Illinois Register* at 40 Ill Reg 5172. This rulemaking clarifies the application, approval and issuance process for Permits for Disposition of a Dead Human Body under the specified circumstances. Hospitals, coroner's offices, funeral homes, and organizations that coordinate organ/tissue donation and harvesting are affected.

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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.

Proposed Rulemakings

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■ ILLINOIS STATE MUSEUM

The DEPARTMENT OF NATURAL RESOURCES proposed a new Part titled Illinois State Museum (23 IAC 3210; 40 Ill Reg 5161) authorizing DNR to keep the Illinois State Museum in Springfield and its branches (Dickson Mounds, Lockport, Rend Lake, and Chicago) open to the public and operate a research and collection center to research, preserve and maintain access to the State's collections of artifacts. The rule also institutes a \$5 admission fee for the ISM in Springfield, from which children age 18 and under, persons age 65 and over, and active duty military personnel or veterans are exempt. ISM may, at its discretion, waive or reduce the admission fee for persons attending or volunteering at special museum events, members of the Illinois State Museum Society, members of the public entering the Museum on Museum Board business, or when the ISM determines that the benefit of reduced or waived admission for a specific event, or a specific time period, outweighs the potential loss in revenue. Employees, volunteers, and visitors to the ISM or its branch facilities may be affected by this rulemaking.

Questions/requests for copies/comments through 5/9/16: Anne Mergen, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/782-6899.

STATE EMPLOYEES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES proposed amendments to Pay Plan (80 IAC 310; 40 Ill Reg 5047) that implement 2 recent collective bargaining agreements, make the Part's provisions generally applicable for Fiscal Year 2017, implement merit incentive and gain sharing programs for employees in the Merit Compensation System, and reflect an increased minimum wage in the City of Chicago. The merit incentive program provides one-time bonuses for individual employees, groups or units deemed "high performers", while the gain sharing program provides one-time bonuses for individuals, groups or units who propose initiatives that result in substantial savings to the State. These bonuses will not be included in the person's base salary and do not count towards future pensions. The rulemaking also implements 4-year collective bargaining agreements with Teamsters Local 330 and Local 916, effective 7/1/15 through 6/30/19; these agreements include wage freezes, merit incentives, gain sharing, and other provisions included in previous Teamsters contracts for the same period. Other provisions of this rulemaking establish an in-hire rate of \$10.50/hr (\$1,713/mo) effective 7/1/16 for state employees in the MS-01 salary range (trainees, interns, student workers, and conservation/historic preservation workers)

who work in the City of Chicago; update rules concerning treatment of salary upon return from leave; update the definitions of classification, divided class, option, reallocation, and reclassification; remove the Hearing & Speech Technician I title abolished by the Civil Service Commission; and make various corrections.

Questions/requests for copies/comments through 5/9/16: Jason Doggett, CMS, 504 Stratton Bldg., Springfield IL 62706, 217/782-7964, fax 217/524-4570, CMS.PayPlan@illinois.gov

■ INCOME TAX

The DEPARTMENT OF REVENUE proposed amendments to Income Tax (86 IAC 100; 40 Ill Reg 5174) implementing PA 98-925. The amendments allow over-payments of tax to be directed to future liability without having to file a return solely for that purpose at the subsequent date. Taxpayers making estimated tax payments could be affected.

Questions/requests for copies/comments through 5/9/16: Brian Stocker, DOR Legal Services, 101 W. Jefferson St, Springfield IL 62796, 217/ 782-2844.

UTILITY RATE CASES

The ILLINOIS COMMERCE COMMISSION proposed amendments to Submission of

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Proposed Rulemakings

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Rate Case Testimony (83 IAC 286; 40 Ill Reg 5157) that reduce the number of copies of testimony and exhibits that public utilities must file with ICC in rate increase cases from 7 paper copies to 1 electronic copy. Utilities seeking rate increase approval from ICC are affected by this rulemaking.

Questions/requests for copies/comments through 5/9/16: Elizabeth Rolando, Chief Clerk, ICC, 527 East Capitol Avenue, Springfield IL 62701; 217/782-7434. Please reference ICC Docket No. 16-0172. Copies of this rulemaking and other associated documents and transcripts can also be found at <http://icc.illinois.gov/docket/Documents.aspx?no=16-0172>.

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 April 12, 2016 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF PUBLIC HEALTH

Nursing Education Scholarships (77 IAC 597; 40 Ill Reg 1450) proposed 1/22/16

DEPT OF REVENUE

Payment of Taxes By Electronic Funds Transfer (86 IAC 750; 40 Ill Reg 1660) proposed 1/22/16

DPH Public Hearing

■ IMMUNIZATIONS

The DEPARTMENT OF PUBLIC HEALTH will hold a public hearing on proposed amendments to Child Health Examination Code (77 IAC 665; 40 Ill Reg 3429) on **Monday, April 11, from 10 a.m. to noon** in Room 212 of the Illinois State Capitol, Springfield. The hearing concerns proposed amendments, published in the 3/4/16 *Illinois Register*, that update the list and schedule of immunizations required prior to a child's enrollment in day care, preschool, elementary or secondary school, and implement provisions for parents to obtain Certificates of Religious Objection for immunizations or procedures to which they object

on religious grounds. Persons wishing to provide oral testimony at this hearing must register at the door and to provide a written copy of their testimony. Remarks by individual commenters are limited to 3 minutes, while remarks by spokespersons representing organizations are limited to 5 minutes. Those affected by this rulemaking include public and private school students, children enrolled in day care or preschool, and healthcare providers.

Questions/requests for copies/comments concerning the rulemaking or the public hearing: Elizabeth Paton, DPH, 535 W. Jefferson St., 5th Fl., Springfield IL 62761, 217/782-2043, dph.rules@illinois.gov

Emergency Rule

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Questions/requests for copies/comments on the proposed rulemaking through 5/9/16: Elizabeth Paton, at the DPH address and phone number above.