

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

■ SCHOOLS

The STATE BOARD OF EDUCATION adopted amendments to Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 40 Ill Reg 3316 and 5527) effective 8/9/16, combining two separately proposed rulemakings. The rulemaking removes the requirement of a middle grades endorsement for teachers of a departmentalized or self-contained grade 5. The endorsement will be required for teachers of departmentalized grade 6 who do not hold an elementary teaching endorsement and, starting 2/1/18, for teachers who teach grades 7 and 8. Individuals holding educator licenses with stipulations that include career and technical educator endorsements may teach coursework in grades 7 through 12. The rulemaking also implements changes to the

School Code under PA 97-671, which requires school and school district report cards to include more detailed data concerning school characteristics, student demographics, curriculum information, student progress and outcomes, and school environment. Other provisions implement new Illinois Learning Standards for fine arts curricula beginning with the 2017-18 school year and clarify that employees of school districts, regional offices of education or intermediate service centers must hold educator licenses if they provide professional development to other educators. School districts will be affected.

■ EDUCATOR PREPARATION

SBE adopted amendments to Standards for Endorsements in Elementary Education (23 IAC 20;

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Proposed Rulemakings

REAL ESTATE TRANSFER TAX

The DEPARTMENT OF REVENUE proposed amendments to Real Estate Transfer Tax (86 IAC 120; 40 Ill Reg 11235) detailing requirements for counties using electronic revenue stamps. Recordors of deeds or registrars of titles must file returns electronically and must pay proceeds the 10th day of the month following the month in which tax was required to be collected. Returns must include county name, account ID, license number, declaration IDs, stamp serial numbers and stamp values. Other details include parcel identification number of the property being transferred in the sales transaction, document number used to record the transaction and net consideration

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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.

New Rules

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40 Ill Reg 5547) and Educator Licensure (23 IAC 25; 40 Ill Reg 5551), both effective 8/9/16. The Part 20 rulemaking extends until 9/1/18 the deadline for candidates currently in existing programs to complete their programs in order to have their endorsements by 9/1/19, while the Part 25 rulemaking amends the process to approve educator preparation programs and providers. Institutions recognized by SBE may choose to seek accreditation from the Council for Accreditation of Educator Preparation (CAEP) or SBE. Since 1st Notice, SBE has added annual reporting requirements for CAEP-accredited programs, required educator preparation programs to notify SBE if they switch from CAEP to State accreditation or vice versa, and stated that it will reevaluate the CAEP accreditation process no later than 1/1/19. SBE also adopted amendments to Standards for Endorsements in Early Childhood Education and in Elementary Education (23 IAC 26; 40 Ill Reg 5638) effective 8/9/16 extending the time for full implementation of elementary education endorsement programs to 2/1/18. Candidates currently in existing programs will have until 9/1/18 to complete the program in order to have the endorsement by 9/1/19. Prospective teachers, teacher education programs, and school districts are affected by these rulemakings.

■ BILINGUAL EDUCATION

SBE also adopted amendments to Standards for Endorsements in Specific Teaching Fields (23 IAC 27; 40 Ill Reg 3370) effective 8/9/16 implementing standards for bilingual education and English as a Second Language (ESL) programs developed by a Statewide advisory committee. The standards address language and literacy, culture, instruction, assessment and professionalism and are presented in two parts: one which applies to both ESL and bilingual education teachers and one which applies only to bilingual education. Schools, school districts, and teachers offering ESL or bilingual educational services are affected.

Questions/requests for copies of the 5 SBE rulemakings: Jason Helfer, SBE, 100 N. First St., E-313, Springfield IL 62777, 217/782-4123.

■ UNIVERSITY PROCUREMENT

The CHIEF PROCUREMENT OFFICER FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION adopted amendments to Chief Procurement Officer for Public Institutions of Higher Education Standard Procurement (44 IAC 4; 40 Ill Reg 3529) effective 9/1/16, which raise the small purchase threshold for contracts exempt from the requirement of being competitively bid under the Illinois Procurement Code. The current ceiling for supplies and services contracts that are exempt from bidding is being raised from

\$50,000 to \$80,000; for construction contracts the ceiling is being raised from \$70,000 to \$100,000. (The ceilings specified in rule are periodically adjusted for inflation, so the actual ceilings are now \$55,900 for supplies/services contracts and \$78,300 for construction contracts.) This rulemaking will affect small businesses that seek contracts with State colleges and universities.

Questions/requests for copies: Shirley Webb, CPO-HE, 401 S. Spring St., 513 Stratton Bldg., Springfield IL 62706, 217/836-2376, shirley.j.webb@illinois.gov

■ WASTE DISPOSAL

The POLLUTION CONTROL BOARD adopted amendments to the following 10 Parts, effective 8/9/16, implementing changes to federal law: RCRA Permit Program (35 IAC 703; 40 Ill Reg 3836); Hazardous Waste Management System: General (35 IAC 720; 40 Ill Reg 3850); Identification and Listing of Hazardous Waste (35 IAC 721; 40 Ill Reg 3930); Standards Applicable to Generators of Hazardous Waste (35 IAC 722; 40 Ill Reg 4280); Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 IAC 724; 40 Ill Reg 4289); Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

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Proposed Rulemakings

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that was received by the seller in the transaction.

Questions/requests for copies/comments through 10/11/16: Robin Gill, DOR Legal Services, 101 West Jefferson, Springfield IL 62794, 217/524-4886.

■ FARM VEHICLES

The SECRETARY OF STATE proposed an amendment to Issuance of Licenses (92 IAC 1030; 40 Ill Reg 11246) implementing PA 99-607. The rulemaking allows farmers, or their family members who are 18 or older, to drive farm-waived non-CDL covered farm vehicles to or from a farm, provided they have completed core, combination, air brake and all three parts of the skills test for these vehicles. The vehicle must

have farm vehicle plates and be used to transport farm products, equipment or supplies to or from a farm within Illinois, or to and from another state within 150 air miles of the farm, and may not be used in the operations of a common or contract carrier.

Questions/requests for copies/comments through 10/11/16: Jennifer Egizzi, SOS-Driver Services, 2701 S. Dirksen Parkway, Springfield IL 62723, 217/557-4462; email jegizii@ilsos.net

INSURANCE

The DEPARTMENT OF INSURANCE proposed a new Part titled Misrepresentation and False Warranties (50 IAC 941; 40 Ill Reg 11232). The new rule provides that an insurance company cannot defeat, avoid or rescind an automobile, fire or

personal line policy as defined in the Illinois Insurance Code (excluding life, accident and health, fidelity and surety policies) after a loss has occurred, or a claim has been filed, because the company opted not to obtain readily available information for named insureds and covered drivers prior to issuing the policy. "Readily available information" is defined as information that appears on the motor vehicle record maintained by the secretary of State and the LexisNexis Comprehensive Loss Underwriting Exchange Auto Reports.

Questions/requests for copies/comments through 10/11/16: Susan Anders, DOI, 320 W. Washington St., Springfield IL 62767-0001, 217-558-0957, Fax: 217-524-9033.

New Rules

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(35 IAC 725; 40 Ill Reg 4392); Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 IAC 726; 40 Ill Reg 4515); Standards for Owners and Operators of Hazardous Waste Facilities Operating under a RCRA Standardized Permit (35

IAC 727; 40 Ill Reg 4570); Land Disposal Restrictions (35 IAC 728; 40 Ill Reg 4611); and Standards for Universal Waste Management (35 IAC 733; 40 Ill Reg 4827). These amendments are identical in substance to recently issued USEPA regulations.

Questions/requests for copies of the 10 PCB rulemakings: Michael J. McCambridge, PCB, 100 W.

Randolph St., Suite 11-500, Chicago IL 60601, 312/814-6924, Michael.Mccambridge@illinois.gov Copies of the rulemakings and all related documents and public comments can be accessed at <http://www.ipcb.state.il.us>. Please reference PCB Docket No. R16-7.

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 September 6, 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 NATURAL RESOURCES

Crossbow and Standing Vehicle Hunting Authorizations
(17 IAC 760; 40 Ill Reg 8545) proposed 6/24/16

Salvage Permits for Deer (17 IAC 750; 40 Ill Reg 8690) proposed 7/1/16

DEPT OF TRANSPORTATION

Airport Hazard Zoning (92 IAC 16; 40 Ill Reg 7544) proposed 5/20/16

Marshall County Airport Hazard Zoning Regulations (Repealer)
(92 IAC 64; 40 Ill Reg 7550) proposed 5/20/16

OFFICE OF THE TREASURER

Procurement (44 IAC 1400; 40 Ill Reg 7602) proposed 5/27/16

Joint Committee on Administrative Rules

Senator Bill Brady

Representative Tom Demmer

Senator Karen McConnaughay

Representative Greg Harris

Senator Don Harmon

Representative Lou Lang

Senator Tony Muñoz

Representative André Thapedi

Senator Ira Silverstein

Representative Michael Tryon

Representative Keith Wheeler

Vicki Thomas
Executive Director