

*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 Rulemakings

### ■ EMPLOYMENT LAW

The DEPARTMENT OF HUMAN RIGHTS proposed amendments to Access to Local Records of the Department of Human Rights (2 IAC 926; 41 Ill Reg 4403) and Procedures of the Department of Human Rights (56 IAC 2520; 41 Ill Reg 4408). The Part 926 amendment sets the cost of an on-site, 3-hour training session in Illinois human rights laws and procedures, conducted by DHR's Training Institute, for non-governmental, for-profit entities at \$500 for those with 50 or fewer employees and \$1,050 for those with more than 50 employees. (Currently, the cost is \$1,050 for all non-governmental, for-profit entities regardless of size.) The Part 2520 amendments authorize DHR to develop a pilot project for electronic filing of documents (when complaints or charges against an employer are filed with DHR) and use of electronic

signatures. Policy implementing the project shall be posted on the Department's website and made available in writing if requested. Filings made to the chief legal counsel cannot be made electronically.

Questions/requests for copies/comments through 6/5/17: Ngozi

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#### Dept. on Aging Public Hearings, Page 2

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Okorafor, DHR-Legal Division, 100 W. Randolph, Suite 10-100, Chicago IL 60601, 312/814-6262, TTY: 866/740-3953.

### STRIP MINING

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to the Part titled Surface Mined Land

(cont. page 2)

## New Rules

### HIGH SCHOOLS

The STATE BOARD OF EDUCATION adopted amendments to Public Schools Evaluation, Recognition, and Supervision (23 IAC 1; 40 Ill Reg 15915), effective 4/5/17, replacing emergency amendments effective 11/18/16. This rulemaking implements Public Act 99-674, which establishes the Competency-Based High School Graduation Requirements Pilot Program. The amendments establish the program requirements and application process for school districts that intend to participate. Other provisions establish the Illinois Global Scholar Certificate in accordance with PA 99-780.

Questions/requests for copies: Lindsay Bentivigna, SBE, 100 N. First St. S-493, Springfield IL 62777-0001, 217/782-5270, [rules@isbe.net](mailto:rules@isbe.net)

**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](http://www.cyberdriveillinois.com)) and General Assembly ([www.ilga.gov](http://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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(cont. from page 1)

Conservation and Reclamation Act (62 IAC 300; 41 Ill Reg 4416). The amendments increase by \$5,000 the maximum amount of bond that must be filed with DNR before any surface mining or refuse disposal permit is issued. Bond amounts will now range from \$600 to \$10,000 per acre. In circumstances where an agreement between an operator and a third party requires reclamation efforts that will cost more than \$10,000/acre, DNR will require a bond amount sufficient to complete the reclamation efforts in the event of forfeiture. In no case shall the bond be less than \$600/acre or an aggregate bonding amount of \$3,000, whichever is greater.

Questions/requests for copies/comments through 6/5/17: Nick San Diego, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/782-1809.

## HOSPITAL ASSISTANCE

The OFFICE OF THE ATTORNEY GENERAL proposed amendments to Hospital Financial Assistance under the Fair Patient Billing Act (77 IAC 4500; 41 Ill Reg 3425) updating the Federal Poverty Level guidelines used to determine financial eligibility. The eligibility threshold for each household size has been raised approximately 1.5% (for example, the threshold for a family of 5 is increased from \$28,440 to \$28,780).

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## DonA Public Hearings

### ■ SENIOR SERVICES

The DEPARTMENT ON AGING (DonA) will hold public hearings on a proposed new Part titled Community Reinvestment Program (89 IAC 237; 41 Ill Reg 3503) and on companion amendments to Community Care Program (89 IAC 240; 41 Ill Reg 3584) at the following times and locations:

-- **Monday, May 15, 9-11 a.m.** (Part 240) and **1-3 p.m.** (Part 237), Michael J. Howlett Building Auditorium, Second and Edwards Streets, Springfield.

-- **Thursday, May 18, 9-11 a.m.** (Part 240) and **1-3 p.m.** (Part 237), Michael A. Bilandic Building, Room C-500, 5th Floor, 160 N. La Salle St., Chicago.

These hearings concern proposed rulemakings published in the 3/31/17 *Illinois Register* that create a new home- and community-based services program for older adults not eligible for Medicaid (the Community Reinvestment Program) and limit enrollment in the Community Care Program to Medicaid eligible persons. Testimony is limited to 5 minutes per person and a written copy must be provided to the hearing officer. Persons requiring accommodations due to disability must contact DonA no later than May 8.

Questions regarding the rulemakings or the public hearings: Jennifer Reif, DonA, One Natural Resources Way, #100, Springfield IL 62702-1271, 217/785-2870, [jennifer.reif@illinois.gov](mailto:jennifer.reif@illinois.gov).

Questions/requests for copies/comments through 6/5/17: Lynn Patton, Office of the Attorney General, 500 S. 2<sup>nd</sup> St., Springfield IL 62706, 217/524-1504.

### BHE REPEALER

The BOARD OF HIGHER EDUCATION proposed repeal of the Part titled Illinois Consortium for Educational Opportunity Program” (23 IAC 2400; 41 Ill Reg 4394). This Part has been replaced by 23 IAC 1080.

Questions/requests for copies/comments through 6/5/17: Karen Helland, BHE, 1 N. Old State Capitol Plaza, Suite 333, Springfield IL 62701-1377. 217/557-7358. Fax: 217/782-8548. email: [helland@ibhe.org](mailto:helland@ibhe.org).

## 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 May 9, 2017 meeting. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

### IL RACING BOARD

Rulemaking (2 IAC 2250; 41 Ill Reg 1952) proposed 2/17/17

Access to Public Records of the Illinois Racing Board (Repealer) (2 IAC 2251; 41 Ill Reg 1958) proposed 2/17/17

Supertriecta Exchange (Repealer) (11 IAC 310; 41 Ill Reg 1986) proposed 2/17/17

Hi/Low (Repealer) (11 IAC 313; 41 Ill Reg 1994) proposed 2/17/17

Show Quinella (Repealer) (11 IAC 316; 41 Ill Reg 1999) proposed 2/17/17

Countdown (Repealer) (11 IAC 317; 41 Ill Reg 2004) proposed 2/17/17

WPS Pick (N) (Repealer) (11 IAC 323; 41 Ill Reg 2012) proposed 2/17/17

General Licensee Rules (11 IAC 1313; 41 Ill Reg 2021) proposed 2/17/17

### IL STUDENT ASSISTANCE COMMISSION

Veterans' Home Nurse Loan Repayment Program (23 IAC 2757; 41 Ill Reg 832) proposed 2/3/17

Illinois National Guard (ING) Grant Program (23 IAC 2730; 41 Ill Reg 825) proposed 2/3/17

Special Education Teacher Tuition Waiver (SETTW) Program (23 IAC 2765; 41 Ill Reg 838) proposed 2/3/17

### STATE BOARD OF EDUCATION

Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 41 Ill Reg 1645) proposed 2/10/17

Standards for Endorsements in Elementary Education (23 IAC 20; 41 Ill Reg 1680) proposed 2/10/17

Standards for Endorsements in Early Childhood Education and in Elementary Education (23 IAC 26; 41 Ill Reg 1684) proposed 2/10/17

### OFFICE OF THE STATE TREASURER

Achieving a Better Life Experience (ABLE) Account Program (74 IAC 722; 41 Ill Reg 789) proposed 2/3/17

## Joint Committee on Administrative Rules

**Senator Bill Brady**  
**Senator Karen McConnaughay**  
**Senator Don Harmon**  
**Senator Tony Muñoz**  
**Senator Ira Silverstein**  
**Senator Chuck Weaver**

**Representative Peter Breen**  
**Representative Tom Demmer**  
**Representative Greg Harris**  
**Representative Lou Lang**  
**Representative André Thapedi**  
**Representative Keith Wheeler**

**Vicki Thomas**  
**Executive Director**