



Rep. Patricia Reid Lindner

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LRB095 06000 RAS 35474 a

1 AMENDMENT TO HOUSE BILL 3256

2 AMENDMENT NO. _____. Amend House Bill 3256 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Water Well and Pump Installation
5 Contractor's License Act is amended by changing Sections 6 and
6 13 as follows:

7 (225 ILCS 345/6) (from Ch. 111, par. 7107)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 6. Board. There is created in the Department the Water
10 Well and Pump Installation Contractors Licensing Board which
11 shall exercise its duties provided in this Act under the
12 supervision of the Department. The Board shall consist of 6
13 members, designated from time to time by the Director. Two
14 members shall be licensed water well contractors, two members
15 shall be licensed water well pump installation contractors, and
16 two members shall be licensed water well and pump installation

1 contractors. In making the appointments to the Board, the
2 Director shall consider the recommendation of the Illinois
3 Association of Groundwater Professionals.

4 The members of the Board shall be reimbursed for necessary
5 traveling expenses in accordance with travel regulations
6 prescribed by the Department of Finance.

7 The Board shall advise and aid the Director in:

8 (a) preparing subject matter for continuing education
9 sessions, examinations to test the knowledge and skills of
10 applicants for certification in the construction,
11 installation, and repair of closed loop wells, and
12 examinations to test the knowledge and skills of applicants
13 for license in the construction, installation and repair of
14 water wells, well pumps, water pressure storage tanks,
15 connecting piping and related appurtenances, including
16 proper sealing of abandoned water wells, and the rules and
17 regulations of the Department promulgated pursuant to the
18 Illinois Pump Installation Code Law and the Illinois Water
19 Well Construction Code Law;

20 (b) promulgating rules to govern the number of hours of
21 continuing education required for a continuing education
22 session, examinations, hearings for suspension or
23 revocation of or refusal to issue or renew a license,
24 clarifying the law as it relates to water well and pump
25 installation contracting;

26 (c) holding examinations of applicants for license at

1 least once a year prior to November 1st in each year;

2 (d) holding hearings for the revocation or suspension
3 of, or refusal to issue, renew or reinstate licenses;

4 (e) submitting recommendations to the Director from
5 time to time for the efficient administration of this Act;

6 (f) grading all tests and examinations for licenses and
7 promptly reporting the results to the Director; and

8 (g) performing such other duties from time to time
9 prescribed by the Director.

10 (Source: P.A. 90-692, eff. 1-1-99.)

11 (225 ILCS 345/13) (from Ch. 111, par. 7114)

12 (Section scheduled to be repealed on January 1, 2012)

13 Sec. 13.

14 The fee to be paid by an applicant for an examination to
15 determine his fitness to receive a license as a water well
16 contractor is \$50.

17 The fee to be paid by an applicant for an examination to
18 determine his fitness to receive a license as a water well pump
19 installation contractor is \$50.

20 The fee to be paid by an applicant for an examination to
21 determine his fitness to receive a license as a water well and
22 pump installation contractor is \$80.

23 The fee to be paid by an applicant for the annual renewal
24 of a license as a water well contractor or water well pump
25 installation contractor is \$25.

1 The fee to be paid by an applicant for the annual renewal
2 of a license as a water well and pump installation contractor
3 is \$35.

4 The fee to be paid by an applicant for the reinstatement of
5 a water well contractor license or a water well pump
6 installation contractor license which has lapsed less than 3
7 years is \$10, plus all lapsed renewal fees.

8 The fee to be paid by an applicant for restoration of a
9 water well contractor's license or water well pump installation
10 contractor's license which has lapsed more than three years is
11 \$150.

12 The fee to be paid by an applicant for the reinstatement of
13 a water well and pump installation contractor license which has
14 lapsed less than 3 years is \$15, plus all lapsed renewal fees.

15 The fee to be paid by an applicant for the restoration of a
16 license as a water well and pump installation contractor which
17 has lapsed more than 3 years is \$175.

18 There shall be no reduction in such fees because a license
19 when issued may be valid for less time than a full license
20 year.

21 (Source: P.A. 77-1626.)

22 Section 10. The Illinois Water Well Construction Code is
23 amended by changing Sections 3, 5, and 6 and by adding Sections
24 9.1 and 9.2 as follows:

1 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

2 Sec. 3. Definitions. As used in this Act, unless the
3 context otherwise requires:

4 (a) "Construction" means all acts necessary to obtaining
5 ground water by any method, including without limitation the
6 location of and the excavation for the well, but not including
7 prospecting, surveying or other acts preparatory thereto, nor
8 the installation of pumps and pumping equipment.

9 (b) "Department" means the Department of Public Health.

10 (c) "Director" means the Director of Public Health.

11 (d) "Modification" means any change, replacement or other
12 alteration of any water well which shall be contrary to the
13 rules and regulations regarding the construction of a well.

14 (e) "Water well" means any excavation that is drilled,
15 cored, bored, washed, driven, dug, jetted or otherwise
16 constructed when the intended use of such excavation is for the
17 location, diversion, artificial recharge, or acquisition of
18 ground water, but such term does not include an excavation made
19 for the purpose of obtaining or prospecting for oil, natural
20 gas, minerals or products of mining or quarrying or for
21 inserting media to repressure oil or natural gas bearing
22 formation or for storing petroleum, natural gas or other
23 products or for observation or any other purpose in connection
24 with the development or operation of a gas storage project.

25 (f) "Public water system", "community water system",
26 "non-community water system", "semi-private water system" and

1 "private water system" have the meanings ascribed to them in
2 the Illinois Groundwater Protection Act.

3 (g) "Potential route", "potential primary source" and
4 "potential secondary source" have the meanings ascribed to them
5 in the Environmental Protection Act.

6 (h) "Closed loop well" means a sealed, watertight loop of
7 pipe buried outside of a building foundation intended to
8 recirculate a liquid solution through a heat exchanger.

9 (i) "Monitoring well" means a water well intended for the
10 purpose of determining groundwater quality or quantity.

11 (j) "Closed loop contractor" means any person who installs
12 closed loop wells for another person. "Closed loop contractor"
13 does not include the employee of a closed loop contractor.

14 (k) "Horizontal closed loop well" means a closed loop well
15 constructed to contain horizontal piping and the installation
16 and grouting of the horizontal piping not exceeding 20 feet in
17 depth and the connection to the horizontal header of the closed
18 loop cooling and heating system.

19 (l) "Vertical closed loop well" means a closed loop well
20 constructed to contain vertical piping and the installation and
21 grouting of the vertical piping exceeding 20 feet in depth and
22 the connection to the horizontal header of the closed loop
23 cooling and heating system.

24 (m) "Closed loop well system" means the entire system
25 containing the horizontal closed loop well or wells, the
26 vertical closed loop well or wells, the header piping, the

1 heating and cooling equipment, and the connections to the
2 heating and cooling equipment.

3 (Source: P.A. 86-843.)

4 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

5 Sec. 5. Department powers and duties.

6 The Department has general supervision and authority over
7 the location, construction and modification of water wells,
8 closed loop wells and monitoring wells and for the
9 administration of this Act. With respect thereto it shall:

10 (a) Adopt and publish, and from time to time amend rules
11 and regulations as hereinafter provided;

12 (b) Commencing no later than January 1, 1988, issue permits
13 for the construction or change in depth of any water well other
14 than community public water systems and monitoring wells; ~~and~~

15 (b-5) Commencing no later than May 1, 2008, issue permits
16 for the construction and modification of closed loop well
17 systems; and

18 (c) Exercise such other powers as are practical and
19 reasonably necessary to carry out and enforce the provisions of
20 this Act.

21 (Source: P.A. 86-843.)

22 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

23 Sec. 6. Rules and regulations. The Department shall adopt
24 and amend rules and regulations reasonably necessary to

1 effectuate the policy declared by this Act. Such rules and
2 regulations shall provide criteria for the proper location and
3 construction of any water well, closed loop well or monitoring
4 well and shall, no later than January 1, 1988, provide for the
5 issuance of permits for the construction and operation of water
6 wells other than community public water systems, ~~closed loop~~
7 ~~wells~~ and monitoring wells. The Department shall by regulation
8 require a one time fee, not to exceed \$100, for permits for
9 construction of water wells and for permits for the
10 construction of closed loop well systems. Water well and closed
11 loop well system construction permit fees shall be for the
12 purpose of reviewing the water well or closed loop well system
13 permit application and for the issuance of the permit issued
14 ~~under the authority of this Act.~~

15 (Source: P.A. 86-843.)

16 (415 ILCS 30/9.1 new)

17 Sec. 9.1. Closed loop contractor certification. On or
18 before May 1, 2008, the Department shall issue closed loop
19 contractor certificates to those applicants who are qualified
20 and have successfully passed the Department's closed loop
21 contractor's certification exam. Applications for
22 certification as a closed loop contractor must be made to the
23 Department in writing and under oath or affirmation upon forms
24 prescribed and furnished by the Department. Applications may
25 require any information the Department deems necessary in order

1 to carry out the provisions of this Act. The Department shall
2 establish the time and schedule of the closed loop contractor's
3 exam and the qualifications for the closed loop contractor's
4 certification by rule. The Department shall collect a fee for
5 the closed loop contractor's qualification exam, the amount of
6 which shall be established by rule. The Water Well and Pump
7 Installation Contractor Licensing Board, established under the
8 Water Well and Pump Installation Contractor's License Act,
9 shall advise and aid the Department in preparing subject matter
10 for the closed loop contractor's certification exam.

11 Any person holding a valid water well contractor's license
12 issued under the Water Well and Pump Installation Contractor's
13 License Act may apply and receive, without examination or fee,
14 a closed loop contractor's certification, provided that all
15 other requirements of this Act are met.

16 (415 ILCS 30/9.2 new)

17 Sec. 9.2. Closed loop contractor registration. Beginning
18 on May 1, 2008, no person may engage in the occupation of a
19 closed loop contractor unless he or she holds a valid
20 certificate of registration as a closed loop contractor issued
21 by the Department. All closed loop contractors doing business
22 in this State must annually file an application for
23 registration with the Department. All applications filed for
24 registration under this Section before November 1, 2009 must be
25 accompanied by verification of the certification of the

1 applicant by the International Ground Source Heat Pump
2 Association or a successor organization as a closed loop
3 contractor and the applicant must submit proof of certification
4 under Section 9.1 of this Act before November 1, 2009. All
5 applications filed for registration under this Section on or
6 after November 1, 2009 must be accompanied by verification of
7 the certification of the applicant by the International Ground
8 Source Heat Pump Association or a successor organization as a
9 closed loop contractor and proof of certification under Section
10 9.1 of this Act. Certificates of registration issued under this
11 Section shall expire and must be renewed on an annual basis.
12 The Department shall collect annual registration fees in an
13 amount established by the Department by rule.

14 Section 99. Effective date. This Act takes effect October
15 1, 2007.".