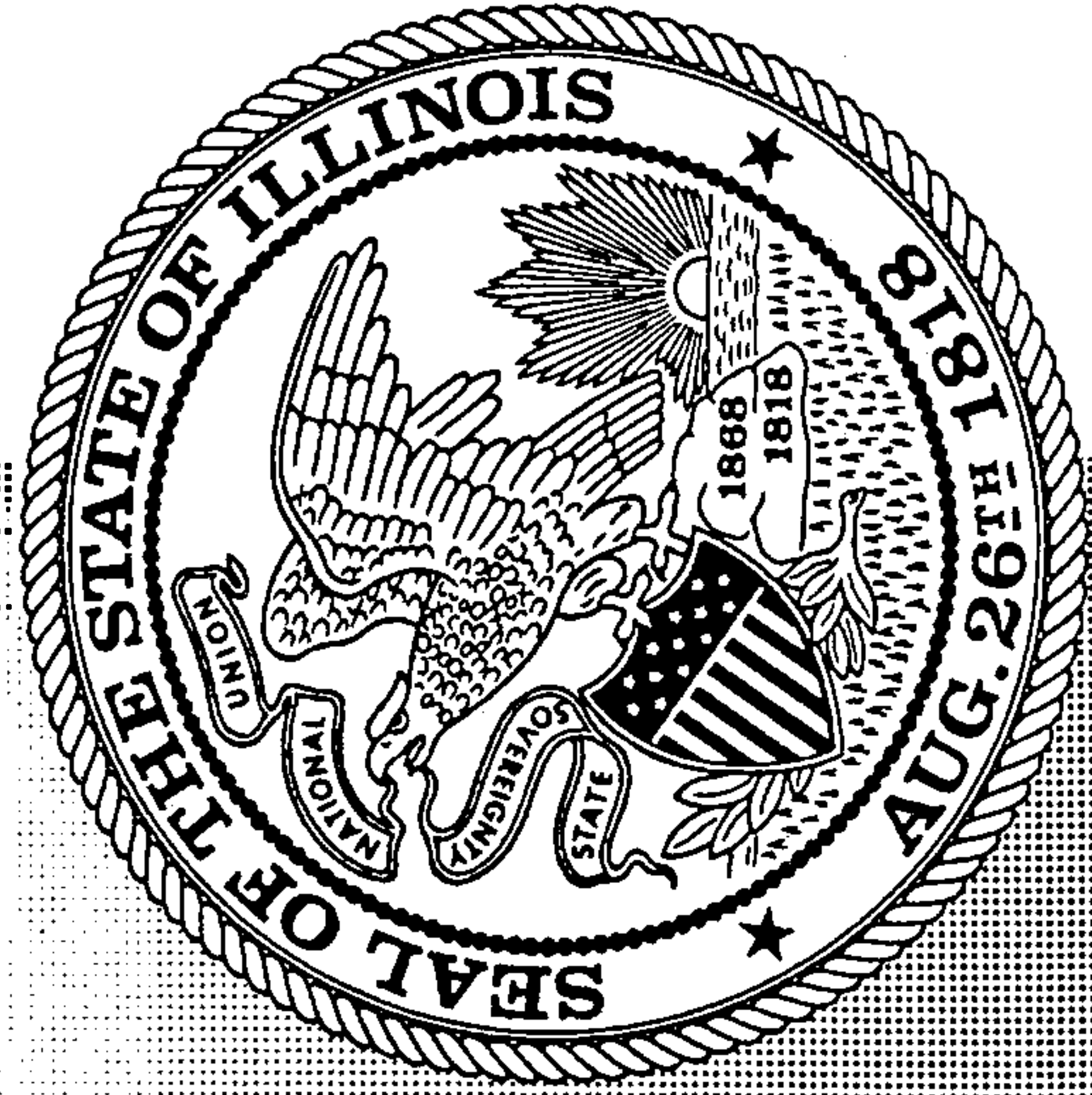


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1997

Illinois Register

Rules of Governmental Agencies

Volume 21, Issue 34—August 22, 1997

Pages 11,625 - 11,828

Ill Chicago Kent

26 1997

Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017
<http://www.sos.state.il.us>

published by
George H. Ryan
Secretary of State

 Printed on recycled paper

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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or preemptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1997

Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:	Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:
Dec. 24, 1996	Dec. 31, 1996	1	Jan. 3, 1997	July 1, 1997	July 8, 1997	28	July 11, 1997
Dec. 31, 1996	Jan. 7, 1997	2	Jan. 10, 1997	July 8, 1997	July 15, 1997	29	July 18, 1997
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Mar. 4, 1997	Mar. 11, 1997	11	Mar. 14, 1997	Spt 9, 1997	Spt 16, 1997	38	Spt 19, 1997
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Mar. 25, 1997	Apr. 1, 1997	14	Apr. 4, 1997	Sept. 30, 1997	Oct 7, 1997	41	Oct 10, 1997
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Apr. 8, 1997	Apr. 15, 1997	16	Apr. 18, 1997	Oct 14, 1997	Oct 21, 1997	43	Oct 24, 1997
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June 24, 1997	July 01, 1997	27	July 7, 1997*	Dec. 30, 1997	Jan. 6, 1998	2	Jan. 9, 1998

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

* Monday

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Illinois Speech-Language Pathology and Audiology Practice Act

2) Code Citation: 68 Ill. Adm. Code 1465

3) Section Numbers: 1465.75
Proposed Action: New Section

4) Statutory Authority: Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]

5) A Complete Description of the Subjects and Issues Involved: Public Act 90-69, effective July 8, 1997, includes the reauthorization of the Illinois Speech-Language Pathology and Audiology Practice Act. Among its changes was elimination of the statutory fee section, replacing it with fees set by administrative rule. There have been no changes from the statutory fees for application or renewal of licenses. However, various processing fees have been changed from \$10 to \$20.

6) Will these proposed amendments replace emergency rules currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813; Fax: 217/782-7645

All written comments received within 45 days of this issue of the Illinois Register will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing speech-language pathology or audiology services.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: Speech-language pathology or audiology skills are required for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: July 1997

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment for this Part appearing on page 11785 of this issue of the Illinois Register.

11785

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Visa Waiver Program for International Medical Graduates
- 2) Code Citation: 77 Ill. Adm. Code 591
- 3) Section Numbers:

	<u>Proposed Action:</u>
591.10	New Section
591.20	New Section
591.30	New Section
591.40	New Section
591.100	New Section
591.110	New Section
591.120	New Section
591.130	New Section
591.140	New Section
- 4) Statutory Authority: Section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)) Section 214(k) of the Immigration and Nationality Act (8 U.S.C. 1184) 22 CFR 514
- 5) A Complete Description of the Subject and Issues Involved: This Part implements Section 1182(e) of the federal Immigration and Nationality Act, which allows state health departments to request a waiver of the J-1 Visa requirement that international medical graduates must return to their home country upon completion of graduate medical training in the United States. If an international medical graduate is offered a three year employment contract in a health professional shortage area in Illinois, the Illinois Department of Public Health and certain federal agencies can request that the international medical graduate be allowed to remain in the United States. The Illinois Department of Public Health has been authorized to request up to 20 J-1 Visa Waivers annually for eligible physicians. The proposed rules will provide the Department's application and selection process applicable to the Visa waiver program.
- 6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No
- 7) Does this Rulemaking Contain an Automatic Repeal Date? No
- 8) Does this Rulemaking Contain any Incorporations by Reference? Yes
- 9) Are there any other Proposed Amendments Pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not require new or additional expenditures by any unit of local government.
- 11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days after this issue of the *Illinois*

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

Register to:

Gail M. DeVito, Division of Legal Services
 Illinois Department of Public Health
 535 West Jefferson, Fifth Floor
 Springfield, Illinois 62761
 217/782-2043
 E-mail: Rules@IDPH.State.IL.US

- 12) Initial Regulatory Flexibility Analysis:
 - A) Type of Small Businesses Affected: None
 - B) Reporting, Bookkeeping or Other Procedures Required for Compliance: None
 - C) Types of Professional Skills Necessary for Compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking does not appear on the most recent regulatory agenda because the need for this rulemaking was not apparent when the most recent regulatory agenda was finalized.

The full text of the Proposed Rules appears on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER J: PROCESSING J-1 VISA WAIVERS FOR INTERNATIONAL

MEDICAL GRADUATES

PART 591

VISA WAIVER PROGRAM FOR INTERNATIONAL MEDICAL GRADUATES

SUBPART A: GENERAL PROVISIONS

Section

591.10 Applicability

591.20 Definitions

591.30 Incorporated or Referenced Materials

591.40 Administrative Hearings

SUBPART B: PROCEDURES FOR J-1 VISA WAIVER REQUESTS

Section

591.100 Participation Eligibility of Physicians and Facilities

591.110 Application Submission Timetables

591.120 Application Materials and Processing

591.130 Selection Process

591.140 Terms of Performance

AUTHORITY: Authorized by and implementing Section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)) and Section 214(k) of the Immigration and Nationality Act (8 U.S.C. 1184), and 22 CFR Part 514, the Final Rule of the U.S. Information Agency, Waiver of Two-Year Home-Country Physical Presence Requirement, Foreign Medical Graduates, Exchange Visitor Program.

SOURCE: Adopted at 21 Ill. Reg. _____, effective

SUBPART A: GENERAL PROVISIONS

Section 591.10 Applicability

This Part implements Section 1182(e) of the Federal Immigration and Nationality Act, which allows state health departments to request a waiver of the J-1 Visa requirement that international medical graduates must return to their home country upon completion of graduate medical training in the United States. If an international medical graduate is offered a three year employment contract in a health professional shortage area in Illinois, the Illinois Department of Public Health and certain federal agencies can request that the international medical graduate be allowed to remain in the United States. The Illinois Department of Public Health has been authorized to request up to 20 J-1 Visa

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

Waivers annually for eligible physicians.

a) The provisions of this part are organized into two subparts. Subpart A includes general provisions, such as definitions and administrative hearing rules, which apply to all Sections of the Part.

b) Subpart B establishes eligibility criteria for an international medical graduate to request that the Department seek a waiver of the J-1 Visa home-country requirements. The Subpart sets forth the application time table and components, and the criteria to be used to select those physicians for whom a waiver will be requested.

Section 591.20 Definitions

"Act" means the Immigration and Nationality Act (8 U.S.C. 1182(e)) and 8 U.S.C. 1184(k)).

"Community Health Center" means community/migrant health centers or health care for the homeless projects supported under Section 329, 330 or 340 of the federal Public Health Service Act (42 U.S.C. 254b, 254c, and 256), respectively, or federally qualified health center look-alikes, as designated by the U.S. Public Health Service.

"Center" means the Center for Rural Health of the Illinois Department of Public Health.

"Department" means the Illinois Department of Public Health.

"Downstate" means those Illinois counties other than Cook, Lake, McHenry, DuPage, Will and Kane.

"Full time practice" means maintaining office hours for patient care which equal or exceed the mean number of office hours per week reported by physicians, by specialty, and published in Table 9 of the American Medical Association's "Socioeconomic Characteristics of Medical Practice, 1995."

"Health Professional Shortage Area" or "HPSA" is a designation given by the U.S. Department of Health and Human Services, Bureau of Primary Health Care, Division of Shortage Designation. The HPSA designation for primary care physicians is based on the ratio of physicians in the specialties of family practice, general internal medicine, general pediatrics, and obstetrics-gynecology and is used to identify areas needing additional primary care physicians. The list of HPSAs is published periodically in the Federal Register, most recently on December 31, 1996.

"Medical facility" means a facility for the delivery of health services and includes:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

a community health center, public health center, outpatient medical facility, or community mental health center;

a hospital, State mental hospital, facility for long-term care or rehabilitation facility;

a facility for delivery of health services to inmates in a U.S. penal or correctional institution (under section 323 of the Public Health Service Act) or a State correctional institution;

a Public Health Service medical facility (used in connection with the delivery of health service under Section 320, 321, 322, 324, 325 or 326 of the Public Health Service Act); or any other federal medical facility.

"Primary care" means health care that encompasses prevention services, basic diagnostic and treatment services, and support services such as laboratory, radiologic, transportation, and pharmacy. Primary care is comprehensive in nature and not organ or problem specific, is oriented toward the longitudinal care of the patient, and includes responsibility for coordination of other health and social services as they relate to patients' needs.

"Primary care physician" means a person licensed to practice medicine in all its branches under the Medical Practice Act of 1987 [225 ILCS 60] with a specialty in family practice, general internal medicine, general pediatrics, or obstetrics/gynecology.

"Rural" means any geographic area not located in a U.S. Bureau of the Census Metropolitan Statistical Area; or a county located within a Metropolitan Statistical Area but having a population of 60,000 or less.

Section 591.30 Incorporated or Referenced Materials

The following materials are incorporated or referenced in this Part:

- a) The following Illinois statutes and rules are referenced in this Part: Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).
- b) The following federal statutes and regulations are incorporated in this Part:
 - 1) Designation of Health Professional Shortage Areas, Section 332 of the Public Health Service Act (42 U.S.C. 254e (1991)).
 - 2) Waiver of Two-Year Home-Country Physical Presence Requirement, Foreign Medical Graduates, Exchange Visitor Program (22 CFR Part 514, Rulemaking No. 115).
- c) All incorporations by reference of federal statutes and regulations refer to materials on the date specified and do not include any

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

additions or deletions subsequent to the date specified.

Section 591.40 Administrative Hearings

All administrative hearings conducted by the Department concerning the provisions of this Part shall be governed by the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

SUBPART B: PROCEDURES FOR J-1 VISA WAIVER REQUESTS

Section 591.100 Participation Eligibility of Physicians and Facilities

- a) Physicians eligible to participate in the J-1 Visa Waiver Program for International Medical Graduates in Illinois shall meet the following requirements:
 - 1) have entered into an employment contract with a facility located in an HPSA with employment to begin no later than six months after the completion of their residency training in one of the primary care specialties;
 - 2) be board eligible or board certified in family practice, general internal medicine, general pediatrics, or obstetrics/gynecology; and
 - 3) have completed a residency in general internal medicine or general pediatrics, if either of those specialties are indicated in the application of the physician seeking participation in this program.
- b) Facilities eligible to participate in the J-1 Visa Waiver Program in Illinois shall meet the following requirements:
 - 1) be located in a geographic HPSA, be designated as a facility HPSA, or serve a population group HPSA, and be able to document that at least 75% of the patients seen at the facility are a part of the HPSA's population group; or
 - 2) in urban areas, be a not-for-profit facility or a public facility.

Section 591.110 Application Submission Timeframes

- a) Applications for each federal fiscal year will be accepted initially between October 1 and October 30 of each year.
- b) If all 20 Visa Waivers are not identified from the applications received between October 1 and October 30, applications will be accepted again between January 1 and January 30; between April 1 and April 30, if necessary; and between July 1 and July 30, if necessary.
- c) Applications will not be accepted for employment start dates, as specified in the employment contracts, that are more than nine months after the date the application is submitted to the Department.

Section 591.120 Application Materials and Processing

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

- 10) completed and notarized Certification Statement A signed by the international medical graduate agreeing to the contractual requirements set forth in Section 214(k)(1)(B) and (C) of the Immigration and Nationality Act;
 - 11) completed and notarized Certification Statement B describing international medical graduate's obligation to his/her home country;
 - 12) completed and notarized Certification Statement C in which international medical graduate states that his or her medical license has never been suspended or revoked and that he or she is not subject to any criminal investigation or proceedings by any medical licensing authority;
 - 13) completed and notarized Certification Statement D regarding accuracy of application materials; and
 - 14) completed and notarized Certification Statement E regarding specialty status.
- c) Upon receipt of the application materials, Center for Rural Health staff will verify completeness and accuracy of the application. One written request to the applicant, or the facility or legal agency acting on behalf of the international medical graduate, will ask for any materials not included in the application. If the requested materials are not received within one month after the date of the written request, the application will be returned to the applicant.

Section 591.130 Selection Process

- a) In the first and second calendar quarters of the federal fiscal year, a maximum of two Visa Waiver applications will be approved per facility requesting J-1 Visa Waivers for international medical graduates. In subsequent calendar quarters, facilities that have already had two waivers approved may apply for additional waivers; however, selection priority will be given to applications from facilities that have not previously had waivers approved.
- b) Selection preference will be given to the Visa Waiver application for the international medical graduate whose position represents the largest proportion of primary care specialties at the facility offering employment to the physician.
- c) Applications received in the first and second calendar quarters of the federal fiscal year will not be considered if the addition of the international medical graduate will increase the number of primary care physicians beyond the number needed to eliminate the health professional shortage area designation for the geographic area, facility or population group.
- d) Selection preference will be given to applications received from HPSAs having the greatest unmet need for primary care physicians. Unmet need is the number of primary care physician full-time-equivalents needed to cause the HPSA to no longer meet the threshold ratio for HPSA designation.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

- e) Application materials are available from, and should be returned to, the following address:
 J-1 Visa Waiver Program
 Illinois Department of Public Health
 Center for Rural Health
 535 West Jefferson Street
 Springfield, Illinois 62761

- b) The application materials to be prepared by or on behalf of the international medical graduate seeking the waiver of the two-year home-country residency requirement shall include the following items:
 - 1) statement from the administrator or director of the health care facility or agency that will be employing the international medical graduate describing prior recruitment difficulties experienced by the facility, the expected practice arrangement for the international medical graduate, and the impact on the facility and the patients it serves if the home country residency requirement is not waived;
 - 2) copy of a minimum three-year employment contract between the international medical graduate and a health care facility. The contract shall include the name and address of the facility, the specific geographic area or areas in which the international medical graduate will practice, and a statement that the physician will practice full-time in the HPSA identified in the contract;
 - 3) statement from the employing health care facility or agency that the salary or other form of financial support offered to the international medical graduate is at a level equivalent to that offered to all other physicians recruited by the health care facility;
 - 4) letter of support from a hospital chief of staff verifying that hospital admitting privileges will be granted to the international medical graduate, and if not, how admissions of the international medical graduate's patients will be arranged;
 - 5) letter of support for the visa requirements waiver from a local organization or agency such as the chamber of commerce, local health department, or other community-based organization;
 - 6) copy of the applicant's Illinois medical license or application for an Illinois medical license, the latter submitted to the Illinois Department of Professional Regulation sufficiently in advance of the employment beginning date to reasonably expect the license to be granted prior to the nine month deadline described in Section 591.110(c);
 - 7) completed United States Information Agency Data Sheet;
 - 8) copy of international graduate's curriculum vitae;
 - 9) copy of the IAP-66 (Certificate for Exchange Visitor J-1 Status) for each year international medical graduate was in J-1 status;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

- e) The Department will consider Visa Waiver applications only from urban facilities as long as the U.S. Department of Agriculture continues to accept applications from rural facilities. If the U.S. Department of Agriculture no longer accepts any Visa Waiver applications, the Department will accept applications from rural applicants.
- f) The following selection allocations will be used in those calendar quarters in which the U.S. Department of Agriculture processes waiver applications from rural facilities:
- 1) in each of the first and second calendar quarters of the federal fiscal year (October 1 through December 31 and January 1 through March 31), if sufficient applications are received, 25 percent of the approved applications will be reserved for downstate urban facilities; and
 - 2) in the first and second calendar quarters of the federal fiscal year, urban-based community health centers will be eligible to receive, but will not be limited to, a cumulative minimum of three waivers.
- g) The following selection allocations will be used in those calendar quarters in which the U.S. Department of Agriculture no longer is processing waiver applications from rural facilities:
- 1) in such quarters and if sufficient applications are received, the Department will reserve one half of the available waivers for rural facilities;
 - 2) if sufficient applications are received, 25 percent of the approved waivers will be reserved for downstate urban facilities; and
 - 3) in the first and second calendar quarters of the federal fiscal year, community health centers statewide will be eligible to receive, but will not be limited to, a cumulative minimum of four waivers.

Section 591.140 Terms of Performance

- a) Each six months subsequent to the date of the granting of the J-1 waiver by the U.S. Department of Justice, the Department of Public Health shall request written verification of the full-time practice of the international medical graduate in the health professional shortage area originally identified in the waiver application.
- b) If at any time the international medical graduate fails to practice on a full-time basis in the approved shortage area, the Department will notify the Immigration and Naturalization Service of the physician's breach of obligation.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Regulations Under Illinois Securities Law of 1953

- 2) Code Citation: 14 Ill. Adm. Code 130

- 3) Section Numbers: Proposed Action:

130.110	Amend
130.120	Amend
130.130	Amend
130.142	Repeal
130.145	Amend
130.200	Amend
130.211	Amend
130.234	Repeal
130.235	Repeal
130.242	Amend
130.246	Amend
130.280	Amend
130.281	New
130.420	Amend
130.440	Amend
130.442	Amend
130.520	Amend
130.530	Amend
130.630	Amend
130.805	Amend
130.806	New
130.810	Amend
130.822	Amend
130.823	Amend
130.824	Amend
130.832	Amend
130.838	New
130.839	New
130.840	Amend
130.841	Amend
130.842	Amend
130.843	New
130.845	Amend
130.852	Amend
130.853	Amend
130.854	Amend
130.873	Amend

- 4) Statutory Authority: 815 ILCS 5

- 5) A Complete Description of the Subjects and Issues Involved:

Section 130.110 Payment of Fees is amended to revise securities

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Section 130.420 is amended to delete references to Rule 506 offerings, and to add Securities and Exchange Commission orders as grounds for denying a Uniform Limited Offering Exemption.

Section 130.440 is amended to revise the Section 4G Report of Sale filing procedures. It provides for one filing no later than twelve months after the date of the first sale and certain attestations for the filing party. It also deletes the formula for calculating the fee, and provides for a flat fee.

Section 130.442 deletes the requirement for the total amount of securities sold and the names and addresses of purchasers to be listed on the Section 4G Report of Sale. The Section is amended to add a reporting requirement for the date of the initial sales of securities to residents of the State of Illinois for the current reporting period.

Section 130.520 is amended to delete the required filing of consent to service of process, articles of incorporation and by-laws, permit the filing of applications in Chicago and require notice of SEC effectiveness for offerings filed under Regulation A of the Federal 1933 Act.

Sections 130.530 and 130.630 are amended to increase the number of days prior to the expiration within which a renewal application must be filed without requiring a late fee to be consistent with the Act.

Section 130.805 is amended to adopt the federal definition of the number of clients allowed in 12 consecutive months before registration is required.

Section 130.806 is added to authorize investment advisers, federal covered investment advisers and investment adviser representatives to place information on the Internet regarding their advisory services.

Section 130.810 is amended to delete the required filing of forms designating the dealers accountant and audit date, subordinated loan agreement, articles of incorporation, by-laws and a copy of Form BD by member firms of a registered self-regulatory organization.

Section 130.822 is amended to update examination requirements for designated principals of a dealer.

Section 130.823 is amended to authorize a procedure for the waiver of examination requirements for investment adviser representatives and principals.

Section 130.824 is amended to delete the required filing of financial statements of dealers that file if the financial statement is filed with a registered self-regulatory organization.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

registration and filing fees, authorize notification filing fees and renewal fees for Federal Covered Investment Advisers and Investment Advisers, other fees for Federal Covered Investment Advisers and the representatives of Federal Covered Investment Advisers and Investment Advisers, and delete the reference to the Investment Adviser Examination fee.

Section 130.110(e) is amended to provide that fees that are paid within \$5.00 of the actual amount due are acceptable when the fee requires a calculation.

Section 130.120 is amended to authorize filing of registrations, exemptions, and certain notices in both the Springfield and Chicago offices. The amendment also authorizes facsimile and electronic filing for such filings.

Section 130.130(a)(4) is added to define the date when an electronic message is deemed filed.

Section 130.142 is repealed.

Section 130.145(c) is added to set forth the signature requirements for electronic and facsimile filings.

Section 130.200 is amended to add the definitions of "place of business" and "State Bond Mortgage Company".

Section 130.211 is amended to expand the definition of "acts of a salesperson or dealer that do not constitute an offer of securities".

Sections 130.234 and 130.235 are repealed.

Section 130.242 is amended to delete a reference to Section 4D which is no longer applicable.

Section 130.246(e) is added to clarify that the terms "general advertising" or "general solicitation" do not include certain announcements delivered through an electronic database when access is restricted to accredited investors.

Section 130.280 is amended to delete references to investment adviser branch offices to be consistent with a new federal definition of investment adviser branch offices.

Section 130.281 is added to adopt the new definition of investment adviser and federal covered investment branch offices provided in federal law.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Section 130.832 is amended to update examination requirements for salespersons.

Section 130.838 is added to develop procedures for the notification filing and fees of Federal Covered Investment Advisers. The Illinois Securities Act has been amended to authorize notification filing of Federal Covered Investment Advisers and the collection of fees.

Section 130.839 is added to develop procedures for the registration of investment adviser representatives. The Illinois Securities Act has been amended to authorize the registration of investment adviser representatives.

Section 130.840 is amended to delete required filing of consent to service of process, Form 8.D(10) or Schedule D, listing the audit date and attestation that applicant has read and understands the Act and Rules; and requires the filing of only page one of the most recent articles of incorporation or other document showing the legal name of the applicant and Form U-4s for each investment adviser representative.

Section 130.841 is amended to set forth the branch office reporting requirements for Federal Covered Investment Advisers.

Section 130.842 is amended to update examination or education program requirements for designated principals of investment advisers.

Section 130.843 is added to set forth examination or education program requirements for registration of investment adviser representatives.

Section 130.845 is amended to remove Illinois books and records requirements for investment advisers that are in compliance with the applicable books and records requirements of the state in which the investment adviser is registered or licensed and maintains its principal place of business.

Sections 130.852, 130.853 and 130.845 are amended to also apply to the representatives of investment advisers. The Illinois Securities Act has been amended to authorize the registration of investment adviser representatives.

Section 130.873 is amended to abandon all pending investment adviser representative applications with the investment adviser application.

- 6) Will these proposed amendments replace emergency rules currently in effect? Yes

130.110 Amend
130.280 Amend

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

130.281 New
130.805 Amend
130.823 Amend
130.838 New
130.839 New
130.841 Amend
130.843 New
130.845 Amend
130.852 Amend
130.853 Amend
130.854 Amend

- 7) Does this rulemaking contain an automatic repeal date? No
8) Do these proposed amendments contain incorporations by reference? No
9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
130.1102	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1104	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1107	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1109	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1110	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1111	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1114	Repeal	July 11, 1997, 21 Ill. Reg. 8861
130.1115	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1118	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1123	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1124	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1126	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1129	Amended	July 11, 1997, 21 Ill. Reg. 8861
130.1130	New	July 11, 1997, 21 Ill. Reg. 8861
130.1131	New	July 11, 1997, 21 Ill. Reg. 8861

- 10) Statement of Statewide Policy Objectives: To implement changes in response to the National Securities Markets Improvement Act of 1996 and amendments to the Illinois Securities Law found in Public Act 90-70.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Name: Theresa Oxtoby
Address: Illinois Securities Department
520 South Second Street, Ste. 200
Springfield, Illinois 62701
217/524-8040

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

TITLE 14: COMMERCE

SUBTITLE A: REGULATION OF BUSINESS

CHAPTER I: SECRETARY OF STATE

PART 130

REGULATIONS UNDER ILLINOIS SECURITIES LAW OF 1953

SUBPART A: RULES OF GENERAL APPLICATION

Section

130.100

Business Hours of the Securities Department

130.101

Computation of Time

130.110

Payment of Fees

130.120

Place of Filing

130.130

Date of Filing

130.135

Registration of Securities under Section 5 or 7 of the Act Utilizing

130.140

Requirements as to Proper Form

130.141

Additional Information

130.142

Additional Exhibits (Repealed)

130.143

Information Unknown or Not Reasonably Available

130.144

Requirements as to Paper, Printing, and Language

130.145

Number of Copies--Signatures

130.190

Provisions for Granting of Variance from Rules

SUBPART B: DEFINITIONS

Section

130.200

Definitions of Terms Used in the Act and the Rules

130.201

Definition of the Term "Investment Contract", as Used in Section 2.1

130.202

Definition of the Term "Fractional Undivided Interest", as Used in

130.205

Section 2.1 of the Act with Reference to Oil and/or Gas Leases,

130.210

Rights or Royalties

130.211

Definition of Acts Not Constituting an "Offer" of Securities under

130.212

Section 2.5 or 2.5a of the Act

130.215

Definition of "Commission From an Underwriter or Dealer Not in

Excess of the Usual and Customary Distributors' or Sellers'

Definition of "Commission From an Underwriter or Dealer Not in

Transactions", as Used in Section 2.6 of the Act for Certain

Commissions", as Used in Section 2.6 of the Act for Certain

Transactions

July 1997

None

porting and

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

130.216 Definition of "Participates" and "Participation", as Used in Section 2.6 of the Act in Relation to Certain Transactions

130.220 Definition of "Regularly Engaged in Securities Sales Activities", as Used in Section 2.9 of the Act

130.221 Exclusion of Certain Persons from the Definition of Investment Adviser in Section 2.11 of the Act

130.225 Definition of "Investment Fund Shares", as Used in Section 2.15 of the Act in Relation to Certain Issuers

130.233 Definition of the Phrase "Promissory Note or Draft, Bill of Exchange or Bankers' Acceptance" as Used in Section 3(L) of the Act

130.234 Definition, For Certain Purposes, of the Terms "Employee Security-Purchase Plan", "Employee Profit-Sharing Trust or Plan", "Employee Pension Trust or Plan", as Used in Section 3.N and Section 3.0 of the Act (Repealed)

130.235 Definition, For Certain Purposes, of the Terms "Employee Profit-Sharing Trust or Plan", "Employee Pension Trust or Plan", as Used in Section 3.0 of the Act (Repealed)

130.241 Definition of the Term "Institutional Investor" under Sections 4C and 4D of the Act

130.242 Definition of the Term "Financial Institution" under Section 4C and 4D of the Act

130.244 Definition of "Issuer Required to File Reports Pursuant to the Provisions of Section 13 or Section 15(d) of the Federal 1934 Act" with Respect to Certain Foreign Private Issuers and "Reports Required to be Filed at Regular Intervals Pursuant to the Provisions of Section 13 or Section 15(d)" as Used in Section 4(F)(1) of the Act

130.245 Definition of the Terms "Balance Sheet" and "Income Statement", as Used in Section 4.F of the Act

130.246 Definition of the Terms "Residents of this State", "Aggregate Sales Price" and "Sales Made in Reliance Upon the Exemption" Under Section 4G ~~4(G)~~ of the Act and "General Advertising or General Solicitation" Under Sections 4G ~~4(G)~~, 4H ~~4(H)~~, 4M ~~4(M)~~ and 4R ~~4(R)~~ of the Act

130.247 Definition of the Term "Public" as Used in Section 4(G)(4) of the Act

130.248 Definition of the Terms "Offers for Sale" and "Solicitations of Offers to Buy", as Used in Section 4.L of the Act

130.250 Definition, For Certain Purposes, of the Terms "Commissions, Remuneration or Discounts", as Used in Section 4 and Section 5 of the Act

130.251 Definition of the Term "Maximum Aggregate Price", as Used in Section 5 of the Act

130.270 Definition of Certain Persons Not Considered to Be Dealers Under Section 2.7 of the Act

130.280 Definition of the Term "Branch Office" of a Registered Dealer, as Used in Section 8 of the Act

130.281 Definition of the Term "Branch Office" of a Registered Investment Adviser or a Federal Covered Investment Adviser, as Used in Section

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NOTICE OF PROPOSED AMENDMENTS

8 of the Act

130.282 Definition, For Certain Purposes, of the Term "Officers", as Used in Section 2.9 and Section 8.B.(6) of the Act

130.285 Definition, For Certain Purposes, of the Terms "Inequitable", "Tend to Work a Fraud or Deceit", "Inequitable Practice in the Sale of Securities", and "Fraudulent Business Practices", as Used in Section 8 and Section 11 of the Act

130.291 Definition of the Terms "Fraudulent" and "Work or Tend to Work a Fraud or Deceit" as Used in Sections 11.E and 12.F of the Act for Purposes of the Payment of Completion Costs in Connection with the Offer or Sale of Securities involving an Oil, Gas or Other Mineral Lease, Right or Royalty

SUBPART C: FEDERAL COVERED SECURITIES AND TRANSACTIONS

Section
130.293 Issuers of Covered Securities Required to File Notifications and Pay Fees and the Refusal to File Notifications or Pay Fees

130.370 Automated Quotation System Deemed to Have Substantially Equivalent Standards for Designation as Required By One or More Exchanges Set Forth in Section 3(G) of the Act (Repealed)

SUBPART D: EXEMPT TRANSACTIONS

Section
130.420 Uniform Limited Offering Exemption Pursuant to Section 4-D of the Act

130.436 Procedures for Applying for Trading Authorization Pursuant to Section 4(F)(2) of the Act

130.440 Procedures for Filing Reports of Sale under Section 4G ~~4(G)~~ of the Act

130.441 Calculation of Number of Persons Under Section 4.G or 4.M of the Act

130.442 Report of Sale of Securities pursuant to Section 4G ~~4(G)~~ of the Act

130.490 Procedures for Filing Reports of Sale under Section 4-P of the Act

130.491 Report of Sale of Securities Pursuant to Section 4(P) of the Act

SUBPART E: REGISTRATION OF SECURITIES

Section
130.501 Title of Securities

130.502 Financial Statement Requirements

130.503 Disclaimer of Control

130.505 Formal Requirements as to Consents

130.506 Consents Required in Special Cases

130.507 Application to Dispense with Consent

130.508 Consent to Use of Material Incorporated by Reference

130.510 Procedures for Registration of Securities by Coordination under Section 5.A of the Act

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NOTICE OF PROPOSED AMENDMENTS

SUBPART G: INVESTMENT FUND SHARES

130.700	Section Preamble
130.701	Title of Investment Fund Shares Registered Under Section 5 or 7 of the Act
130.710	Procedures for Registration of Investment Fund Shares by Coordination under Section 7.A of the Act
130.715	Amendatory Statement for the Registration of Additional Class or Classes or the Reporting of a Change in Organization or Operations Pursuant to Section 7(D) of the Act
130.730	Renewal of Registration of Investment Fund Shares Under Section 7(G) of the Act
130.750	Additional Fees Under Section 7 of the Act
130.771	Acts which "work or tend to work a fraud or deceit", in Connection with Offers, Sales or Dispositions of Investment Fund Shares
SUBPART H: REGISTRATION OF DEALERS, SALESPERSONS AND INVESTMENT ADVISERS	
Section 130.805	Exemptions From Registration as an Investment Adviser Under Section 8A of the Act
130.806	Acts Not Requiring a Notification Filing of a Federal Covered Investment Adviser or Registration as an Investment Adviser or Investment Adviser Representative Under Section 8A of the Act
130.810	Procedures for Registration as a Dealer Under Section 8-B of the Act
130.811	Procedures for Perfecting an Investment Adviser Exemption under Section 2.11(6) of the Act (Repealed)
130.820	Procedure for Renewal and Withdrawal from Registration as a Dealer Reporting of Dealer Branch Office Location(s) and Required Fees
130.821	Examinations Deemed Satisfactory for Purposes of Determining Sufficient Knowledge of Each Principal Under Section 8-B(9)(a) of the Act Prior to Registration as a Dealer
130.823	Procedure for Requesting Waiver of Dealer, Salesperson, or Investment Adviser, Investment Adviser Representative, or Principal Examinations Requirements
130.824	Financial Statements to be Filed by a Registered Dealer
130.825	Records Required of Dealers and Customer Fees
130.826	Registered Dealer Net Capital Requirement
130.827	Confirmations
130.828	Notice of Materially Adverse Financial Condition Required to Be Filed with the Securities Department By a Registered Dealer
130.829	Investor Protection Requirement of a Dealer Registered Under Section 8 of the Act
130.832	Examinations Deemed Satisfactory for Purposes of Determining Sufficient Knowledge Under Section 8C(7) of the Act for Registration as a Salesperson
130.838	Procedures for Federal Covered Investment Adviser Notification

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130.520	Procedures for Registration of Securities by Qualification under Section 5-B of the Act
130.525	Procedures for Registration of Securities by Qualification under Section 5.B(7) of the Act, Small Company Offering Registration ("SCOR") on Form U-7
130.530	Renewal of Registration of Securities Under Section 5E of the Act
130.531	Computation of Fees
130.532	Registration of Additional Securities Pursuant to Section 5(C)(2) of the Act
130.533	Formal Requirements for Amendments Under Section 5 of the Act
130.534	Powers to Amend or Withdraw Registration Statement
130.535	Signatures of Amendments
130.536	Delaying Amendments
130.538	Withdrawal of Registration Statement, Amendment or Exhibit Filed Under the Federal 1933 Act.
130.540	Procedure with Respect to Abandoning Registration Statements, Applications for Trading Authorizations and Post-Effective Amendments
130.550	Additional Fees Under Section 5 of the Act
130.570	Legibility of Prospectuses
130.571	Presentation of Information in Prospectuses
130.572	Summaries or Outlines of Documents
130.573	Preparation of Application for Registration
130.574	Incorporation of Certain Information by Reference
130.575	Form of and Limitation Upon Incorporation by Reference
130.576	Statement Required in Prospectuses
130.577	Prospectuses Supplementing Preliminary Material Supplied Previously
130.578	Application of Amendments to this Part Governing Contents of Prospectuses
130.581	Statement as to Stabilizing Required in Prospectuses Filed Under Section 5.B of the Act
130.582	Contents of Prospectus When Two or More Registrations Are in Effect Under Section 5-B of the Act
130.590	Identifying Statements
130.591	Requirements as to Appraisals
130.592	Omission of Substantially Identical Documents
130.593	Incorporation of Exhibits by Reference
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Section 130.600	Preamble
130.610	Procedures for Registration of Face Amount Certificate Contracts by Coordination under Section 6.A of the Act
130.630	Renewal of Registration of Face Amount Certificate Contracts Under Section 6E of the Act
130.650	Additional Fees Under Section 6 of the Act

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- Filing and Fees Under Section 8C(5) of the Act
Procedures for Registration as an Investment Adviser Representative
Under Section 8D(5) of the Act
- 130.839
- 130.840 Procedures for Registration as an Investment Adviser Under Section 8-D of the Act
- 130.841 Reporting of Investment Adviser Branch Office Location(s) and Required Fees
- 130.842 Examinations and Education Programs Deemed Satisfactory for Purposes of Determining Sufficient Knowledge for Each Principal Under Section 8D(9) ~~8(D)(9)~~ of the Act Prior to Registration as an Investment Adviser
- 130.843 Examination and Education Program Requirements for Registration as an Investment Adviser Representative Under Section 8D(5) of the Act
- 130.844 Statement of Financial Condition to Be Filed By a Registered Investment Adviser Which Retains Custody of Client's Cash or Securities or Accepts Pre-Payment of Fees in Excess of \$500.00 Per Client and Six (6) or More Months in Advance and Interim Financial Statements
- 130.845 Records Required of Investment Advisers
- 130.846 Written Disclosure Statements of a Registered Investment Adviser
- 130.847 Financial and Disciplinary Information That Investment Advisers Must Disclose to Clients
- 130.850 Account Transactions
- 130.851 Commission, Profit or Other Compensation
- 130.852 Compensation
- 130.853 Account Transactions
- 130.854 Use of the Term "Investment Counsel"
- 130.860 Additional Fees Under Section 8 of the Act
- 130.872 Procedure with Respect to Abandoned Dealer Applications
- 130.873 Procedure with Respect to Abandoned Investment Adviser Applications

SUBPART J: SERVICE OF PROCESS

- Section
 130.1001 Service of Process upon the Secretary of State

SUBPART K: PROCEDURES FOR ADMINISTRATIVE HEARINGS

- Section
 130.1100 Preamble
- 130.1101 Qualifications and Duties of the Hearing Officer
- 130.1102 Notice of Hearing
- 130.1103 Institution of a Contested Case by the Securities Department
- 130.1104 Requirement to File an Answer
- 130.1105 Amendment or Withdrawal of the Notice of Hearing
- 130.1106 Representation
- 130.1107 Special Appearance
- 130.1108 Substitution of Parties

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NOTICE OF PROPOSED AMENDMENTS

- 130.1109 Failure to Appear
- 130.1110 Motions
- 130.1111 Requirements Relating to Continuances
- 130.1112 Rules of Evidence
- 130.1113 Form of Papers
- 130.1114 Bill of Particulars
- 130.1115 Discovery
- 130.1116 Examination of Witnesses
- 130.1117 Subpoenas
- 130.1118 Pre-Hearing Conferences
- 130.1119 Record of a Pre-Hearing Conference
- 130.1120 Hearings
- 130.1121 Record of Proceedings
- 130.1122 Record of Hearing
- 130.1123 Orders
- 130.1124 Burden of Proof
- 130.1125 Stipulations
- 130.1126 Open Hearings
- 130.1127 Corrections to the Transcript
- 130.1128 Imposition of Fines
- 130.1129 Application for Hearing to Present Newly Discovered Evidence

SUBPART O: EVIDENTIARY MATTERS AND NON-BINDING STATEMENTS

- Section
 130.1520 Request for Non-Binding Statements

SUBPART P: SAVINGS PROVISIONS

- Section
 130.1661 Investors Syndicate of America, Inc.
 130.1662 State Bond and Mortgage Company

SUBPART Q: PUBLIC INFORMATION

- Section
 130.1701 Inspection of Applications
 130.1702 Inspection of Dealer, Salesperson and Investment Adviser Records
 130.1703 Non-Public Distribution of Information

AUTHORITY: Implementing and authorized by the Illinois Securities Law of 1953 [815 ILCS 5].

SOURCE: Filed February 23, 1977, effective March 5, 1977; amended at 5 Ill. Reg. 9139, effective August 27, 1981; amended at 6 Ill. Reg. 6455, effective May 19, 1982; codified at 6 Ill. Reg. 12674; emergency amendment at 7 Ill. Reg. 17427, effective December 31, 1983, for a maximum of 150 days; emergency expired May 31, 1984; emergency amendment at 8 Ill. Reg. 1476, effective

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NOTICE OF PROPOSED AMENDMENTS

securities 9 business days or less but prior to expiration of registration or renewal	\$200
Additional fee after expiration of registration or renewal (not to exceed one year after the date of expiration of the most recent registration or renewal)	1st-30th day \$500 31st-60th day \$1,000 61st-90th day \$1,500 91st-120th day \$2,000 121st-150th day \$2,500 151st-180th day \$3,000 On or after 181st day \$5,000
Section 5H5(H) Additional fee for the failure to file or file timely any required post-registration document	\$50
Additional fee for the failure to file or file timely notice of SEC effectiveness for filings made on the third through tenth business day after SEC effectiveness	\$100
Additional fee for the failure to file or file timely notice of SEC effectiveness for filings made after the tenth day after SEC effectiveness	11th-30th day \$200 31st-60th day \$400 61st-90th day \$600 91st-120th day \$800 121st-150th day

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	\$1,000
	151st-180th day \$1,200
	On or after the 181st day \$2,500
Section 6A6(A) Filing or Renewal Fee	\$1,000
Amendment Filing Fee for Additional Series, Types or Classes	\$100
Section 6B6(B) Examination Fee	\$300
Filing or Renewal Fee	\$1,000
Amendment Examination Fee	\$50
Amendment Filing Fee for Additional Series, Types or Classes	\$100
Transaction Charge	\$10
Annual Fee	1/30th of 1% of average of quarterly computation of aggregate principal amount of securities on deposit
Section 6F6(F) Additional fee for renewal of securities 9 business days or less but prior to expiration of registration or renewal	\$200
Additional fee after expiration of registration or renewal (not to exceed one year after the date of expiration of the most recent registration or renewal)	1st-30th day \$500 31st-60th day \$1,000 61st-90th day \$1,500 91st-120th day \$2,000 121st-150th day \$2,500 151st-180th day \$3,000 On or after the

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NOTICE OF PROPOSED AMENDMENTS

Section 7G7e7
 Additional fee for renewal of securities 9 business days or less but prior to expiration of registration or renewal \$200
 Additional fee after expiration of registration or renewal (not to exceed one year after the date of expiration of the most recent registration or renewal) \$500
 1st-30th day \$500
 31st-60th day \$1,000
 61st-90th day \$1,500
 91st-120th day \$2,000
 121st-150th day \$2,500
 151st-180th day \$3,000
 On or after the 181st day \$5,000

Section 7J7d7
 Additional fee for the failure to file or file timely any required post-registration document \$50
 Additional fee for the failure to file or file timely notice of SEC effectiveness for filings made on the third through tenth business day after SEC effectiveness \$100
 Additional fee for the failure to file or file timely notice of SEC effectiveness for filings made after the tenth day after SEC effectiveness

11th-30th day \$200
 31st-60th day \$400
 61st-90th day \$600
 91st-120th day \$800
 121st-150th day \$1,000
 151st-180th day \$1,200
 On or after the 181st day \$2,500

Section 7A7A7
 Filing or Renewal Fee \$1,000 plus \$100 for each series, class or portfolio

Section 7B7B7
 Examination Fee \$300
 Filing or Renewal Fee \$1,000, plus \$100 for each series, class or portfolio

Section 7D7D7
 Amendment Examination Fee \$50
 Ammendatory statement \$100

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

Section 6L6B7
 Additional fee for the failure to file or file timely any required post-registration document \$50
 Additional fee for the failure to file or file timely notice of SEC effectiveness for filings made on the third through tenth business day after SEC effectiveness \$100
 Additional fee for the failure to file or file timely notice of SEC effectiveness for filings made after the tenth day after SEC effectiveness

11th-30th day \$200
 31st-60th day \$400
 61st-90th day \$600
 91st-120th day \$800
 121st-150th day \$1,000
 151st-180th day \$1,200
 On or after the 181st day \$2,500

Section 7A7A7
 Filing or Renewal Fee \$1,000 plus \$100 for each series, class or portfolio

Section 7B7B7
 Examination Fee \$300
 Filing or Renewal Fee \$1,000, plus \$100 for each series, class or portfolio

Section 7D7D7
 Amendment Examination Fee \$50
 Ammendatory statement \$100

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	\$800
	121st-150th day
	\$1,000
	151st-180th day
	\$1,200
	On or after the
	181st day \$2,500
Section 8	
Dealer Filing or Renewal Fee	\$300*** plus \$20 for each branch office in this State
Dealer fee to report a change in its form of organization	\$300
Investment Adviser Filing or Renewal Fee and Federal Covered Investment Adviser notification filing fee or renewal fee	\$200*** plus \$20 for each branch office in this State plus a \$10 Securities Audit and Enforcement Fund fee for each investment adviser representative who is not registered in this state as a salesperson for a registered dealer (all fees may be paid by a single check)
<u>Federal Covered Investment Adviser fee and Investment Adviser fee to report a change in its form of organization</u>	\$200
Investment Adviser Examination Fee	\$50
Salesperson Filing or Renewal Fee	\$75 (\$40 filing or renewal fee and \$35 Securities Audit Fund fee; all fees may be paid by a single check)
Salesperson Transfer Fee	\$75 (\$40 transfer fee and \$35 Securities Audit and Enforcement Fund fee; all fees may be paid by a single check)

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<u>Federal Covered Investment Adviser Representative and Investment Adviser Representative</u>	\$75
<u>Federal Covered Investment Adviser Representative and Investment Adviser Representative transfer fee</u>	\$75
Section 8J8(J)	
Additional fee for the failure to file or file timely any required statement of financial condition or financial statement	\$250
Additional fee for the second and subsequent failure to file or file timely any required statement of financial condition or financial statement	\$500
Additional fee for the failure to file or file timely any required post-registration or post-notification document (other than statement of financial condition or financial statement)	\$50
Additional fee for the second and subsequent failure to file or file timely any required <u>post-registration or post-notification</u> document other than statement of financial condition or financial statement)	\$250
Section 10	
Service of Process (when served upon the Secretary)	\$10
Sections 15B15(B) and 15C15(E)	
Certificate	\$10
Certified Copy of Document	\$10 plus
Each Page Certified	\$.50

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

All applications for registration or exemption from registration and other papers filed with the Secretary pursuant to the Act shall be filed at Springfield or Chicago, Illinois. Such material may be filed by delivery to the Secretary Department, through the mails or otherwise. In addition, such material may be filed electronically or by facsimile with the Secretary Department. All other papers filed with the Secretary pursuant to the Act may be filed at the office of the Secretary Department in Springfield or Chicago, Illinois.

(Source: Amended at 21 III. Reg. _____, effective

Section 130.130 Date of Filing

a) Except as otherwise specified in Section 4, 5, 6, 7 or 8 of the Act, the date of filing of any document required to be filed with the Secretary Department shall be the date of delivery of the document and any required fee to the Secretary Department in Springfield or Chicago, Illinois, as specified in Section 130.120 of this Part, or:

1) If transmitted through the United States mail, shall be deemed filed with the Secretary on the date shown by the post office cancellation mark stamped upon the envelope or other wrapper containing the document or fee;

2) If mailed but not received by the Secretary, or if received but without a cancellation mark or with the cancellation mark illegible or erroneous, shall be deemed filed with the Secretary on the date it was mailed, but only if the sender establishes by competent evidence that the document or fee was deposited, properly addressed, in the United States mail on or before the date on which it was required or was due. In cases in which the document or fee was mailed but not received, the sender must also submit, or pay to, the Secretary a duplicate document or fee, or both, as the case may be, within 30 days after written notification of nonreceipt of the document or fee is given by the Secretary to the person claiming to have sent the document or fee;

3) If a document or fee is sent by United States registered mail, certified mail or certificate of mailing, a record authenticated by the United States Postal Service of such registration, certification or certificate shall be considered competent evidence that the document or fee was mailed on the date shown on the record;

4) If transmitted electronically, it shall be deemed filed with the Secretary on the date the information that is inscribed or stored electronically becomes retrievable in perceivable form to the Secretary Department.

b) A document may not be deemed to be filed with the Secretary unless all

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Section 15a	Non-binding statement	\$75
	Duplication of documents	\$.50
	Additional fee for payment of fee returned to the Secretary Department due to insufficient funds or for a similar reason	\$50

* 1/10th of 1% of the aggregate dollar amount reported therein, but not less than the specified minimum nor more than the specified maximum.

** 1/20th of 1% of the maximum aggregate price, as defined in Section 130.251 of this Part, but not less than the specified minimum nor more than the specified maximum.

*** ~~Five-the-amount-indicated-renewal-application-is-filed-within-6 days-preceding-the-expiration-of-the-current-registration-~~

b) All payments of fees, except for payment of administrative fines under Section 11E of the Act as set forth below, shall be made by check, money order, certified check, bank cashier's check, bank money order or indicia of forms of electronic transfer of funds payable to the "Secretary of State". No third party check or money order endorsed over to the Secretary of State ("Secretary") shall be accepted as payment of any fee. All payments for administrative fines under Section 11E of the Act in excess of \$500, except for a person registered under Section 5, 6, 7 or 8 of the Act, shall be made by money order, certified check or bank cashier's check.

c) Any person whose payment of fees is returned to the Secretary Department due to insufficient funds or for a similar reason shall pay to the Secretary the amount of fee owed plus an additional fee as set forth in this Section for each payment returned. This fee shall include the fee required by 5 ILCS 290/10.

d) The Secretary shall require any person to make payment of fees in the form of a United States postal money order, certified check, bank cashier's check or bank money order if any previous payment of fees has been returned to the Secretary Department due to insufficient funds or for a similar reason.

e) All payment of fees under Sections 4-7-57-67-7-and-8--of the Act for which a calculation of the fee is required shall be deemed to be filed and the fees paid upon receipt by the Secretary Department, provided that the fee paid is within \$5 of the actual amount due.

(Source: Amended at 21 III. Reg. _____, effective

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requirements of the Act with respect to such filing have been complied with and the required fee has been paid.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.142 Additional Exhibits (Repealed)

~~Any person filing a document under Section 47-57-67-7 or 8 of the Act may file such exhibits as he or she may desire in addition to those required by the appropriate form. The exhibits shall be so marked as to indicate clearly the subject matters to which they refer.~~

(Source: Repealed at 21 Ill. Reg. _____, effective _____)

Section 130.145 Number of Copies--Signatures

- a) One copy of the completed application for registration, manually signed by the applicant, including exhibits and all other papers and documents filed as a part of the application, shall be filed with the Secretary of State.
- b) If any name is signed to the application for registration pursuant to a power of attorney, copies of the power of attorney shall be filed with the application for registration. In addition ~~addition~~, if the name of any officer signing on behalf of the applicant, or attesting the applicant's seal, is signed pursuant to a power of attorney, certified copies of a resolution of the applicant's board of directors authorizing the signature shall also be filed with the application for registration.
- c) Signatures to or within any electronic submission shall be in printed or typed form rather than manual format. A manually signed signature page or other document authenticating, acknowledging or otherwise adopting the signatures that appear in printed or typed form within an electronic filing shall be executed before or at the time the electronic filing is made and shall be retained by the filer for the time required by this Act. Upon request, an electronic filer shall furnish to the Securities Department the original of any or all documents required to be retained pursuant to the Act. A signature on a document filed by facsimile is prima facie evidence for all purposes that the document actually was signed by the person whose signature appears on the facsimile.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

SUBPART B: DEFINITIONS

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Section 130.200 Definitions of Terms Used in the Act and the Rules

- a) As used in the Act and this Part, unless the context otherwise requires, the term:

"Act" means the Illinois Securities Law of 1953 [815 ILCS 5] and this Part.

"Affiliate" of, or a person "affiliated" with, a specified person means a person who, directly or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

"Amount", when used in regard to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

"Applicant" means the person making application for registration or exemption.

"Certified", when used in regard to financial statements, means examined and reported upon with an opinion expressed by an independent public or certified public accountant.

"CFTC" means the Federal Commodity Futures Trading Commission.

"Charter" includes articles of incorporation, a declaration of trust, articles of association or partnership, or any similar instrument, as amended, affecting (either with or without filing with any governmental agency) the organization or creation of an incorporated or unincorporated person.

"Correspondent" means the person authorized in the application for registration or exemption to receive notices and communications from the Secretary.

"Controlling Person" as used in Section ~~4F~~ ~~4(F)~~ of the Act shall not include any sponsor of a unit investment trust after the completion of the initial distribution.

"CRD" means the computer registration system for the registration of dealers and salespersons known as the "Central Registration Depository" operated by the NASD.

"Customer" as used in Section 130.270 of this Part means any person for whom the futures commission merchant effects or intends to effect transactions in futures, options on futures, or

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"Futures" and "Futures Contracts" as used in Section 130.270 of this Part mean contracts of sale of a commodity for future delivery traded on or subject to the rules of a contract market designated by the CFTC or traded on or subject to the rules of any board of trade located outside the United States, its territories or possessions.

"Futures Commission Merchants" as used in Section 130.270 of this Part means individuals, associations, partnerships, corporations and trusts engaged in soliciting or in accepting orders for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market and that, in or in connection with such solicitation or acceptance of orders, accepts any money, securities, or property (or extends credit in lieu thereof) to margin, guarantee or secure any trades or contracts that result or may result therefrom.

"Hearing" means a proceeding conducted by the Securities Department in which the rights, privileges, immunities, duties or obligations of any person or party are required by law to be determined by the Secretary only after opportunity for a hearing.

"Hearing Officer" means the designee of the Secretary or the Securities Director who, pursuant to Section 11 of the Act, is designated in the Notice of Hearing to preside at a hearing conducted pursuant to Section II of the Act or any person so designated as a substitute hearing officer.

"Identifying Statement" means a written or oral communication or advertisement meeting the requirements of Section 130.210(b)(1) of this Part.

"Insolvency" or "insolvent" means the inability to pay debts and obligations when due or when current liabilities exceed current assets. Any party regulated by this Part claiming insolvency shall file with the Securities Department a balance sheet prepared as of a current date and executed and verified by the chief financial officer of the issuer.

"Internal Revenue Code" means the Internal Revenue Code of 1986 (26 U.S.C. 1-9602), and the Rules and Regulations thereunder, as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Majority-Owned Subsidiary" means a subsidiary more than 50% of whose outstanding securities, which represent the right, other than as affected by events of default, to vote for the election of directors, is owned by the subsidiary's parent and/or one or

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any other instruments subject to CFTC jurisdiction.

"Director" means any director of a corporation or any person performing similar functions with respect to any organization whether incorporated or unincorporated.

"Employee" does not include a director, trustee, or officer.

"Federal 1933 Act" means the Act of the Congress of the United States known as the Securities Act of 1933 (15 U.S.C. Secs. 77a-77aa), as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Federal 1934 Act" means the Act of Congress of the United States known as the "Securities Exchange Act of 1934" (15 U.S.C. Secs. 78a-78aa), as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Federal 1936 Act" means the Act of Congress of the United States known as the Commodity Exchange Act of 1936 (7 U.S.C. Sec. 1 et seq.), as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Federal 1940 Investment Company Act" means the Act of Congress of the United States known as the Investment Company Act of 1940, (15 U.S.C. Secs. 80a-1-80a-52), as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Federal 1940 Investment Advisers Act" means the Act of Congress of the United States known as the Investment Advisers Act of 1940 (15 U.S.C. Secs. 80b-1-80b-21), as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Federal Banking Act of 1933" means the Federal Banking Act of 1933 (12 U.S.C. 227), and the Rules and Regulations thereunder, as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Federal Public Utility Holding Company Act of 1935" means the Public Utility Holding Company Act of 1935 (15 U.S.C. subsection 79-79z-6), and the Rules and Regulations thereunder, as in effect on August 1, 1997 ~~January--7--1996~~ (no subsequent amendments or editions).

"Fiscal Year" means the annual accounting period or, if no accounting period has been adopted, the calendar year ending on December 31.

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more of the parent's other majority-owned subsidiaries.

"Material", when used to qualify a requirement for the furnishing of information as to any subject, limits the information required to those matters as to which there is a substantial likelihood that a reasonable investor would consider it important in deciding upon a course of action to be taken, including, but without limitation, purchasing, selling or holding the security or securities involved, or accepting or rejecting an offer or proposal made with regard to any security or securities.

"NASD" means the self-regulatory organization registered under the Federal 1934 Act, as defined in this Section, known as the "National Association of Securities Dealers, Inc."

"Nonaccredited Investor" as used in Section 130.420 of this Part means a person who is not a person set forth in Section 4-C, 4-H, 4-R or 4-S of the Act.

"Office", unless otherwise clarified, refers to the Office of the Securities Department of the Secretary of State, and not to any particular address or location.

"Officer" means the president; any vice president in charge of a principal business unit, division or function; the secretary; the treasurer; any principal financial officer, comptroller or principal accounting officer; any other officer performing a principal policy-making function and any other person performing similar functions with respect to any organization whether incorporated or unincorporated.

"Options on Futures" as used in Section 130.270 of this Part means puts or calls on a futures contract traded on or subject to the rules of a contract market designated by the CFTC or traded or subject to the rules of any board of trade located outside the United States, its territories or possessions.

"Pacific Coast Stock Exchange, Inc." means the Pacific Stock Exchange, Inc.

"Parent" of a specified person means an affiliate controlling such person directly or indirectly through one or more intermediaries.

"Party" means any person named as a petitioner or a respondent in a hearing conducted by the Securities Department.

"Person" means a natural person, a corporation, a partnership, a

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limited partnership, a limited liability company, a limited liability limited partnership, an association, a joint stock company, a trust or any unincorporated organization except that as used in this Section, the word "trust" includes only a trust where the interest or the interests of the beneficiary or beneficiaries are a security.

"Place of Business" of a federal covered investment adviser representative means a location at which the federal covered investment adviser representative provides investment advisory services, solicits, meets with, or otherwise communicates with clients, and any other location that is held out to the general public as a location at which the investment adviser representative provides investment advisory services, solicits, meets with, or otherwise communicates with clients.

"Predecessor" means a person, the major portion of the business and assets of which another person acquired in a single succession or in a series of related successions in each of which the acquiring person acquired the major portion of the business and assets of the acquired person.

"Preliminary Prospectus" means a document meeting the requirements of Section 130.210(b)(2) of this Part.

"Principal Underwriter" means an underwriter in privity of contract with the issuer of the securities as to which such person is an underwriter.

"Promoter" means

any person who, acting alone or in conjunction with one or more other persons, directly or indirectly takes initiative in founding and organizing the business or enterprise of an issuer; or

any person who, in connection with the founding and organizing of the business or enterprise of an issuer, directly or indirectly receives in consideration of services or property, or both, 10% or more of any class of securities of the issuer or 10% or more of the proceeds from the sale of any class of securities of the issuer. However, a person who receives the securities or proceeds either solely as underwriting commissions or solely in consideration of property shall not be deemed a promoter within the meaning of this subsection if the person does not otherwise take part in founding and organizing the enterprise.

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comprising a going business, whether by merger, consolidation, purchase, or other direct transfer. The term does not include the acquisition of control of a business unless followed by the direct acquisition of its assets. The terms "succeed" and "successor" have the same meaning as "succession".

"Totally-Held Subsidiary" means a subsidiary substantially all of whose outstanding securities are owned by its parent and/or the parent's other totally-held subsidiaries, and which is not indebted to any person other than its parent and/or the parent's other totally-held subsidiaries in an amount which is material in relation to the particular subsidiary, excepting indebtedness incurred in the ordinary course of business which is not overdue and which matures within one year from the date of its creation, whether evidenced by securities or not.

"Unit Investment Trust" means an investment company which:
is organized under a trust indenture, agency or custodianship contract or similar instrument, does not have a board of directors; and
issues only redeemable securities, each of which represents an undivided interest in a unit of specified securities.
The term "unit investment trust" does not include a voting trust.

"Unsolicited Transaction" as used in Section 130.270 of this Part means a transaction that is not effected in a discretionary account or recommended to a customer by the futures commission merchant, an associated person of a futures commission merchant, a business affiliate that is controlled by, controlling, or under common control with the futures commission merchant, or an introducing broker that is guaranteed by the futures commission merchant.

- b) A Section in this Part which defines a term without express reference to the Act or to this Part or to a portion thereof or hereof defines such term for all purposes as used both in the Act and in this Part. Terms defined in the Act and not defined in this Part have the meanings given them in the Act.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.211 Definition of Acts Not Constituting an "Offer" of Securities under Section 5, 6 or 7 and Registration of an Entity for Purpose of Section 8 of the Act

- a) Notwithstanding any other provision of the Act or this Part, the transmitting or sending of any announcement, offering circular,

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prospectus or other communication via the nonproprietary, public computer network (commonly known as the "Internet") shall not constitute an offer of securities under Section 5, 6 or 7 of the Act; provided that the communication indicates, directly or indirectly, that the securities are not being offered to the residents of this State, and an offer is not otherwise specifically directed to any person in this State by or on behalf of the issuer of the securities.

- b) No sale of securities shall be made in this State until the securities have been registered under Section 5, 6 or 7 of the Act and a prospectus, offering circular or Form U-7 in its most current form has been delivered to each offeree prior to the sale, or the securities are exempt from registration under Section 3 of the Act or sold in transactional exemptions set forth under Section 4 of the Act (except subsection G, H or R of Section 4 of the Act, or subsection M of Section 4 of the Act if any commission or other remuneration is paid or given, directly or indirectly, on account of the sale or sales or issuance of the securities).

- c) Notwithstanding any other provision of the Act or this Part, salespersons or dealers who transmit or distribute information on available products and services via the Internet shall not constitute an offer of securities for purposes of Section 8 of the Act provided that:

- 1) The communication contains a legend clearly stating that the salesperson or dealer may only transact business in those states where he, she or it is registered or otherwise excluded or exempted from State registration;
- 2) The sender of the communication has taken reasonable measures to insure that any subsequent interaction between prospective customers or clients residing in states where the salesperson or dealer is not registered is limited so as to not otherwise require State salesperson, dealer or securities registration;
- 3) The communication does not involve the actual effecting of securities transactions or trades for compensation over the Internet but is limited to the dissemination of information on products or services; and
- 4) In the case of a salesperson, the affiliation with a dealer is prominently disclosed within the communication; the dealer retains the responsibility of reviewing and approving the content of the Internet communication; the dealer has authorized the distribution or dissemination of information on products and services via the Internet communication; and the salesperson is acting within the scope of his or her authority in distributing or disseminating the Internet communication.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.234 Definition, For Certain Purposes, of the Terms "Employee"

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Sales Price; and "Sales Made in Reliance Upon the Exemption" Under Section 4G 4(f) of the Act and "General Advertising or General Solicitation" Under Sections 4G, 4H, 4M and 4R 4(g)-4(h)-4(m)-and-4(r) of the Act

a) The term "sales made in reliance upon the exemption" as used in Section 4G(4) 4(f) of the Act with respect to the Report of Sale required to be filed under that Section shall include only those sales made to residents of this State in reliance on the exemption.

b) The term "residents of this State" shall mean persons having their principal place of residence or domicile in this State.

c) The term "aggregate sales price" shall mean the sum of all cash, services, property, notes, cancellation of debt, or other consideration received by an issuer for issuance of its securities. Where securities are being offered for both cash and non-cash consideration, the aggregate sales price shall be based on the price at which the securities are offered for cash. If securities are not offered for cash, the aggregate offering price shall be based on the value of the consideration as established by bona fide sales of that consideration made within a reasonable time, or in the absence of sales, on the fair value as determined by an accepted standard.

d) The terms "general advertising" or "general solicitation" shall include but not be limited to:

- 1) any advertisement, article, notice or other communication published in any newspaper, magazine, or similar media or broadcast over television or radio or any seminar or meeting where attendees have been invited by any of the foregoing;
2) any indiscriminate contact by mail, telephone, or similar communicative process, unless otherwise shown by the particular facts.

e) For purposes of Section 4H and 4R of the Act, the terms "general advertising" or "general solicitation" shall not include the transmitting or sending of any announcement, offering circular, prospectus or other communication that is delivered through an electronic database that is restricted to persons who have been prequalified as accredited investors as defined in Section 4H or 4R of the Act.

(Source: Amended at 21 III. Reg. effective

Section 130.280 Definition of the Term "Branch Office" of a Registered Dealer, as Used in Section 8 of the Act

a) "Branch office" as used in Section 8 of the Act shall mean any office,

or controlled by, or operated directly or indirectly for the benefit conducted and which in the case of a registered dealer is owned of a registered dealer or registered investment adviser is being residence or other place or location in this State where the business

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Security-Purchase Plan", "Employee Profit-Sharing Trust or Plan", "Employee Pension Trust or Plan", as Used in Section 3.N and Section 3.O of the Act (Repealed)

a) The terms "Employee Security-Purchase Plan" "Employee Profit-Sharing Trust or Plan" "Employee Pension Trust or Plan" shall not include any

obtaining of securities to employees unless prior to or concurrently with the offering a written document setting forth the provisions and details of the employee security purchase plan employee profit-sharing trust or plan is determined to all employees to whom such securities are offered.

b) The terms "Employee Profit-Sharing Trust or Plan" or "Employee Pension Trust or Plan" shall not include any plan wherein the purchaser gives or pays consideration other than his or her employment unless shown by the particular facts.

(Source: Repealed at 21 III. Reg. effective

Section 130.235 Definition, for Certain Purposes, of the Terms "Employee Profit-Sharing Trust or Plan", "Employee Pension Trust or Plan", as Used in Section 3.O of the Act (Repealed)

The terms "Employee Profit-Sharing Trust or Plan" and "Employee Pension Trust or Plan" shall mean those employees profit-sharing trusts or employee pension trusts or plans which provide for contribution by employees and which are exempt from registration under Section 3(a)(2) of the Federal 1933 Act or are pension or profit-sharing plans which meet the requirements for qualification under Section 401(a) of the Internal Revenue Code.

(Source: Repealed at 21 III. Reg. effective

Section 130.242 Definition of the Term "Financial Institution" under Section 4C and 4B of the Act

The term "financial institution" shall include, but not be limited to, a manager of investment accounts on behalf of other than natural persons, who, with affiliates, exercises sole investment discretion with respect to such accounts, and provided such accounts exceed 10 in number and have a fair market value of not less than \$10,000,000 at the end of the calendar month preceding the month during which the transaction occurred for which the exemption is utilized.

(Source: Amended at 21 III. Reg. effective

Section 130.246 Definition of the Terms "Residents of this State", "Aggregate

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of, the registered dealer, and where the business of a dealer is conducted by a principal, salesperson or salespersons for such registered dealer, or

2) ~~in the case of a registered investment adviser, is owned or controlled by, or operated directly or indirectly for the benefit of, the registered investment adviser, and where the business of an investment adviser is conducted by a principal, investment adviser representative or investment adviser representative of such registered investment adviser authorized to render investment advice.~~

b) The principal office located in this State of the registered dealer or registered investment adviser, if any, shall not be considered a branch office.

c) ~~Except as otherwise provided in subsection (b) of this Section, for purposes of this Section, each office, residence or other place or location where business is being conducted in this State on behalf of a registered dealer and registered investment adviser shall be considered a branch office for the registered dealer and the registered investment adviser.~~

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.281 Definition of the Term "Branch Office" of a Registered Investment Adviser or a Federal Covered Investment Adviser, as Used in Section 8 of the Act

a) "Branch office" as used in Section 8 of the Act shall mean any office, residence or other place or location in this State where the registered investment adviser or the federal covered investment adviser or their investment adviser representatives provide investment advisory services, solicit, meet with, or otherwise communicate with clients, or any other location that is held out to the general public as a location at which the registered investment adviser or the federal covered investment adviser or their investment adviser representatives provide investment advisory services, solicit, meet with, or otherwise communicate with clients.

b) The principal office located in this State of the registered investment adviser or the federal covered investment adviser, if any, shall not be considered a branch office.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

SUBPART D: EXEMPT TRANSACTIONS

Section 130.420 Uniform Limited Offering Exemption Pursuant to Section 4-D of the Act

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a) Any offer or sale of securities offered or sold in compliance with the Federal 1933 Act, Regulation D, Rules 230.501-230.503 and 230.505 or 230-506 (17 CFR 230.501-230.503, 230.505, 230-506) and which satisfies the following further conditions and limitations:

1) No exemption under this Section shall be available for the securities of any issuer if any of the parties described in the Federal 1933 Act, Regulation A, Rule 230.262 Sections (a), (b), and (c), [17 CFR 230.262(a), (b) and (c)] as in effect on August 1, 1997 ~~July 1, 1996~~ (no subsequent amendments or editions):

A) has filed a registration statement which is subject to a currently effective registration stop order entered pursuant to any state's securities law or the SEC within five years prior to the filing of the notice required under this exemption;

B) has been convicted within five years prior to the filing of the notice required under this exemption of any felony or misdemeanor in connection with the offer, purchase or sale of any security or any felony involving fraud or deceit, including but not limited to forgery, embezzlement, obtaining money under false pretenses, larceny or conspiracy to defraud;

C) is currently subject to SEC or any state administrative enforcement order or judgment entered by that state's securities administrator or the SEC within five years prior to the filing of the notice required under this exemption or is subject to SEC or any state's administrative enforcement order or judgment in which fraud or deceit, including but not limited to making untrue statements of material facts and omitting to state material facts, was found and the order or judgment was entered within five years prior to the filing of the notice required under this exemption;

D) is subject to SEC or any state's administrative enforcement order or judgment which prohibits, denies or revokes the use of any exemption from registration in connection with the offer, purchase or sale of securities;

E) is currently subject to any order, judgment, or decree of any court of competent jurisdiction temporarily or preliminarily restraining or enjoining, or is subject to any order, judgment or decree of any court of competent jurisdiction permanently restraining or enjoining, such party from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security or involving the making of any false filing with the state entered within five years prior to the filing of the notice required under this exemption;

2) the prohibitions of subsections (a)(1)(A)-(C) and (E) of this Section shall not apply if the person subject to the disqualification is duly licensed or registered to conduct

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d) Evaluating the merits and risk of the prospective investment.

A failure to comply with a term, condition or requirement of this exemption will not result in loss of the exemption from the requirements of Section 4-D of the Act for any offer or sale to a particular individual or entity, if the person relying on the exemption shows:

- 1) the failure to comply did not pertain to a term, condition or requirement directly intended to protect that particular individual or entity; or
2) the failure to comply was insignificant with respect to the offering as a whole; or
3) a good faith and reasonable attempt was made to comply with all applicable terms, conditions and requirements of the exemption.

e) The exemption authorized by this Section shall be known and may be cited as the "Uniform Limited Offering Exemption."

(Source: Amended at 21 III. Reg. _____, effective _____)

Section 130.440 Procedures for Filing Reports of Sale under Section 4G 4(f) of the Act

a) The issuer, controlling person, or dealer shall file with the Springfield or Chicago office of the Securities Department one copy of the Report of Sale on Illinois Form 4G or Form D executed manually signed by a person duly designated by the filing party, accompanied by the filing fee referred to below: 1) no later than 3 months after the first sale of securities made to an investor resident in the State of Illinois; 2) after the date of the first sale of securities made to an investor resident in the State of Illinois; 3) every 3 months after the date of the first sale of securities made to an investor resident in the State of Illinois; 4) of the Act subsequent to the date upon which the most recent prior report of sale was required to be filed with the Securities Department on or after the first date of sale made to an Illinois resident in reliance upon Section 4G of the Act, but no later than twelve months after the date of the first sale.

h) The filing fee for each Report of Sale required under Section 4G 4(f) of the Act shall be in the amount 1/10th of 1% of the aggregate dollar amount reported therein but not less than the minimum nor more than the maximum fee specified in Section 130.110. The Report of Sale shall not be deemed to be filed until the proper filing fee therefor is delivered to the Securities Department.

c) The Securities Department will review a Report of Sale submitted under Section 4G 4(f) of the Act and notify the filing party of any deficiencies. A Report of Sale shall not be deemed to be filed unless the information required by Section 130.442 of this Part is included therein without any material deficiency.

d) By filing a Report of Sale, the filing party attests that the sales

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securities related business in the state in which the administrative order or judgment was entered against such person or if the dealer employing such party is licensed or registered in this State and the Form BD filed with the Securities Department discloses the order, conviction, judgment or decree relating to such person; no person disqualified under this subsection (a)(2) may act in a capacity other than that for which the person is licensed or registered; and

3) any disqualification caused by this Section is automatically waived if the SEC or state securities administrator or agency of the state which created the basis for disqualification determines upon a showing of good cause that it is not necessary under the circumstances that the exemption be denied. It is a defense to a violation of this subsection (a) if the issuer sustains the burden of proof to establish that such person did not know and in the exercise of reasonable care could not have known that a disqualification under this subsection (a) existed.

b) The issuer shall file with the Securities Department a notice on Form D (17 CFR 239.500):

- 1) the notice shall be filed no later than 15 days after the receipt of consideration or the delivery of a subscription agreement by an investor in this State which results from an offer being made in reliance upon this exemption and at such other times and in the form required under Regulation D, Rule 230.503 to be filed with the SEC;
2) the notice shall contain an undertaking by the issuer to furnish information furnished by the issuer to offerees who are offered or sold a security which is not exempt under any provision of Section 3 of the Act or who are offered or sold a security in a transaction which is not exempt under any provision of Section 4 of the Act;

3) every person filing the initial notice provided for in subsection (b)(1) of this Section shall pay the filing fee pursuant to Section 130.110 of this Part.

c) In all sales to nonaccredited investors in this State, the issuer and any person acting on its behalf shall have reasonable grounds to believe, and after making reasonable inquiry shall believe, that one of the following conditions is satisfied:

- 1) the investment is suitable for the purchaser upon the basis of the facts, if any, disclosed by the purchaser as to his or her other security holdings and as to his or her financial situation and needs; for the purpose of this condition only, it may be presumed that if the investment does not exceed 10% of the investor's net worth, it is suitable; and

2) the purchaser, either alone or with his or her purchaser representative(s), has such knowledge and experience in financial and business matters that he or she is, or they are, capable of

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covered by the Report of Sale have not and will not be made by means of general advertising or solicitation in this State; the sales of such securities have not and will not be made, commissions have not and will not be paid and prospectuses have not and will not be delivered, in each case in excess of those permitted by Section 4G of the Act; and the filing party will provide a copy of the prospectus, offering circular or other disclosure document, as the case may be, or the name and address of each Illinois purchaser to the Securities Department within 72 hours after written request (which may be made by electronic, facsimile or other similar transmission or delivery).

- ~~ed) The Securities Department shall impose a penalty for failure to file any Report of Sale required under Section 4(G) of the Act in a timely manner. The penalty for the first failure to file timely shall be in the amount specified in Section 130.110 of this Part, an amount equal to the filing fee for that Report of Sale. The penalty for any subsequent failure to file timely shall be an amount equal to five times the filing fee for that Report of Sale.~~

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.442 Report of Sale of Securities pursuant to Section 4G ~~4(G)~~ of the Act

The Report of Sale of securities sold in this State in reliance upon Section 4G ~~4(G)~~ of the Act shall contain, without limitation, the following but not be limited to:

- a) the name, business address and telephone number of the issuer, and as applicable, of the controlling person and dealer;
- b) a description of the securities sold to residents of this State; and
- c) the date of the initial sale of securities to residents of this State for this reporting period. the total amount of the securities sold to residents of this State in reliance upon Section 4(G) of the Act for the period covered by the Report of Sale and to the date of the Report of Sale;
- d) for the sales covered by the Report of Sale, the names and addresses of the purchasers who report to the issuer that they are residents of this State and the dates on which the sales were made;
- e) a representation that the sales covered by the Report of Sale were not made by means of general advertising or general solicitation in this State; and
- f) a representation that sales of such securities were not made, commissions were not paid and prospectuses were not delivered, in each case in excess of those permitted by Section 4(G) of the Act.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

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SUBPART E: REGISTRATION OF SECURITIES

Section 130.520 Procedures for Registration of Securities by Qualification under Section 5-B of the Act

- a) Application for registration of securities pursuant to Section 5-B of the Act shall be made

1) by filing the following documents with the Securities Department in Springfield or Chicago, Illinois in the form required by Section 5-B of the Act:

- A) A completed Application to Register Securities on Form U-1, executed by the applicant, if a natural person; or by a general partner, if the applicant be a partnership only; or by an officer of the applicant, if a corporation; or in other cases by an authorized agent of the applicant, setting forth the name and address of the issuer, the title and total amount of the securities to be offered, the amount of the securities to be registered in this State pursuant to the Application, the proposed maximum aggregate price for the securities being registered as defined in Section 130.251 of this Part, and the aggregate underwriting commissions, remuneration or discount;

- B) A copy of the prospectus for the securities being registered conforming to the requirements of Section 5-B(3) or 5-B(4) of the Act, as applicable;

~~e) A consent to service of process executed by the issuer or controlling person conforming to the requirements of Section 10 of the Act, provided that such consent need not be filed if~~

~~(i) the applicant is a registered dealer and the securities are being offered and sold in this State by one or more registered dealers as principal and not as agent; or~~

~~(ii) the issuer or controlling person is a corporation organized or authorized to transact business under the laws of this State;~~

~~B) If the issuer is a corporation, a copy of its current charter or articles of incorporation unless then on file with the Secretary of State, if other than a corporation, a copy of all instruments, if any, by which the issuer was created as amended through the date of filing;~~

~~E) A copy of the current by-laws, or other code of regulations, if any, of the issuer;~~

CF) A copy of the indenture or other instrument if any, under which the securities are to be or have been issued, as amended through the date of filing;

DG) A specimen copy of the securities or a copy of the form of the instrument, if any, to evidence the securities;

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(EH) An opinion of counsel as to the legality of the securities; (EF) A copy of the underwriting and selling agreements, if any; (GF) An undertaking to file promptly with the Secretary of State any and all amendments of and supplements to the prospectus as theretofore filed under Section 5-B of the Act, accompanied by the examination fee specified in Section 130.110; and (HK) The name of at least one registered dealer for the securities being registered under Section 5-B of the Act, or if no registered dealer is participating in the offering, a description of the method by which the securities being registered will be offered and sold in Illinois in compliance with Section 8 of the Act; and

(2) by paying to the Securities Department in Springfield or Chicago, Illinois the examination fee and filing registration fee required by Sections 5-B-(2)(g) and 5-C-(1), respectively, of the Act in the form and amount required by Section 130.110. (b) The completed Application to Register Securities on Form U-1 shall constitute the application called for in Section 5-B-(1) of the Act. (c) The Secretary of State shall within a reasonable time examine the application and documents filed with him or her, and unless: (1) the Secretary of State makes a determination that the application and documents so filed do not conform to the requirements of Section 5-B of the Act, or (2) the application for registration is then the subject of pending proceedings under Section 11-F of the Act or of an order of suspension, denial or prohibition under Section 11 of the Act, he or she shall register the securities for offer and sale in this State under Section 5-B of the Act.

(d) The applicant shall notify the Securities Department in Springfield, in writing (which may be by telegraphic, electronic or facsimile transmission), prior to the time at which the registration under Section 5-B of the Act shall take effect, of the actual offering price(s) for the securities being registered and, if the offering is filed under Regulation A of the Federal 1933 Act, a copy of the notification of SEC clearance within two business days of the date after the issuance of such clearance. (Source: Amended at 21 III. Reg. _____, effective _____)

(e) No application for renewal of registration of securities shall be deemed to be filed or take effect if the application, renewal fee or additional fee shall have been filed with or paid to the Securities Department more than one year after the most recent expiration of the registration or renewal of the registration. (f) Prior to the renewal of any registration or renewal, the issuer, controlling person or registered dealer shall have filed with the Securities Department the name of at least one registered dealer which will be offering or selling the securities or have filed an application for registration on Form U-4 or renewal on Form 8C(1) for at least one salesperson that the Securities Department will grant registration of or renewal of registration of concurrently with the renewal of the registration of the securities and paid to the Securities Department the fee and the additional fee, if any, set forth in Section 130.110 of this Part.

(Source: Amended at 21 III. Reg. _____, effective _____)

SUBPART F: FACE AMOUNT CERTIFICATE CONTRACTS

Section 130.530. Renewal of Registration of Face Amount Certificate Contracts Under Section 5F 6(F) of the Act

(a) An issuer, controlling person or registered dealer shall file an application for renewal of registration of part or all of the face amount certificate contracts which remain unsold by filing with the Securities Department no later than ten business seven-(7) days prior to the date upon which the registration under Section 5A 5(A) of the

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(EH) An opinion of counsel as to the legality of the securities; (EF) A copy of the underwriting and selling agreements, if any; (GF) An undertaking to file promptly with the Secretary of State any and all amendments of and supplements to the prospectus as theretofore filed under Section 5-B of the Act, accompanied by the examination fee specified in Section 130.110; and (HK) The name of at least one registered dealer for the securities being registered under Section 5-B of the Act, or if no registered dealer is participating in the offering, a description of the method by which the securities being registered will be offered and sold in Illinois in compliance with Section 8 of the Act; and

(2) by paying to the Securities Department in Springfield or Chicago, Illinois the examination fee and filing registration fee required by Sections 5-B-(2)(g) and 5-C-(1), respectively, of the Act in the form and amount required by Section 130.110. (b) The completed Application to Register Securities on Form U-1 shall constitute the application called for in Section 5-B-(1) of the Act. (c) The Secretary of State shall within a reasonable time examine the application and documents filed with him or her, and unless: (1) the Secretary of State makes a determination that the application and documents so filed do not conform to the requirements of Section 5-B of the Act, or (2) the application for registration is then the subject of pending proceedings under Section 11-F of the Act or of an order of suspension, denial or prohibition under Section 11 of the Act, he or she shall register the securities for offer and sale in this State under Section 5-B of the Act.

(d) The applicant shall notify the Securities Department in Springfield, in writing (which may be by telegraphic, electronic or facsimile transmission), prior to the time at which the registration under Section 5-B of the Act shall take effect, of the actual offering price(s) for the securities being registered and, if the offering is filed under Regulation A of the Federal 1933 Act, a copy of the notification of SEC clearance within two business days of the date after the issuance of such clearance. (Source: Amended at 21 III. Reg. _____, effective _____)

(Source: Amended at 21 III. Reg. _____, effective _____)

Section 130.530. Renewal of Registration of Securities Under Section 5R 5(R) of the Act

(a) An issuer, controlling person or registered dealer shall file an application for renewal of registration of part or all of the securities which remain unsold by filing with the Securities Department, no later than ten business seven-(7) days prior to the

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Act or renewal under Section ~~6F~~ ~~6(F)~~ of the Act would expire on Form U-1 executed by an officer of the issuer, controlling person or registered dealer and paying the fee set forth in Section 130.110 of this Part. Such application shall be accompanied by one copy of the prospectus in its most current form.

- b) Any application for renewal of registration of face amount certificate contracts filed with or fee paid to the Securities Department within nine business ~~six--(6)~~ days or less but prior to the date upon which the registration or renewal would expire shall pay an additional fee set forth in Section 130.110 of this Part.
- c) Any application for renewal of face amount certificate contracts filed with or fee paid to the Securities Department on or after the date upon which the registration would expire shall pay an additional fee set forth in Section 130.110 of this Part until the application is filed and the renewal fee and all such additional fees are paid.
- d) The renewal of the registration under subsection (a), (b) or (c) of this Section shall take effect on the date that the prior registration or renewal expired.
- e) No application for renewal of face amount certificate contracts shall be deemed to be filed or take effect if the application, renewal fee or additional fee shall have been filed with or paid to the Securities Department more than one year after the most recent expiration of the registration or renewal of the registration.
- f) Prior to the renewal of any registration or renewal, the issuer, controlling person or registered dealer shall have filed with the Securities Department the name of at least one registered dealer which will be offering or selling the face amount certificate contracts or have filed an application for registration on Form U-4 or renewal on Form 8C(1) for at least one salesperson that the Securities Department will grant registration of or renewal of registration concurrently with the renewal of the registration or renewal of the face amount certificate contracts and paid to the Securities Department the fee and additional fee, if any, set forth in Section 130.110 of this Part.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

SUBPART H: REGISTRATION OF DEALERS, SALESPERSONS AND INVESTMENT ADVISERS

Section 130.805 Exemptions From Registration as an Investment Adviser Under Section ~~8A~~ ~~8(A)~~ of the Act

The Secretary pursuant to Section ~~8A~~ ~~8(A)~~ of the Act hereby exempts from registration as an investment adviser:

- a) any investment adviser whose only clients in this State are any one or more of the following, whether acting on their own behalf or in some fiduciary capacity:
 - 1) investment companies as defined in the Federal 1940 Investment

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Company Act, as defined in Section 130.200 of this Part;

- 2) employee pension or profit-sharing plans or trusts having total assets of not less than ~~five-million-dollars-~~ (\$5,000,000-~~00~~);
- 3) governments and governmental agencies or instrumentalities, and whether acting for itself or as a trustee with investment control; or
- 4) banks, savings banks, savings institutions, trust companies, insurance companies, building and loan associations and other financial institutions or institutional investors, and any other persons to whom an offer, sale or issuance of a security would be exempt pursuant to Section ~~4C~~ ~~4(C)~~, ~~4D~~ ~~4(D)~~ or ~~4H~~ ~~4(H)~~ of the Act, provided that such persons maintain a net worth of not less than ~~one-million-dollars-~~ (\$1,000,000-~~00~~); and
- b) any investment adviser or federal covered investment adviser who during the immediately preceding twelve ~~(12)~~ consecutive months ~~did not-generally-advertise-or-generally-solicit-clients-in-this-State--as-described-in-Section-130-246(d)-of-this-Part-and~~ has not had more than five ~~(5)~~ clients in this State in addition to clients of the types specified in subsection (a) of this Section, whether or not such investment adviser is then present in this State.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.806 Acts Not Requiring a Notification Filing of a Federal Covered Investment Adviser or Registration as an Investment Adviser or Investment Adviser Representative Under Section 8 of the Act

Notwithstanding any other provision of the Act or this Part, an investment adviser or a federal covered investment adviser who transmits or distributes information on available products and services via the nonproprietary, public computer network (commonly known as the "Internet") shall not be deemed to be acting as an investment adviser, a federal covered investment adviser or an investment adviser representative in this State for purposes of Section 8 of the Act provided that:

- a) The communication contains a legend clearly stating that the investment adviser, the federal covered investment adviser or investment adviser representative may only transact business in those states where he, she or it is registered or otherwise excluded or exempted from state registration;
- b) The sender of the communication has taken reasonable measures to insure that any subsequent interaction between prospective customers or clients residing in states where the investment adviser, the federal covered investment adviser or investment adviser representative is not registered or is not subject to notification filing is limited so as to not otherwise require state investment adviser or investment adviser representative registration or notification filing;

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- d) At or prior to registration of the dealer, there must be on file with the Securities Department, whether through the CRD or otherwise, the following:
- 1) Proof of passing one or more of the requisite examinations listed in Section 130.822 of this Part for each principal required to take such examination pursuant to subsection (c) of this Section, unless the Secretary shall have issued an Order waiving such examination requirements pursuant to Section 130.823 of this Part and Section 8-B(9) of the Act;
 - 2) A Form U-4 for each officer and director or each other person performing a similar function of the applicant who is required to register as a salesperson as provided in this Section, and a page (2) of Form U-4 for each other officer or director of the applicant;
 - 3) Any and all amendments required to the application and documents filed pursuant to subsection (a) of this Section, whether as the result of a change in the information provided since the date of filing, or otherwise; and
 - 4) In the case of a dealer which is not a member of the NASD, an application for registration of a salesperson on Form U-4. The Securities Department shall grant concurrent registration of a salesperson pursuant to such application upon the registration of the dealer unless such dealer is ineligible for registration under Section 8-E(1) of the Act. At least one salesperson must be pending registered on behalf of a dealer which is an NASD member by the Securities Department prior ~~after~~ to the grant of registration. Notwithstanding the foregoing, any dealer which effects trades solely as a clearing dealer on behalf of other dealers need not register any salesperson.
- e) The application and documents on file with the Securities Department with respect to the dealer shall be amended from time to time whenever a change occurs which renders the information contained therein not accurate in any material respect. Such amendment shall be filed with the NASD if the dealer is a member of the NASD, or with the Securities Department if the dealer is not a member of the NASD, within ten business days after the occurrence of the change.
- f) For the limited purpose of this Section and solely to implement a supplemental procedure known as the CRD, a computer based registration system, for the registration and re-registration of dealers and salespersons, the term "in the Office of the Secretary of State", as used in Sections 8-B and 8-C of the Act, and "with the Secretary of State", as used in Section 8-H of the Act, and "with the Securities Department", as used in Section 130.820 of this Part, shall include a filing made with the NASD utilizing the single automated system referred to hereinabove as the CRD.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

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Section 130.822 Examinations Deemed Satisfactory for Purposes of Determining Sufficient Knowledge of Each Principal Under Section 8-B(9)(a) of the Act Prior to Registration as a Dealer

- a) Passage of the Series 24 (formerly Series 40 or Series 00) (General Securities Principal Examination) and the Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) conducted by the NASD shall qualify a principal or principals of legal age in this State on behalf of a registered dealer without limitation in this State.
- b) Passage of the Series 26, 39 or 53 Examination and the Series 63 Examination (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) conducted by the NASD shall qualify by examination a principal or principals of legal age in this State on behalf of a registered dealer for registration in a limited capacity in this State.
 - 1) The Series 26 Examination (Investment Company/Variable Contracts Products (ICVC) Principal Examination) and Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) shall qualify the registered dealer to offer or sell variable annuities or securities issued by investment companies.
 - 2) The Series 39 (Direct Participation Programs Principal (DPP) Examination) and Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) shall qualify the registered dealer to offer or sell direct participation programs in the form of limited partnerships or joint venture interests in tax shelter programs.
 - 3) The Series 53 (Municipal Securities Principal Examination) and Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) shall qualify the registered dealer to offer or sell securities of municipalities or industrial development revenue obligations.
- c) Passage of the Series 8 (General Securities Sales Supervisor Examination or Branch Office Manager (NYSE) Examination) conducted by the NASD shall qualify a principal or principals of legal age in this State on behalf of a registered dealer pursuant to the limitations set forth by the NASD.
- d)e) All scheduling for the examinations referred to in subsections (a), (b) and (c) of this Section shall be made with, and fees paid to, an office of the NASD. The applicant for registration as a dealer shall submit in writing satisfactory evidence of passing the examination prior to registration in this State if such information is not available to the Securities Department through the CRD.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

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request, the applicant is attesting to the following (unless a detailed explanation is attached):

1) The applicant has never had any license or registration as a dealer, investment adviser, investment adviser representative or salesperson, suspended, cancelled or revoked after notice and opportunity for hearing;

2) The applicant has never been temporarily or permanently enjoined from acting as an investment adviser, investment adviser representative, federal covered investment adviser, federal covered investment adviser representative, federal covered investment adviser, salesperson, employee thereof or from engaging in or continuing any conduct or practice in connection with activity as an investment adviser, employee thereof or from engaging in or continuing any conduct or practice in connection with activity as an investment adviser, federal covered investment adviser, federal covered investment adviser representative, federal covered investment adviser, salesperson, employee thereof or employee of any investment company after notice and opportunity for hearing;

3) The applicant has never been convicted of any felony or misdemeanor involving the purchase or sale of any securities or arising out of any conduct as an investment adviser, investment adviser representative, federal covered investment adviser, federal covered investment adviser representative, dealer, salesperson, employee thereof or employee of any investment company, financial institution or insurance company;

4) The applicant has never been permanently or temporarily enjoined from the issuance, offering for sale, sale, promotion, negotiation, advertising or distribution of securities;

5) The applicant has never been named as a defendant in any proceeding arising from a complaint alleging a fraudulent act in any transaction of any kind or character;

6) The applicant has never been found by any state or federal board, department or commission to have willfully made any untrue statement of a material fact in any application for registration or license as a dealer, investment adviser or salesperson or in any report required to be filed with the subject body, board, department or commission or under the Federal 1934 Act or to have willfully omitted to state in such application or report any material fact which is required to be stated therein; and

7) The applicant has never been disbarred or suspended from the practice of any profession.

d)

After the Securities Department receives the request, the request shall be granted or denied based upon criteria which includes, but is not limited to the following: education, years of experience in the securities business, past disciplinary history, and prior registration with the SEC, any state securities regulator, or the NASD. The applicant shall be informed in writing of the Securities Department's decision.

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Section 130.823 Procedure for Requesting Waiver of Dealer, Salesperson, or Investment Adviser, Investment Adviser Representative, or Principal Examination Requirements

a) If a person applying for registration as a dealer, salesperson, or investment adviser, investment adviser representative, or principal examination seeks a waiver of the examination requirements as provided in Section 8 of the Act, the request for the waiver shall be in writing on a form and in the manner prescribed by the Secretary.

b) The request for the waiver of the examination requirement shall contain the following information:

1) The business name and address of the dealer (or investment adviser for investment adviser and investment adviser representative applicants or federal covered investment adviser for investment adviser representative applicants) with which the applicant is or will be associated;

2) The official title and connection of the applicant with the dealer (or federal covered investment adviser or investment adviser);

3) The applicant's legal name;

4) The applicant's business address and telephone number;

5) The applicant's residential address and telephone number;

6) The applicant's date of birth;

7) A list of any other names the applicant has used including the dates used, the reason for the name change, and the date the applicant's present name was adopted;

8) The amount of ownership of capital stock or partnership interest of the dealer (or investment adviser) that the applicant is associated with;

9) The nature and tenure of each job the applicant currently holds or has held for ten (10) years prior to the date of the waiver request. In addition, investment advisers must provide the total aggregate dollar value of investment accounts serviced, whether the applicant had discretionary authority over the accounts, and the total percentage of institutional accounts the applicant serviced of those entities enumerated in Section 4C (4) of the Act;

10) The applicant's educational history including degrees received;

11) Any professional certifications or designations;

12) Any NASD or related examinations taken by the applicant;

13) The name, address and business affiliation of three (3) persons to whom the Secretary may address inquiries regarding experience, qualification and standing of the applicant; and

14) A list of where the applicant has been licensed or registered as a dealer, salesperson or investment adviser including the state or licensing agency, the type of license or registration and the period during which the registration was effective.

c) The request shall be signed and notarized. By signing the waiver

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(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.824 Financial Statements to be Filed by a Registered Dealer

- a) Each dealer registered by the Secretary that is not required to file a financial statement with a registered self-regulatory organization shall file a financial statement containing the information required by the Secretary as follows:
- 1) the financial statement shall be prepared as of an audit date selected by the dealer within each calendar year;
 - 2) the financial statement shall be filed no later than the first day of the fourth month days after the selected audit date;
 - 3) the time period covered by the statement shall be the twelve month period immediately following the date of the most recent audited statement; and
 - 4) should a dealer elect to change its audit date, a written request for variance in accordance with Section 130.190 of this Part from the filing period covered by the statement shall be filed with the Securities Department in Springfield, Illinois. The request shall include the reason or reasons for the change and an affirmation that the dealer is currently in compliance with the requirements set forth under Section 130.826 of this Part. An unaudited statement, which includes a balance sheet and computations showing compliance with the requirements set forth under Section 130.826 of this Part, shall be filed with the Securities Department and shall be as of a current date. The audited statement when filed shall encompass the entire period of time which has elapsed since the date of the most current filing of an audited statement.
- b) Each financial statement filed pursuant to subsection (a) of this Section shall be audited by an independent certified public accountant and shall include the following:
- 1) a signed independent auditor's report;
 - 2) a balance sheet;
 - 3) an income statement;
 - 4) a statement of cash flow;
 - 5) notes to the financial statements, if any;
 - 6) a computation of net capital calculated pursuant to either the aggregate indebtedness or the alternative method;
 - 7) a statement of changes in liabilities subordinated to the claims of general creditors, if any; and
 - 8) a statement of computation for determination of reserve requirements for dealers computed in accordance with 17 CFR 240.15c3-3, as in effect on August 1, 1997 ~~July 17, 1989~~ (no subsequent amendments or editions), if any.

The statement shall be accompanied by the cover page, if any, designated by the Securities Department.

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- c) The Secretary may, require any dealer to file an interim financial statement as of a date selected by the Secretary. The Secretary shall specify whether or not the statement is to be audited by an independent certified public accountant in circumstances including, but not limited to: the company has been in violation of its net capital requirement prescribed in Section 130.826 of this Part; an officer or employee has been convicted of embezzlement or theft of the dealer's funds; the dealer has been charged by a federal or state securities regulator or SRO of falsifying its books and records; and the dealer has merged with another dealer which has a record of past violations of its net capital requirements.
- d) If an unaudited interim financial statement is required to be filed by a dealer, the statement shall contain an oath or affirmation that, to the best of the knowledge and the belief of the person making the oath or affirmation:
- 1) the financial statement and supporting schedules are true and correct, and
 - 2) neither the dealer, nor any partner, officer or director, as the case may be, has a proprietary interest in any account classified solely as that of a customer. The oath or affirmation shall be made before a person duly authorized to administer oaths or affirmations. If the dealer is a sole proprietorship, the oath or affirmation shall be made by the proprietor; if a partnership, by the general partner in charge of the dealer's financial affairs; or if a corporation, by the dealer's chief financial officer.
- e) Each financial statement, except the independent auditors' report, the balance sheet and notes, if any, shall be deemed confidential when filed with the Securities Department. The independent auditors' report, the balance sheet and notes, if any, shall be a matter of public record and available to the public upon written request.
- f) Anything to the contrary notwithstanding, all of the information contained in any financial statement shall be available to any federal, state or local law enforcement agency, any state or federal regulator or any self-regulatory organization registered under any federal law upon written request to the Securities Department.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.832 Examinations Deemed Satisfactory for Purposes of Determining Sufficient Knowledge Under Section 8C(7) ~~8(C)(7)~~ of the Act for Registration as a Salesperson

- a) Passage of the Series 63 examination and Series 1, 2, ~~or 7, 37, 38, 17 or 47~~ examination conducted by the NASD shall qualify a natural person who is 18 years of age for registration on behalf of a dealer, controlling person or issuer as a salesperson without limitation in

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Department at the same time they are filed with the Securities and Exchange Commission.

d) In the event the federal covered investment adviser changes the form of its organization it shall pay the fee specified in Section 130.110 of this Part.

e) A federal covered investment adviser that is no longer eligible for Securities and Exchange Commission registration shall file as an investment adviser with the Securities Department within 90 days after the date the investment adviser is required to file Schedule I to Form ADV with the Securities and Exchange Commission indicating it is no longer eligible for Securities and Exchange Commission registration.

f) In the event the notification or the full amount of fees required by this Section are not filed with or paid to the Secretary of State, the Secretary of State shall notify the federal covered investment adviser of such deficiency in writing, or by facsimile or electronic transmission (provided that the Securities Department can demonstrate in the normal course of its business that the notice was delivered or transmitted to and received by the federal covered investment adviser or its designee). In the event the federal covered investment adviser fails to remedy the deficiency within ten business days after receiving notice of such deficiency from the Secretary of State, the Secretary of State may deem such as a refusal and may, until October 11, 1999, require the federal covered investment adviser to register pursuant to subsections A and D of Section 8 of the Act.

(Source: Added at 21 Ill. Reg. _____, effective _____)

Section 130.839 Procedures for Registration as an Investment Adviser Representative Under Section 8D(5) of the Act

a) Each investment adviser and federal covered investment adviser shall file with the Securities Department a complete and current application for each investment adviser representative and pay to the Securities Department the filing fee specified in Section 130.110 of this Part.

b) The application shall consist of a Form U-4 for each investment adviser representative.

c) For purposes of the annual re-registration of investment adviser representatives, each investment adviser and federal covered investment adviser shall file with the Securities Department the annual re-registration of investment adviser form, or the annual notification filing form for federal covered investment advisers, and pay to the Securities Department the filing fee specified in Section 130.110 of this Part.

d) For the purposes of this Section an investment adviser representative of a federal covered investment adviser shall mean any partner, officer, director (or other person occupying a similar status or performing similar functions), or an employee of a federal covered

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b) Passage of the Series 63 examination and Series 6, 22, 52 or 62 examination conducted by the NASD shall qualify by examination a natural person who is 18 years of age for registration as a salesperson in a limited capacity in this State, as follows:
I) The Series 6 (Investment Company/Variable Contract Products (ICVC) Representative Examination) and the Series 63 examination shall qualify a salesperson to offer or sell securities issued by investment companies and variable contracts.

2) The Series 22 examination (Direct Participation Program Limited Representative Qualification Examination) and the Series 63 examination shall qualify a salesperson to offer or sell direct participation programs in the form of limited partnerships or joint venture interests in tax shelter programs.

3) The Series 52 examination (Municipal Securities Representative Examination) and the Series 63 examination shall qualify a salesperson to offer and sell securities of municipalities and industrial development revenue obligation.

4) The Series 62 Examination (Corporate Securities Representative Examination) shall qualify a salesperson to offer and sell corporate securities and bonds, real estate investment trusts and mortgage investment trusts.

c) All scheduling for the examinations referred to in subsections (a) and (b) of this Section shall be made with and fees paid to an office of the NASD. The dealer, controlling person or issuer on whose behalf the salesperson is being registered shall submit in writing satisfactory evidence of passing the examination prior to registration of such person in the State if such information is not available to the Securities Department through the CRD.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.838 Procedures for Federal Covered Investment Adviser Notification Filing and Fees Under Section 8C(5) of the Act

a) Federal covered investment advisers shall file with the Securities Department copies of page 1 of the most recent Form ADV, Schedule E, and Schedule I to Form ADV. The federal covered investment adviser shall also pay the filing fee specified in Section 130.110 of this Part.

b) For purposes of annual notification filing a Federal covered investment adviser shall file with the Securities Department the Annual Notification filing form and Schedule I to Form ADV, or copies of page 1 of the most recent Form ADV, Schedule E and I to Form ADV. The federal covered investment adviser shall also pay the filing fee specified in Section 130.110 of this Part.

c) Amendments to page 1 of Form ADV shall be filed with the Securities

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investment adviser, or any other person who provides investment advice on behalf of the federal covered investment adviser and is subject to the supervision and control of the federal covered investment adviser, if:

- 1) more than ten percent of such person's clients are natural persons, other than sophisticated clients; and
- 2) such person has a place of business in the State of Illinois.

As used in this subsection, the term "sophisticated client" shall mean a natural person who, immediately after entering into the investment advisory contract with the federal covered investment adviser has at least \$500,000 under management with the federal covered investment adviser or the federal investment adviser reasonably believes, immediately prior to entering into the advisory contract, the person has a net worth (together with assets held jointly with a spouse) at the time the contract is entered into of more than \$1,000,000.

- e) The application on file with the Securities Department shall be amended whenever a change occurs that renders inaccurate any information contained in the application. The amendment shall be filed with the Securities Department within ten business days after the occurrence of the change.
- f) In the event the investment adviser representative's activities are terminated, the investment adviser shall file Form U-5 with the Securities Department within 30 days after the termination.
- g) In the event the investment adviser representative transfers registration from one investment adviser or federal covered investment adviser to another investment adviser or federal covered investment adviser, the new investment adviser or federal covered investment adviser shall file Form U-4 with the Securities Department, and pay to the Securities Department the filing fee specified in Section 130.110 of this Part.

(Source: Added at 21 Ill. Reg. _____, effective _____)

Section 130.840 Procedures for Registration as an Investment Adviser Under Section 8-D of the Act

- a) Each applicant for registration as an investment adviser shall file with the Securities Department a complete and current application and pay to the Securities Department the filing fee and branch office fee, if any, specified in Section 130.110 of this Part. The application shall consist of the following:
 - 1) The Uniform Application for Investment Adviser Registration (Form ADV) required by 17 CFR 279.1 as in effect on August 1, 1997 January 1, 1996 (no subsequent amendments or editions) including Schedule E thereto listing all branch offices in this State, if any;
 - 2) A Consent to Service of Process for the investment adviser on the

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~~Uniform--Application--for--Investment--Adviser--Registration--required--in--subsection--(a)(1)--of--this--Section,--Uniform--Form--U-27--or--Illinois--Form--107--unless--the--applicant--is--a--corporation--organized--or--authorized--to--transact--business--under--the--laws--of--this--State;~~

- 2)3) A balance sheet for the investment adviser as of a date not more than 60 days prior to the date of the filing of the application. The balance sheet shall be verified and executed by the chief financial officer of the investment adviser, if any, or other person performing a similar function and must contain:
 - A) an affirmation that the information is true and correct; and
 - B) a statement disclosing whether the investment adviser retains or during the term of registration will retain custody of any client's cash or securities or accept pre-payment of fees in excess of \$500.00 per client and six or more months in advance;
- 3)4) One copy of page one of the applicant's most recent Articles of Incorporation or, if a partnership, certificate of assumed name or similar document evidencing the legal name of the applicant and a copy of any amendments thereto;
- 4)5) At or prior to registration of the investment adviser, there shall be on file with the Securities Department, whether through the CRD or otherwise, the following:
 - A) Proof of passing one or more of the requisite examinations, certifications or designations listed in Section 130.842 of this Part for each required principal, unless the Secretary shall have issued an order waiving such requirement pursuant to Section 8-D of the Act; and
 - B) Any and all amendments required to the application and documents filed pursuant to subsection (a) of this Section, whether as a result of a change in the information provided since the date of filing or otherwise;
- 5)6) One copy of Form U-4 for each investment adviser representative 8B(10) or Schedule B of the Uniform Application for Investment Adviser Registration, as required by subsection (a)(1) of this Section listing the name and address of each investment adviser representative who renders investment advice in this State on behalf of the applicant and the fee specified in Section 130.110 of this Part;
- 7) ~~One copy of the Illinois Form containing the investment adviser's designated audit date, if other than fiscal year end;~~
- 6)8) One copy of the Illinois Form containing an attestation that the investment adviser has not previously rendered investment advice for compensation in this State, or setting forth a claim of exemption or exclusion;
- 7)9) One copy of a written statement manually executed by an officer, partner or principal of the registered dealer consenting to the dual registration as investment adviser and salesperson, if registered as a salesperson in this State; and

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specified in Section 130.110 of this Part for each branch office in this State.

(c) No registration or re-registration or notification or notification or renewal of an investment advisor or a federal covered investment advisor shall become effective until such schedule of the investment advisor's or the federal covered investment advisor's branch offices has been filed with the Securities Department and such fee, if any has been paid.

(d) The registered investment advisor shall amend its application for registration by filing with the Securities Department in Springfield within ten business days after:

- 1) the opening of any branch office in this State not previously reported and setting forth the address of such branch office; and
- 2) the closing of any branch office in this State and setting forth the address of such branch office.

(e) A federal covered investment advisor shall file with the Securities Department in Springfield each amendment to Schedule E of Form ADV when filed with the Securities and Exchange Commission.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.842 Examinations and Education Programs Deemed Satisfactory for Purposes of Determining Sufficient Knowledge for Each Principal Under Section 8D(9) 8(b)(9) of the Act Prior to Registration as an Investment Adviser

a) Examinations and Educational Programs.

1) The general Securities Representative Examination (Series 7 or 2) and the Uniform Limited Investment Adviser Law Examination (Series 65) or the Uniform Combined State Law Examination (Series 66) conducted by the NASD are deemed satisfactory for purposes of determining sufficient knowledge of each principal under Section 8D(9) 8(b)(9) of the Act; or

2) The Series 65 Uniform Limited Investment Adviser Law Examination or the Uniform Combined State Law Examination (Series 66) conducted by the NASD and the Educational Programs as set forth below are deemed satisfactory for purposes of determining sufficient knowledge of each principal under Section 8D(9) 8(b)(9) of the Act:

- A) Designation of Chartered Financial Analyst (CFA) by The Institute of Chartered Financial Analysts;
- B) Designation of Chartered Investment Counselor (CIC) granted by the Investment Counsel Association of America (ICAA);
- C) Certification as a Chartered Financial Consultant (ChFC) by the American College at Bryn Mawr, Pennsylvania; or
- D) Designation of Certified Financial Planner (CFP) by the Institute of Certified Financial Planners' Board of Standards.

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1) One copy of the minutes form containing an attestation from a principal officer, general partner or sole proprietor that:

A) he or she has read and understands the Act and this Part;

B) he or she will cause each investment advisor representative and

acting on behalf of the investment advisor in this State to read and understand the Act and this Part;

b) The application and documents on file with the Securities Department with respect to the investment advisor shall be amended from time to time whenever a change occurs which renders any material information contained therein not accurate in any material respect. Such amendment shall be filed with the Securities Department within ten business days after the occurrence of the change.

c) For purposes of this Section, material information includes, but is not limited to:

- 1) the name and address of the investment advisor;
- 2) type of business organization of the investment advisor;
- 3) disciplinary action concerning the investment advisor;
- 4) whether the investment advisor has custody of clients' funds or securities or accepts pre-payment of in excess of \$500.00;
- 5) whether the investment advisor has discretion over clients' portfolios; or
- 6) whether the investment advisor will give clients Part II of the Uniform Application for Investment Adviser Registration required by subsection (a)(1) of this Section or another document containing the same information.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.841 Reporting of Investment Adviser Branch Office Location(s) and Required Fees

a) Each applicant for registration as an investment advisor and federal

covered investment advisor shall file with the Securities Department with its application for registration or notification filing a schedule setting forth the address of each branch office in this State as defined in Section 130.280 of this Part. A Schedule B of the Uniform Application for Investment Adviser Registration required by Section 130.840(a)(1) of this Part disclosing each branch office in this State shall be accompanied by the payment of the fee in the form and amount specified in Section 130.110 of this Part for each branch office in this State.

b) Each registered investment advisor and federal covered investment advisor shall file or have filed with the Securities Department at least six (6) days prior to re-registration or notification renewal a schedule setting forth the address of each branch office and pay the Securities Department in Springfield a fee in the form and amount

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- b) Scheduling of the Series 77-2 or 65 examination shall be with the fees paid to an office of the NASD.
- c) The applicant shall submit in writing to the Securities Department satisfactory proof of passing such examination prior to registration as an investment adviser if such information is not available to the Securities Department through the CRD.
- d) No fee is due to the Securities Department.
- e) The applicant shall submit in writing to the Securities Department satisfactory proof of the designation or certification referred to in subsection (b) of this Section prior to registration as an investment adviser. No fee is due to the Securities Department.
- f) No person shall be deemed to have sufficient knowledge to act as principal of an investment adviser unless and until he or she is 18 years of age in this State.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.843 Examination and Education Program Requirements for Registration as an Investment Adviser Representative Under Section 8D(5) of the Act

- a) The Series 65 Uniform Limited Investment Adviser Law Examination conducted by the NASD or the Series 66 Uniform Combined State Law Examination conducted by the NASD or the Educational Programs as set forth below are deemed satisfactory for purposes of determining sufficient knowledge of each investment adviser representative under Section 8D(5) of the Act:
- 1) Designation of Chartered Financial Analyst (CFA) by the Institute of Chartered Financial Analysts;
 - 2) Designation of Chartered Investment Counselor (CIC) granted by the Investment Counsel Association of America (ICAA);
 - 3) Certification as a Chartered Financial Consultant (ChFC) by the American College at Bryn Mawr, Pennsylvania; or
 - 4) Designation of Certified Financial Planner (CFP) by the Certified Financial Planners' Board of Standards.
- b) Scheduling of the Series 65 or 66 examination shall be with and fees paid to an office of the NASD.
- c) The applicant shall submit in writing to the Securities Department satisfactory proof of passing such examination prior to registration as an investment adviser representative if such information is not available to the Securities Department through the CRD.
- d) The applicant shall submit in writing to the Securities Department satisfactory proof of the designation or certification referred to in subsection (a) of this Section prior to registration as an investment adviser representative. No fee is due to the Securities Department when this information is submitted.

(Source: Added at 21 Ill. Reg. _____, effective _____)

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_____)
Section 130.845 Records Required of Investment Advisers

- a) Except as provided in subsection (d) of this Section, every Every investment adviser registered by the Secretary of State shall keep the books and records set out in this Section unless otherwise designated by the Secretary of State:
- 1) ledgers (or other records) reflecting all assets and liabilities, income and expense, and capital accounts;
 - 2) a record showing all payments received, including date of receipt, purpose and from whom received, and all disbursements, including date paid, purpose and to whom made;
 - 3) a record showing all receivables and payables;
 - 4) records showing separately for each client the securities purchased or sold, and, to the extent it has been made available to the investment adviser, the date and amount of and price at which such purchases or sales were executed. If available to the investment adviser, this record should also show the name of the security dealer who handled the transaction;
 - 5) records showing separately all securities acquired by the clients of the investment adviser and indicating thereon the proper identification of this individual account, the date, amount and price at which such securities were purchased or sold by or for each client; or, in the alternative, a record showing all securities (other than securities enumerated in Section 3-A of the Act) bought or sold by or for the accounts of all clients of the investment adviser in each month, the total number of shares or principal amount of each security bought or sold and the lowest and highest price at which purchases or sales were made during the month;
 - 6) copies of dealer's confirmations of all transactions placed by the investment adviser for any account, and the other dealer's confirmations as may be supplied to the investment adviser by a client or dealer;
 - 7) a list showing all accounts in which the investment adviser is vested with discretionary power, unless the records required by subsections subparagraphs (a)(4) and (5) of this Section are maintained in such manner as to disclose which are discretionary accounts, provided that the provisions of subsections subparagraphs (a)(4) and (5) of this Section shall not apply:
 - A) to any securities with respect to which the investment adviser renders no services of a supervisory or other nature; or
 - B) to any securities or transactions which a client declines to disclose to the investment adviser;
- and provided further that the provisions of subsections subparagraphs (a)(4), (5), (6) and (7) above shall not apply to

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(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 130.873 Procedure with Respect to Abandoned Investment Adviser Applications

- a) When an application for registration has been on file with the Secretary of State for a period of six months and has not become registered, the Secretary of State shall proceed in the manner determined by this Section as to whether the application for registration has been abandoned by the applicant. If the application for registration has been amended, other than for the purpose of delaying the registration thereof, the six month period shall be computed from the date of the latest such amendment.
- b) A notice will be sent to the applicant, by registered mail, return receipt requested, addressed to the most recent address for the applicant. The notice will inform the applicant that the application for registration or amendment, including all of the applications for registration of investment adviser representatives, is out of date and must be either amended, completed to comply with the applicable requirements of the Act, or be withdrawn, or an Order of Abandonment will be entered by the Secretary of State within 30 days after the date of the notice.
- c) If the applicant fails to respond to such notice by filing an amendment, completing or withdrawing the application for registration within 30 days, the Secretary of State may enter an Order declaring the application for registration abandoned.
- d) The applicant, within 15 days after of the receipt of the Order of Abandonment, may request in writing a hearing which request shall set forth the grounds upon which the applicant seeks a hearing.
- e) When an Order of Abandonment is entered all papers comprising the application for registration, with the exception of the application forms form and correspondence, will be removed from the files of the Secretary of State.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Dove Hunting
- 2) Code Citation: 17 Ill. Adm. Code 730
- 3) Section Numbers: Adopted Action:
730.20 Amendments
730.30 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5].
- 5) Effective Date of Rulemaking: August 12, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: August 11, 1997
- 9) Notice of Proposal Published in Illinois Register: April 18, 1997, 21 Ill. Reg. 4935
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: Section 730.20(e) was changed to read: Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Section 730.20(f) was changed to read: Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

In Section 730.20(i)(1)(B), the following language was removed: "Publicly announced means that the information referred to will be included on the Department's Internet Home Page at <http://dnr.state.il.us>, published in *Outdoor Illinois*, provided to outdoor writers for newspapers, and placed on the Toll Free Hotline."
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 730
DOVE HUNTING

Section	730.10
Statewide Regulations	730.20
Regulations at Various Department-Owned or -Managed Sites	730.30
Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites	

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8792, effective August 25, 1981; codified at 5 Ill. Reg. 10644; amended at 6 Ill. Reg. 9631, effective July 21, 1982; emergency amendment at 6 Ill. Reg. 10040, effective August 2, 1982, for a maximum of 150 days; emergency expired December 30, 1982; amended at 7 Ill. Reg. 10767, effective August 24, 1983; emergency amendment at 7 Ill. Reg. 10999, effective August 24, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 13680, effective July 25, 1984; amended at 9 Ill. Reg. 11601, effective July 16, 1985; emergency amendment at 9 Ill. Reg. 14025, effective September 4, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 15590, effective September 16, 1986; amended at 11 Ill. Reg. 9526, effective May 5, 1987; amended at 11 Ill. Reg. 11346, effective June 10, 1987; amended at 12 Ill. Reg. 12186, effective July 15, 1988; amended at 13 Ill. Reg. 10513, effective June 15, 1989; amended at 14 Ill. Reg. 11193, effective June 29, 1990; amended at 15 Ill. Reg. 9951, effective June 24, 1991; amended at 16 Ill. Reg. 11041, effective June 30, 1992; amended at 17 Ill. Reg. 10761, effective July 1, 1993; amended at 18 Ill. Reg. 10009, effective June 21, 1994; amended at 19 Ill. Reg. 10588, effective July 1, 1995; amended at 20 Ill. Reg. 10861, effective August 5, 1996; amended at 21 Ill. Reg. 11100, effective

Section 730.20 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

h) General Regulations.

1) Hunters shall possess only bismuth or lead shot size #7 1/2, 8,

9 or size #6 steel or smaller for taking of doves, except as noted under subsection (b)(2), and except these restrictions do not apply during the November portion of dove season.

2) Only non-toxic shot (as defined by the U.S. Fish and Wildlife

NATURAL RESOURCES

PTED AMENDMENTS

: This Part is being amended to open and
ions and application procedures.

ed amendments shall be

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Service in 50 CFR 20), #6 steel shot or #7 1/2 bismuth shot or smaller may be possessed on the following areas:

Anderson Lake Conservation Area

Banner Marsh Fish and Wildlife Area

Cache River State Natural Area

Carlyle Lake Wildlife Management Area (subimpoundments only)

Chain O'Lakes State Park

Hennepin Canal Parkway State Park

Horseshoe Lake Conservation Area (Alexander County)

Kaskaskia River State Fish & Wildlife Area (designated areas)

Lake Shelbyville Wildlife Management Area (waterfowl management units only)

Peabody River King State Fish and Wildlife Area

Rend Lake Project Lands and Waters

Sanganois State Fish and Wildlife Area

Shabbona Lake State Park

Snake Den Hollow State Fish and Wildlife Area

Ten Mile Creek Fish & Wildlife Area (areas posted as rest area on the Eads Mine and Belle Rive Units)

Union County Conservation Area

Wayne Fitzgerald State Recreation Area

- 3) On areas where hunters are required to hunt from marked or staked sites, hunters must hunt within 10 feet of the marked site.
- 4) No hunting is allowed within 100 yards of a designated dove management field except for hunters who are part of the hunter quota for that field.
- 5) At sites indicated by (#), hunters are required to check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
- 6) At sites where additional regulations apply, they are noted in

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parentheses after the site name.

- 7) Hunting hours at all sites that are open during the upland game season shall coincide with hunting hours listed for the respective sites listed in 17 Ill. Adm. Code 530.
- c) Statewide season regulations as provided for in this rule shall apply at the following sites:

Argyle Lake State Park (season opens day after Labor Day)(#)

Cache River State Natural Area (#)

Campbell Pond Wildlife Management Area (#)

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (#)

Chauncey Marsh (permit required; may be obtained at Red Hills State Park headquarters; permits must be returned by 15 February)

Cypress Pond State Natural Area (#)

Dog Island Wildlife Management Area (#)

East Conant Field (permit required; must be returned by February 15)

Ferne Clyffe State Park (#)

Ft. de Chartres State Historic Site (muzzleloading shotgun only) (#)

Ft. Massac State Park (#)

Kidd Lake State Natural Area (closes October 14)

Kinkaid Lake Fish and Wildlife Area (#)

Mazonia State Fish and Wildlife Area (season closes September 30) (#)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22, 24

Oakford Conservation Area

Panther Creek Conservation Area (#)

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Rend Lake Project Lands and Waters (#)

Sand Ridge State Forest (#)

Sangamon County Conservation Area

Sato Field (permit required; must be returned by February 15)

Tapley Woods State Natural Area (#)

Ten Mile Creek State Fish and Wildlife Area (permit required; must be returned by February 15)

Trail of Tears State Forest (#)

Wildcat Hollow State Forest

d) Statewide regulations as provided in this Part shall apply at the following sites except that hunting hours are 12 noon to 5 p.m. daily September 1-5; season closes September 30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Banner Marsh Fish and Wildlife Area (#)

Hennepin Canal State Park (#)

Iroquois County Wildlife Management Area (#)

Johnson Sauk Trail State Park (#)

Mathiessen State Park (#)

Mautino Fish and Wildlife Area (#)

Morrison Rockwood State Park (#)

Pyramid State Park (#)

Sanganois State Fish and Wildlife Area

Snake Den Hollow Fish and Wildlife Area (#)

Victoria Pheasant Habitat Area (#)

e) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show

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up than can be accommodated.

Anderson Lake Conservation Area (#)

Big Bend State Fish and Wildlife Area (#)

Big River State Forest (#)

Carlyle Lake Wildlife Management Area (#)

Chain O'Lakes State Park (closes September 5) (#)

Eldon Hazlet State Park (closes October 14) (#)

Lake Shelbyville - Kaskaskia Wildlife Management Area (Dove Management Fields Only)

Marseilles Wildlife Area (After Labor Day, site is closed on Fridays, Saturdays, and Sundays through October) (#)

Middlefork Fish and Wildlife Management Area (Dove Management Fields Only)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Peabody River King State Fish and Wildlife Area (east subunit closes October 14) (#)

Ray Norbut State Fish and Wildlife Area (#)

Turkey Bluffs State Fish and Wildlife Area (#)

Weinberg-King State Park (#)

f) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Lake Le Aqua Na State Park (#)

Red Hills State Park (#)

Jubilee College State Park (#)

Shabbona Lake State Park (#)

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Siloam Springs State Park (#)

Wayne Fitzgerald State Recreation Area (season opens day after Labor Day) (closes October 14)

- g) Statewide regulations apply except that hunting hours are 12 noon to 5 p.m. from September 1-5; hunters must obtain a free permit from the Department; permits must be in possession while hunting on the site. Permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following season.

Kickapoo State Park

Lake Shelbyville - Eagle Creek State Park (season opens day after Labor Day)

Lake Shelbyville - Eagle Creek Wildlife Management Area

Lake Shelbyville - Kaskaskia Wildlife Management Area (except Dove Management Units)

Little Vermilion River State Natural Area

Middlefork Fish and Wildlife Area (except Dove Management Units)

- h) Sites participating in approved research project to study effects of hunting hours on dove harvest. Check in and check out to report harvest is required. A drawing will be held at 11:00 a.m. at sites that begin hunting at 12 noon and 1/2 hour before sunrise at sites that begin hunting at sunrise if more hunters show up than can be accommodated. Sites and research hunting hours are listed below:

- 1) Hunting hours are sunrise to 12 noon

Clinton Lake State Recreation Area

Crawford County Conservation Area

Giant City State Park

Horseshoe Lake Conservation Area (season closes October 14)

Mt. Vernon Game Propagation Center

Randolph County State Conservation Area

Sam Parr State Fish and Wildlife Area

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~~Hidden-Springs-State-Forest~~

~~I-24-Wildlife-Management-Area~~

~~Moraine-View-State-Park-(closes-October-14)~~

~~Saline-County-Fish-and-Wildlife-Area~~

~~Sam-Bale-Fish-and-Wildlife-Area~~

~~Stephen-A.-Forbes-State-Park~~

~~Washington-County-Conservation-Area-(closes-October-14)~~

- 2) Hunting hours are 12 noon to 5:00 p.m.

Fox Ridge State Park

Moraine View State Park (closes October 14)

Saline County Fish and Wildlife Area

Sam Dale Fish and Wildlife Area

Stephen A. Forbes State Park

Union County Conservation Area (closes October 14)

Washington County Conservation Area (closes October 14)

~~Crawford-County-Conservation-Area~~

~~Hamilton-County-Fish-and-Wildlife-Area~~

~~Horseshoe-Lake-Conservation-Area-(season-closes-October-14)~~

~~Kaskaskia-River-Fish-and-Wildlife-Area-(Boza-Creek-Waterfowl-Management-Area-closes-October-14)~~

~~Mermet-Lake-Fish-and-Wildlife-Area~~

~~Ramsey-Lake-State-Park~~

~~Shelbyville-West-Okaw-Wildlife-Management-Area~~

- 3) Hunting hours are sunrise to 5:00 p.m.

Hamilton County State Conservation Area

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- indicated in subsection (i)(3). All permits will be issued from Springfield and not from the site, except at Site M as indicated in subsection (i)(3).
- E) Check in time for registration shall be between 9 a.m. and 11 a.m. each day. Openings after 11 a.m. will be filled by drawing for standbys if more hunters register than there are vacancies.
- F) All hunters must wear a DNR issued backpatch.
- 2) Non-Permit Season Regulations
 - A) Non-permit season shall be September 6-30 except as indicated in parentheses.
 - B) Non-permit hunting hours shall be 12 noon - sunset except as indicated in parentheses.
 - C) No permits are required except as indicated in parentheses.
 - D) Check in and check out is required except as indicated in parentheses.
 - E) Hunter quotas will be filled on a first come-first served basis.
- 3) Sites

Des Plaines Conservation Area (non-permit hunting hours are 12 noon - 5 p.m.)

Edward R. Madigan State Fish and Wildlife Area

Green River State Wildlife Area/Kaecker Sand Prairie Habitat Area (non-permit hunting hours are sunrise - sunset)

Horseshoe Lake State Park (Madison County) (non-permit hunting hours are 12 noon - 5 p.m.)

Kankakee River State Park

Mackinaw Fish and Wildlife Area

Sangcharis Lake State Park

Silver Springs State Park (closed during National Hunting and Fishing Day Weekend)

Site M (non-permit season closes with statewide dove season closing; non-permit season is governed by statewide regulations; permit required as indicated in subsection (g) above; on the controlled Unit only those hunters engaged in the controlled pheasant hunting program may take doves during the November portion of the dove season; on the Quail Management Unit only those hunters with Quail Management Unit Permits may take doves during the November portion of

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- Hidden Springs State Forest
- I-24 Wildlife Management Area
- Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closes October 14)
- Mermet Lake State Fish and Wildlife Area
- Ramsey Lake State Park
- Shelbyville West Okaw Wildlife Management Area
- Stinton-Lake State Recreation Area
- Fox Ridge State Park
- Giant City State Park
- Mt. Vernon Game-Propagation Center
- Randolph County Conservation Area
- Sam-Patt-Fish-and-Wildlife-Area
- Union-County-Conservation-Area (closes-October-14)

1) Permit Areas

- A) Permit season dates shall be September 1-5 and hunting hours are 12 noon to 5:00 p.m. at the sites listed at the end of this subsection.
- B) Permit Applications
 - Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservation will be publicly announced. Applicants making reservations will be sent confirmation. Up to 6 reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted; further, persons attempting to make multiple reservations will forfeit the privilege to obtain a reservation for that season.
 - C) Each person may apply for only one area and receive one permit per season. An applicant may reapply only if his previous application was unsuccessful.
 - D) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting these sites, except at Site M as

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the dove season)

(Source: Amended at 21 Ill. Reg. 1170, effective
Aug 1, 1971)

Section 730.30 Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites

- a) A one-day Youth Dove Hunt will be held the first weekend day Saturday in September or Labor Day, whichever comes first, at the following sites:

Horseshoe Lake State Park (Madison County)

Ramsey Lake State Park

Sangchris Lake State Park

Silver Springs State Park

Stephen A. Forbes State Park

- b) A one-day youth/adult dove hunt will be held the first weekend day Saturday in September or Labor Day, whichever comes first, where both the youth and adult will be permitted to hunt at the following sites:

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area

Mt. Vernon Game Farm

Sam Parr State Park

- c) Hunting hours are from 12:00 p.m. to 5:00 p.m. Check-in time is from 10:00 a.m. to 11:00 a.m.
- d) Hunter quota will be announced by public news release. Hunter quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; and the number of employees available to work at the site.
- e) All hunters must have a hunting permit and wear a back patch while hunting. Stand-by permits will be available at the site by lottery drawing if vacancies occur.
- f) Applicants must be between the ages of 10 and 15 inclusive, with a valid Illinois hunting license.
- g) Each youth must be accompanied by a supervising adult. If the hunter

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does not have a valid Firearm Owner's Identification (F.O.I.D.) Card, the supervising adult is required to have a F.O.I.D. Card. Only one supervising adult in a hunting party is required to have a valid F.O.I.D. Card if the hunters in the hunting party stay under the immediate control (accompany youth hunters at all times) of the supervising adult possessing the valid F.O.I.D. Card. All adult hunters must have a valid F.O.I.D. card.

- h) Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Applicants making reservations will be sent confirmation. Up to six reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season.

(Source: Amended at 21 Ill. Reg. 1170, effective
Aug 1, 1971)

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Jack Price
 Department of Natural Resources
 524 S. Second Street, Room 430
 Springfield, IL 62701-1787
 217/782-1809

The full text of the Adopted Amendments begins on the next page:

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TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER b: FISH AND WILDLIFE

PART 590
 DUCK, GOOSE AND COOT HUNTING

Section
 590.10 Statewide Regulations
 590.15 Duck, Goose and Coot General Hunting Regulations on all
 Department-Owned and -Managed sites
 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
 590.25 Illinois Youth Waterfowl Hunting Permit Requirements
 590.26 Illinois Youth Duck Hunting Permit Requirements (Repealed)
 590.30 Duck, Goose and Coot General Hunting Regulations on all
 Department-Owned and-Managed Sites (Repealed)
 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting
 590.50 Non-Check Station Department Sites Only - Duck; Goose and Coot Hunting
 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting
 590.70 Ohio River
 590.80 Early and Late Goose (all species) Hunting Regulations on Department
 Sites
 EXHIBIT A The Non-Toxic Shot Zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; emergency expired March 3, 1984; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; emergency expired March 5, 1986; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; emergency expired February 23, 1987; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency

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d) It shall be unlawful while attempting to take migratory waterfowl or coots to have in possession any shotgun shells not approved as non-toxic by federal regulations.

e) Emergency Closure
The Department of Natural Resources (Department or DNR) will close the Canada goose season giving 48 hours notice when quotas established by federal regulations are reached, when harvest in any area is excessive due to extreme weather conditions or when a serious outbreak of infectious disease occurs, such as avian cholera or duck virus enteritis.

f) Closed Areas
Closed areas, including waterfowl refuges and rest areas, may be designated at certain sites in accordance with 17 Ill. Adm. Code 510. Boundaries of these closed areas will be posted.

g) Commercial Migratory Waterfowl Hunting Area Permits
1) The holder of a permit shall forward information on harvest and hunters to the Department, on forms furnished by the Department, at times required by the Department. The Department shall give the permit holder reasonable written notice of the dates reports are required. Failure to timely supply such reports will make suspension of the privilege to hold the permit for up to 5 years.
2) On any property where the principal waterfowl harvest is wild geese, it is the permit holder's duty to ensure that not more than 5 persons occupy or attempt to take wild geese from any blind or pit at the same time during the Canada goose season. The Department may assign the maximum potential Canada goose harvest (number registered pits x 5 hunters x Canada goose limit) to the cumulative quota zone harvest for each day a club is late in reporting.

h) Waterfowl Hunting Zones:
1) Northern zone - That portion of the State north of a line running east from the Iowa border along Illinois Route 92 to U.S. Interstate 280, east along U.S. Interstate 280 to U.S. Interstate 80, then east along U.S. Interstate 80 to the Indiana border.
2) Northern Illinois Quota Zone - Dupage, Kane, Lake, and McHenry counties, and those portions of LaSalle and Will counties north of I-80.
3) Central zone - That portion of the State south of the northern zone boundary to the Modoc Ferry route on the Mississippi River and east along the Modoc Ferry Road to Modoc Road to St. Leo's Road to Illinois Route 3, then north to Illinois Route 159, then north to Illinois Route 161, then east to Illinois Route 4, then north to U.S. Interstate 70, then east along U.S. Interstate 70 to the Bond County line, north and east along the Fayette County line to Fayette County, north and east along the Fayette County line to Effingham County, east and south along the Effingham

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expired February 20, 1989; emergency amendment at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 13293, effective September 3, 1991; emergency amendment at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective September 27, 1994, for a maximum of 150 days; emergency expired February 23, 1995; amended at 19 Ill. Reg. 13209, effective September 11, 1995; amended at 20 Ill. Reg. 754, effective December 29, 1995; recorded by changing agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12417, effective August 30, 1996; amended at 21 Ill. Reg. 578, effective December 30, 1996; amended at 21 Ill. Reg. effective

a) Pursuant to Section 2.18 of the Wildlife Code [520 ILCS 5/2.18], it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 1718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20) (collectedly referred to in this part as federal regulations) (no incorporation in this part includes later amendments or editions), or contrary to any State regulations made in the Wildlife Code.
b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this rule, unless federal regulations are more restrictive.
c) Duck, goose and oot regulations are in accordance with Federal Regulations (50 CFR 20) unless the regulations in this rule are more

Section 590.10 Statewide Regulations

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County line to U.S. Interstate 70, then east along U.S. Interstate 70 to the Indiana border.

- 4) Central Illinois Quota Zone - Calhoun, Cass, Fulton, Jersey, Knox, Mason, Morgan, Peoria, Pike, Tazewell, and Woodford counties, as well as those portions of LaSalle, Grundy, and Will counties south of I-80.
 - 5) Southern Zone - From the southern boundary of the Central Zone south to the remainder of the State.
 - 6) Fulton-Knox County Canada Goose Zone - Knox County and the following townships in Fulton County: Buckheart, Canton, Cass, Deerfield, Fairview, Farmington, Joshua, Orion, Putnam, and that portion of Banner Township bounded on the north by Illinois Route 9 and on the east by U.S. Route 24.
 - 7) Rend Lake Canada Goose Quota Zone - all lands and waters in Franklin and Jefferson Counties.
 - 8) Northeastern Illinois Canada Goose Zone - All lands and waters in the counties of Cook, Dupage, Grundy, Kankakee, Kane, Kendall, Lake, McHenry and Will.
 - 9) Southern Illinois Quota Zone - Alexander, Union, Williamson, and Jackson Counties.
- i) No person during the open season shall take or attempt to take wild geese in the Rend Lake Canada Goose Quota Zone and Southern Illinois Quota Zone except between legal opening and the hour of 3:00 p.m. except during the last three days of the Canada goose season and during any goose seasons that occur after the Canada goose season, hunting hours shall close at sunset daily.
- j) On any property where the principal waterfowl harvest is wild geese in the Rend Lake Canada Goose Quota Zone and the Southern Illinois Quota Zone, no more than 5 persons shall occupy or attempt to take wild geese from any blind or pit at the same time during the Canada goose season.
- k) The following apply in the Northern and Central Illinois Quota Zones:
- 1) It is unlawful to hunt Canada geese during seasons starting after September 15 30 without having in possession a current season's permit to hunt Canada geese, unless exempt from a State waterfowl stamp. Such permits are not transferrable and are not valid unless they contain the hunter's name, signature, date of birth, and the same State waterfowl stamp number that is on the State waterfowl stamp that is signed by the hunter or affixed to his/her license.
 - 2) Immediately upon taking possession of a harvested Canada goose, hunters must mark with indelible ink, punch or slit the Permit to Hunt to indicate the date of kill (one date for each goose harvested).
 - 3) Hunters must report their kill within 24 hours by calling 1-800-WETLAND (938-5263). Hunters must report the number of geese taken, date and zone where taken.
- l) During any goose seasons that occur after the close of the Canada

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goose season the following areas within Union and Alexander Counties are closed to goose hunting:

- 1) Alexander County - that area encompassed by a line beginning at the intersection of Len Small Levee Road and Fayville Road and extending easterly along Fayville Road to State Route 3, easterly along State Route 3 to Railroad Street, northeasterly along Railroad Street to Sandy Ridge Road, easterly along Sandy Ridge Road to State Route 127, southerly along State Route 127 to State Route 3, southerly along State Route 3 to Miller City Road, westerly along Miller City Road to Len Small Levee Road, northwesterly along Len Small Levee Road to the intersection of Fayville Road.
 - 2) Union County - that area encompassed by a line beginning at the intersection of the Union County/Alexander County Line and State Route 127 and extending westerly along the Union County/Alexander County Line to Mississippi River Levee Road, northerly along the Mississippi River Levee Road to Dam Road, easterly along Dam Road to Ware-Wolf Lake Road, easterly along Ware-Wolf Lake Road to State Route 146, easterly along State Route 146 to State Route 127, southerly along State Route 127 to the Union County/Alexander County Line.
- m) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take ducks, geese or coots. Instructions for registering are provided with issuance of hunting license.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

Section 590.15 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites

- a) Definitions
- 1) Blind site - A position within 10 feet of numbered stake where blind must be constructed. Sites shall be located and marked by the Department of Natural Resources.
 - 2) Blind builder - Person who has been assigned a blind site as a result of the drawing.
 - 3) Blind partner - Person(s) chosen by the builder to assist in construction and maintenance of the blind and to share its blind claiming and hunting privileges.
 - 4) Drawing - Procedure by which blind sites are assigned.
 - 5) Blind registration card - Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.
 - 6) Complete blind - A blind with all framework and siding constructed and in readiness for use, including final brushing.

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more than one State Waterfowl Management Area in Illinois.

- 7) Boat hides are required, except as noted in Sections 590.40 and 590.50, and must have minimum inside dimensions of 18' x 6', and shall be sturdy enough to withstand daily use considering the conditions of the site, and must be maintained in good condition throughout the season, and shall be completed including final brushing by three weeks prior to the opening day of duck season, except at Mississippi River Area Pools 25 and 26 boat hides and final brushing must be completed 4 weeks prior to the opening day of duck season; failure to meet these standards shall result in forfeiture of blind site.
 - 8) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds except as indicated in Sections 590.40(a) and (h) and 590.50(a) and (b).
- c) Use of blinds
- 1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
 - 2) No person shall hunt, or attempt to hunt, except from within a registered blind.
 - 3) Persons under 16 years of age shall not hunt, or attempt to hunt, unless accompanied by an adult due to safety factors.
 - 4) Blinds shall not be locked.
 - 5) Claiming or attempting to claim any blind which is legally occupied, and/or harassing, in any manner, the occupants of a blind which has been legally occupied, is unlawful.
 - 6) No person shall fish within 250 yards of an occupied blind within the hunting area.
 - 7) All hunting parties shall hunt over a spread of at least 12 decoys during duck season and Canada goose season. The decoys shall be staked, placed, or floating, be individually visible, be at least 8 inches long, and not be within a boat, blind or container.
 - 8) At sites where a manned check station is in operation, hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

- d) Public Drawing
 - 1) Time and place for all sites holding drawings shall be publicly announced by the Department of Natural Resources.
 - 2) A registrant for a drawing must be at least 16 years of age and

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- 7) Hunting party - An individual or group of hunters occupying a single boat, blind, or hunting site.

- b) Blind Construction
 - 1) Blinds must be at least 4 feet x 8 feet, but no higher than 14 feet from the water surface at normal pool level, to the top of the shooting box, sturdy enough to withstand daily usage, and must be maintained in good condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.
 - 2) Blinds built over water must be of platform construction with the platform constructed above normal water conditions or they may be floating blinds.
 - 3) Blinds must be completed, including final brushing, 3 weeks in advance of opening date of duck season (except at Mississippi River Area Pools 25 and 26 blinds and final brushing must be completed 4 weeks in advance of opening date of duck season) after which time the Department of Natural Resources Conservation shall inspect all blinds and blind sites and issue Blind Registration Cards to those which pass inspection. Blind builders shall not gain access to Redwing Slough/Deer Lake until the day following Labor Day. Blind builders must post Blind Registration Card in the blind prior to the first day of duck season. If adverse weather or water conditions make compliance with this rule difficult the site superintendent or the District Wildlife Manager may grant extensions.
 - 4) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, shall be reassigned to alternate selected at a drawing or by a first come-first served allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, seven days prior to the opening date of the duck season on sites posted as being closed to trespassing 7 days prior to duck season. At Mississippi River Area Pools 25 and 26 reassigned blinds must be completed by sunset of the Sunday immediately preceding the opening day of duck season. On all other sites reassigned blinds must be completed, including final brushing, by the day before the opening day of the duck season.
 - 5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. After the designated time, no changes shall be accepted. As directed by the information sheet available at each site, the registration form must be filled out and returned within 30 days of the blind drawing date. Failure to do so shall result in forfeiture of blind.
 - 6) No person shall be allowed to be a blind builder or partner on

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possess a current or preceding year's Illinois hunting license, a current or preceding year's Illinois Migratory Waterfowl Stamp and a current or expired (within 12 months prior to the drawing) Firearm Owner's Identification Card unless exempted by law. Persons exempted by law from possessing a hunting license or waterfowl stamp must have a valid Firearm Owner's Identification Card. Persons who are under 21 years of age who do not have Firearm Owner's Identification Cards must be accompanied by an adult who has a valid Firearm Owner's Identification Card in his possession at the drawing. Applicants must be present for the registration and drawing to be eligible for allocation of blind sites.

e) Flood Rules

In the event that State managed sites are flooded to the point that public waterfowl blinds cannot be constructed or are no longer usable, the Department, by public announcement and/or posting, may permit waterfowl hunting under one of the following rules:

- 1) If the check station for that site is open, all rules apply, except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site.
- 2) If the check station is not operable, all rules apply except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site. Additionally, rules listed in Section subsections 590.40(b)(1), (2), (3), (4) and (9) shall not be in force. Rules concerning blind claiming as listed in Section subsection 590.50(b) shall apply.
- 3) If blind sites have not been marked and no check station is operable, the area will be open to hunting from platform, floating or boat blinds or by walk-in hunting, anywhere on the area except refuges and closed waterfowl rest areas. Preplacement of unattended decoys and/or unoccupied blinds or boat hides do not constitute lawful possession of a hunting site. All hunting parties must remain 200 yards apart and follow normal closing hours for the site.
- 4) In all above flood circumstances, regulations requiring the construction of a separate boat hide and regulations regarding the minimum standards for blind construction shall be suspended for that season.

f) Special Hunts

If, by regulation published in the Federal Register, the U.S. Fish and Wildlife Service sets any special dates for youth-only waterfowl hunting, the Department shall, by public announcement, open those Department sites which, under the circumstances prevailing at the time, the Department believes may be opened without unduly disturbing other Department programs.

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(Source: Amended at 21 Ill. Reg. 11713, effective
AUG 12 1997)

Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

Banner Marsh Fish and Wildlife Area (for the 1997/1998 season, permits will be issued through random daily drawings at the site at 5:00 a.m. and the permit requirements in subsections (b)(1) and (b)(5) do not apply)

Snake Den Hollow State Fish and Wildlife Area
Union County Conservation Area

- b) Permit Requirements

- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Applicants making reservations will be sent confirmation.
- 2) Permits shall be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5/3.8].
- 3) The permit shall be for the use of the entire blind. It shall be the responsibility of the permit holder to bring one partner (two persons per blind) for Snake Den Hollow State Fish and Wildlife Area and Union County, or three partners (four persons per blind) for Banner Marsh. Unfilled blinds shall be filled by a drawing at the sites.
- 4) Permits are not transferrable.
- 5) Permits will be issued from the Springfield Permit Office for permit-controlled sites. For other information write to:

Illinois Department of Natural Resources
Permit Office - Waterfowl
P.O. Box 19457
Springfield, IL 62794-9457

- c) General regulations

- 1) All use other than permit hunting is prohibited at Snake Den Hollow from October 1 through close of Fulton-Knox County goose

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(Source: Amended at 21 III. Reg. 11718, effective

AUG 12 1997

Section 590.50 Non-check Station Department Sites Only - Duck, Goose and Coot Hunting

a) The following sites conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in the remainder of this Section.

Blanding Wildlife Area (Federal Lands, boat access only; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters)

Boston Bay (No permanent blinds may be built; temporary blinds only; 200 yards apart)

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed; blind materials must be salvaged 7 days after current year's drawing; except blind numbers 15, 18 and 20 must be removed in their entirety by May 1)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; sites only and blinds do not have to be completed; previous years blind builders shall have until February 1 to salvage blind materials)

Fuller Lake (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period)

Helmhold Slough (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period)

Illinois River - Pool 26 (3 year blind allocation period)

Kankakee River State Park (no boat hide required; no goose hunting permitted prior to duck season; previous years blind builders shall have until February 1 to salvage blind materials)

Lake DePue Waik-in Unit (daily drawing; daily hunting hours are sunrise to 1:00 p.m.)

Take Sinissippi (Department Owned Land; blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 26, 27, 28, 29, 30, 31, and 32 must be

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2) Hours, Permits and Stamp Charges

A) Hunting hours are from legal opening time until 1:00 p.m.

B) At Snake Den Hollow from opening day through December 14,

hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits

are void after 5:00 a.m. From December 15 through the close of goose seasons, hunters with permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. At Union

County Conservation Area and Banner Marsh hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void

after 5:00 a.m. A drawing shall be held to allocate blind sites at all sites. At Union County Conservation Area, hunters with permit reservations from Springfield, who have

drawn poorer blinds (as determined by the area operator), shall have priority to be reassigned to the better blinds as

they become available.

C) A \$15.00 Daily Usage Stamp must be purchased at Snake Den Hollow State Fish and Wildlife Area and Union County Conservation Area. A--\$10--Bait--Usage--Stamp--must--be

3) Hunting shall be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

4) Guns must be unloaded and encased at all times when not hunting.

5) The legal hunting season for Union County Conservation Area is the dates of the Quota zone goose hunting season except that the areas shall be closed on Mondays and December 24, 25, 26 and the

first weekday after December 26 other than a Monday. (This site shall be open only for the Illinois Youth Goose Hunt on the first

weekend after December 26 other than a Monday, pursuant to Section 590.254.)

6) The legal hunting season at Snake Den Hollow is the dates of the Fulton-Knox County goose hunting zone except that the area shall be closed on Tuesdays, Wednesdays, and December 24, 25 and 26.

7) The legal hunting season at Banner Marsh is the dates of the central zone duck hunting season. Goose--hunting--is--prohibited

8) Hunters may not possess more than 5 shells for each Canada Goose allowed in the daily bag at Union County Conservation Area and

9) Hunters without their guns may leave the blind to retrieve crippled waterfowl at Union County Conservation Area.

10) Hunters must be at least 16 years of age (except for the Illinois Youth Goose Hunt) to draw for a pit or blind. Each person under 16 years of age must be accompanied by a supervising adult.

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removed in their entirety by May 1)

Marshall County Conservation Area - Sparland Unit (Department Owned Land; previous years blind builders shall have until February 1 to salvage blind materials)

Mississippi River Pool 16 (Federal Lands; no permanent blinds--temporary blinds only above Velie Chute except for Goose Pond, Sunfish Slough, and Milan Bottoms (landward area upriver from River Mile 474); 2 year blind allocation period; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting)

Mississippi River Pool 17 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; two year blind allocation period)

Mississippi River Pool 18 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; 2 year blind allocation period)

Mississippi River Pools 21, 22, 24 (Federal Lands; 2 year blind allocation period)

Mississippi River Pools 25, 26 (Federal Lands; 3 year blind allocation period)

Pekin Lake (Department Owned Land)

Piasa Island (3 year blind allocation period)

Red's Landing (3 year blind allocation period; that portion of Red's Landing that is north of the access road will be noted as a walk-in/boats without motors area only; ~~during-the-regular-duck season~~; no permanent blinds; daily hunting hours will close at 3:30 p.m. CST; hunting parties shall not hunt over less than 12 decoys nor more than 24 decoys)

Redwing Slough/Deer Lake (closed on Mondays, Tuesdays, Thursdays and Fridays except that hunting will be allowed on opening day of duck season; no goose hunting except during duck season; previous years blind builders shall have until February 1 to salvage blind materials; daily hunting hours will close at 1:00 p.m.)

Rice Lake Walk-in and Copperas Creek Management Unit (Walk-in

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only, daily drawing; daily hunting hours will close at 1:00 p.m.)

Riprap Landing (3 year blind allocation period)

Starved Rock State Park (Previous years blind builders shall have until February 1 to salvage blind materials; sign in and sign out to report harvest required)

William W. Powers Conservation Area (no goose hunting prior to duck season; boat hides required only at designated sites at the drawing; previous years blind builders shall have until February 1 to salvage blind materials)

b) The following regulations apply to all sites listed in this Section under subsection (a).

- 1) Blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first come-first served basis.
- 2) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
- 3) All hunting must be from registered blinds only unless otherwise noted in parentheses under subsection (a).
- 4) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
- 5) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After that date, blinds become the property of the new blind builders.
- 6) No more than 4 persons shall occupy a blind at one time except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area.
- 7) For those sites listed in subsection (a) that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished either in person or through the mail during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.
- 8) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges two weeks prior to the start of

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~~boats-and-will-designate-boat--launching--locations---Boats and--electric-trolling-motors-only-are-allowed-only-at-these times-in-the-subimpoundment-areas-~~

- E) In the subimpoundment areas, compartment 4 will be a waterfowl rest area during the entire waterfowl season. No hunting within 50 yards of rest area signs on E and F levees which contain subimpoundment 4 is permitted. No trespassing will be allowed, except for hunters boating through the area on the Kaskaskia River along F levee and boaters hunting on Hurricane Creek between C and D levees. At the close of duck hunting season, known eagle protection areas will be posted by the Site Superintendent and will be closed to goose hunting.
- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season and during any goose seasons that occur after Canada goose season, decoys shall not be left out unattended or later than one hour after sunset.
- G) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest accessible registration box ~~located-at-the-access-parking lot~~. All hunters must sign out and record their harvest daily before they exit the area.
- H) The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only.
- I) During the last 3 days of Canada goose season and during any goose seasons that occur after Canada goose season, hunting hours shall close at sunset daily.
- 4) Chauncey Marsh (1)
Permit required, may be obtained at Red Hills State Park Headquarters and must be returned by February 15.
- 5) Clinton Lake (1)
A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season shall be forfeited.
B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge.
C) No more than 4 persons shall occupy or use a portable boat blind.
D) Each hunting party is required to hunt over a minimum of 12 decoys.
E) No hunting is permitted within 300 yards of power lines.

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6) Cypress Pond State Natural Area (1)7) ~~6~~ Dog Island Wildlife Management Area (1)

Hunters must sign in prior to hunting and sign out reporting harvest at end of each day.

8) ~~7~~ Donnelley State Wildlife Area

- A) Hunting is prohibited on Tuesdays and Wednesdays except open on opening day and on the first Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 except as indicated in Section 590.25.
- B) Hunting hours start at sunrise.
- C) Goose hunting is prohibited after the close of the duck season.
- D) All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted.
- E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.
- F) \$10.00 daily usage stamp must be purchased to hunt this area.
- G) No outboard motors are allowed by public - only by authorized DNR personnel.
- H) No more than 3 persons shall occupy a blind at any one time.
- I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 2:00 p.m.
- J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys can be used, which must be removed upon the termination of the hunt.
- K) The first weekend and the third Saturday of the waterfowl season shall be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
- L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).

9) East Conant Field

Waterfowl hunters must obtain permits prior to hunting. Permits must be returned by February 15.

10) ~~8~~ Fox Ridge State Park (1)

Hunting restricted to Embarras River and its flood waters.

11) ~~9~~ Fort de Chartres Historic Site (1)

- A) Hunting is allowed from anchored, portable boat blinds only on a first come-first served basis.
- B) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.
- ~~E) Muzzleloading-shotguns-only-~~
- ~~C) B) No hunting is allowed during firearm deer season.~~

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M) It is unlawful to shoot across any dike.
 N) Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heiddecke and Braidwood Lakes waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season.

13)177 Horseshoe Lake (Alexander County) Daily Drawing Waterfowl Hunting Area Only

A) Waterfowl hunting shall be permitted only during goose season, except that no hunting is allowed on Mondays, Tuesdays or December 24, 25, 26 and on the day of the Youth Goose Hunt (this site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday, pursuant to Section 590.25).
 B) Hunting shall be done from assigned blinds only.
 C) A daily drawing for assigned blind sites will be held 60 minutes prior to legal hunting hours at 5:00 a.m. at the check station each day hunting is allowed. For the drawing, hunters must register as a party; no more than two people per party are permitted.
 D) Hunters must deposit their license prior to going to their blinds.
 E) Hunters must park in assigned, designated areas only.
 F) Hunters must hunt over a minimum of 12 Canada goose decoys.
 G) Hunters must return to the check station and report their harvest by 2:00 p.m.
 H) Hunters may not possess more than 5 shells for each Canada goose or subspecies allowed in the daily bag.
 I) Hunters cannot move from blind to blind, nor leave the assigned blind to shoot crippled geese; hunters may leave the assigned blind to retrieve crippled geese, but must leave their guns in the blind.

14)177 Horseshoe Lake (Alexander County) Public Hunting Area

A) Closed to waterfowl hunting on Mondays and Tuesdays.
 B) When duck season is closed, goose hunters may possess no more than 5 shells for each Canada goose or subspecies allowed in daily bag.

15)177 Horseshoe Lake Refuge (no hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15 to March 1)

16)177 Kaskaskia River Fish and Wildlife Area

A). No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal hunting hours shall be from statewide opening hour until statewide closing hour.
 B) All waterfowl hunting parties must use at least 12 decoys. Hunting is allowed on a first come-first served basis.
 C) It is unlawful to leave duck and goose decoys unattended.

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12)179 Heiddecke State Fish and Wildlife Area, Braidwood Fish and Wildlife Area and Powerton Lake

A) Blind sites shall be allocated on a daily draw basis conducted at the check stations 60 minutes before hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
 B) Blind sites not selected during the drawing shall be allocated on a first come-first served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be allocated after 10:00 a.m. Hunters wishing to move to another blind site must report this move to the check station attendant in person before such a move.
 C) Access to water blind sites must be by boat only and from designated boat launch sites.
 D) All hunting must be from portable boat blinds, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind.
 E) Upon vacating blind sites, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.
 F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.
 G) Heiddecke Lake and Braidwood Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of the waterfowl season. Powerton Lake shall be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the waterfowl season.
 H) No hunting on Monday and Tuesday at Heiddecke and Braidwood Lakes. No hunting at Powerton Lake on Monday through Thursday except hunting permitted on State holidays.
 I) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam and without a gas-powered motor.
 J) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
 K) Hunting is closed on Christmas Day and New Year's Day.
 L) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.

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Decoys must be picked up at the end of each day's hunt.

- D) Between the Highway 13 and Highway 154 bridges, all hunters are required to sign out and report harvest daily at the nearest check station.
- E) The following regulations apply to the Doza Creek Waterfowl Management Area:
- i) No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
 - ii) Only waterfowl, coot and archery deer (as provided by 17 Ill. Adm. Code 670) hunting allowed in this area during the duck hunting season; goose hunting is closed during the second firearm deer season if the second firearm deer season occurs after duck season.

~~15) Kidd-Bake-State-Natural-Area-(1)~~

~~17)16) Kinkaid Lake Fish & Wildlife Area (1)~~

~~18)17) Lake Shelbyville (except for land/waters covered in subsection(b)(19) 18) of this Section) (1)~~

~~19)18) Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area~~

- A) Waterfowl hunting shall be permitted as described below except in duly posted restricted and "No Hunting" areas.
- B) Waterfowl hunting in the Fish Hook, the North Dunn, the McGee, and the Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Parties must register for drawings between 3:00 a.m. and 4:00 a.m. Central Standard Time at the check station on those days. Each party drawn shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations shall apply:
 - i) All parties must hunt within 10 yards of their assigned stake.
 - ii) All parties must be in place by one-half hour before hunting time.
 - iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
- C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first come-first served basis except as noted in subsections (b)(18)(A) and (B) above. A hunting party must hunt within 10 yards of the stake.
- D) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.

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- E) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.
 - F) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.
 - G) During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.
 - H) A free permit is required, which is obtained from the site office. Permits must be in possession while hunting waterfowl. The permit must be returned and harvest reported by February 15 or the hunter will forfeit his hunting privileges at this site for the following year.
- ~~20)19) Meredosia Lake - Cass County Portion Only (meandered waters only)~~
- A) All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes.
 - B) Hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes.
- ~~21)20) Mermet~~
- A) Waterfowl hunting shall be permitted only during the duck hunting season.
 - B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds shall be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law ~~from~~ from having hunting licenses must deposit their Firearm Owner's Identification Cards.
 - C) The daily drawing shall be held one hour prior to legal opening time.
 - D) All members of the hunting party shall register as a group (not to exceed 4 persons per group) for the purpose of the drawing.
 - E) Those hunters in the blind area shall park in designated areas. These parking areas shall be numbered to correspond

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- 1) During goose season, a separate drawing will be held for the 4 pits at Whistling Wings. This drawing will be held at the Cottonwood check station following the drawing for staked hunting sites. Hunters may not register for more than one drawing per day. Unsuccessful hunters in the drawing for Whistling Wings pits may select any unclaimed staked location after the drawings.
- ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.
- iii) All hunters must have the registration card from the check station in their possession while hunting.
- iv) Two standby parties will be drawn for pit refill after move-up of initial hunting parties, in the reverse order of the order the pits were drawn.
- v) No more than 6 dozen decoys may be used per pit.
- vi) No more than 4 hunters will be allowed in a pit or hunting party.
- H) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- I) During the last 3 days of Canada goose season and during any goose seasons occurring after Canada goose season, hunting hours shall close at sunset daily.
- J) The land portion of the Rend Lake Refuge is closed to trespassing during waterfowl season. The location of the Rend Lake Refuge is described as follows:
 - i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County line.
 - ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
 - iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
 - iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
 - v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
 - vi) Bounded on Nason Point by refuge boundary signs at project limits.
- K) After the close of duck season, goose hunters may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.
- L) Staked Hunting Areas - Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:
 - i) All hunting must occur within 10 yards of an assigned, numbered stake and only one hunting party may occupy a

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- F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.
- G) Boats without motors may be used in the walk-in areas.
- 22)217 Midwestern National Tallgrass Prairie
 - A) Hunters must check out by 2:00 p.m. A daily drawing will be held at the check station 60 minutes prior to legal hunting hours on each day hunting is allowed. A daily fee of \$5.00 per person will be charged for waterfowl hunting.
 - B) Only walk-in hunting will be permitted; blinds must be portable in nature or constructed of natural materials located at the blind site, and must be removed at the end of the day's hunt. A maximum of 3 hunters per blind will be allowed.
 - C) The site shall be closed to waterfowl hunting on Mondays, Tuesdays, Fridays, Thanksgiving, Christmas, New Year's Day, and during site firearms deer hunts.
 - D) Waterfowl hunters must hunt within 50 feet of the blind location marker. All movement on-site must be directly between the check station and blind location. Entry into restricted areas shall result in the loss of hunting privileges at the site for the remainder of that season.
- 23)227 Oakford Conservation Area (I)
 - 24)237 Ray Norbut State Fish and Wildlife Area (1)
 - Statewide season regulations apply except that the season closes November 30 in Area A and December 15 in Area C, or the legal statewide closing, whichever is earlier.
 - 25)247 Rend Lake Project Lands and Waters
 - A) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, and season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.
 - B) No hunting permitted from the subimpoundment dams.
 - C) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.
 - D) No waterfowl hunting permitted within 200 yards of any Whistling Wings Access Area daily drawing blind/pit.
 - E) All boat traffic is prohibited from entering the subimpoundments from 1 week before waterfowl season until opening day of waterfowl season.
 - F) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
 - G) Permanent blinds at the Whistling Wings Access Area shall be regulated as follows:

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- staked site at any given time.
- ii) Stakes will be assigned via a daily drawing held at 4:00 a.m. during November, 4:30 a.m. in December and 5:00 a.m. in January. Check stations will be open from 1/2 hour before drawing time to 9:30 a.m. daily.
 - iii) Check station at the Bonnie Dam Access Area will be operated on a daily basis through the second weekend of the waterfowl season. Thereafter, Bonnie Dam check station will only be open on weekends and holidays as posted at the check station. Cottonwood Access Area will be operated on a daily basis throughout the waterfowl season for both Bonnie Dam and Cottonwood Hunting Areas. Hunters who wish to hunt together at a staked location must register as a hunting party and be present for the drawing. Only those persons in that party may hunt at the assigned stake. No more than 5 persons shall be in a hunting party.
 - iv) Hunters (including those who are not drawn in the initial daily drawing) will not be allowed to enter the staked area until 9:00 a.m. No hunting party may enter the staked area after 9:30 a.m. Hunters will not be allowed to enter the staked area between 9:00 a.m. and 9:30 a.m. unless there are vacant staked hunting locations.
 - v) When a staked hunting location is vacated by a hunting party any other registered hunting party may claim the vacant stake on a first come-first served basis.
 - vi) When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
 - vii) Hunters must sign in and out and report their harvest on the cards at the access area where they launch.
- 26)25) Saline County Conservation Area (1)
- A) Waterfowl hunting is allowed north of the township road only.
 - B) Walk-in hunting only.
 - C) Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.
- 27)26) Sand Ridge State Forest (Mud Turtle State Natural Area) (1)
- A) Hunting is permitted on Tuesdays and Saturdays during the duck season. Permits are issued on a first come-first served basis.
 - B) Two hunters are allowed per blind. At least one hunter must have a P-2 handicapped certification.
 - C) Hunters must report harvest to site office.
- 28)27) Sanganois Conservation Area
- A) Hunters using the walk-in area shall use the check station

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- at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.
- B) Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.
 - C) All hunters using a walk-in area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.
 - D) Upon the completion of hunting, hunters must report to the check station within one hour.
 - E) Fishing is prohibited in the impoundment areas during the duck season.
 - F) No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season.
 - G) No person shall trespass on the Marion-Pickerel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.
 - H) When the central zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide hunting hours in effect. Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.
 - I) No hunting permitted from the walk-in area subimpoundment levee.
 - J) Hunters may use boats without motors in the walk-in area; the construction and/or use of permanent blinds in the walk-in area is prohibited.
- 29)28) Sangchris Lake State Park
- A) During the last 3 days of Canada goose season, hunting hours will close at statewide closing.
 - B) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first come-first served basis. (During that portion of the goose season which follows the duck season, the west arm blind sites and east arm blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)
 - C) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.
 - D) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at

E) There will be a duly posted waterfowl refuge. These areas shall be closed to all boat traffic (except as allowed in subsection (b)(27)(J)) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted. No more than 4 persons shall occupy a blind at one time. The center arm of the lake shall be closed to all waterfowl hunting.

H) Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the operations of the overall management program.

I) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

J) Access to blind sites shall be by boat only and from designated boat launch sites. Corridors located along the edges of the existing refuge will be established to provide access to all available blind sites as designated by site superintendent when conditions warrant.

K) All hunting must be from a portable blind or an anchored portable boat blind located within a numbered cove and between the assigned numbered stakes.

L) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.

M) No pits or blinds shall be built on State leased or Commonwealth Edison land.

N) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.

O) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season.

P) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.

Q) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting programs.

R) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. Decoys must be

30) Sato Field removed at the end of each day's hunt.

Waterfowl hunters must obtain permit prior to hunting. Permit must be returned by February 15.

31)297 Shawnee National Forest, Upper and Lower Bluff Lakes

Goose hunting is prohibited.

32)304 Shawnee National Forest, Larue Scatters

All hunting must be by walking in or in boats without motors.

33)314 Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)

A) All hunting must be by walking into the area.

B) Each hunting party must hunt over a minimum of 12 decoys in

compartments 19, 20 and 21.

C) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the subimpoundment area.

34)324 Stephen A. Forbes State Park

A) On the main lake hunting is allowed from a boat blind only in the designated areas.

B) Only walk-in hunting is allowed in the subimpoundment.

C) Hunting shall be allowed on a first come-first served basis.

35)334 Ten Mile Creek Fish and Wildlife Area (I)

A) Waterfowl hunters must obtain permits prior to hunting.

B) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.

C) Areas designated as Rest Areas are closed to all access during the Canada Goose Season only. Rest Area designation has been given to that part of the Belle River unit that lies south of Auxier Creek and is posted as Rest Area, and the 250 acre tract at the western edge of the Eads Mine unit.

D) After the close of the duck season, goose hunters in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.

36)344 Turkey Bluffs State Fish and Wildlife Area (All hunters must sign in and out and report kill) (I)

37)354 Union County (Firing Line Waterfowl Management Area)

A) It shall be unlawful to take a gun beyond the posted boundary while retrieving crippled geese.

B) During goose season waterfowl hunters may not possess more than 5 shells for each Canada Goose allowed in the daily bag.

C) During goose season hunting from staked sites only.

E) There will be a duly posted waterfowl refuge. These areas shall be closed to all boat traffic (except as allowed in subsection (b)(27)(J)) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted. No more than 4 persons shall occupy a blind at one time. The center arm of the lake shall be closed to all waterfowl hunting.

H) Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the operations of the overall management program.

I) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

J) Access to blind sites shall be by boat only and from designated boat launch sites. Corridors located along the edges of the existing refuge will be established to provide access to all available blind sites as designated by site superintendent when conditions warrant.

K) All hunting must be from a portable blind or an anchored portable boat blind located within a numbered cove and between the assigned numbered stakes.

L) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.

M) No pits or blinds shall be built on State leased or Commonwealth Edison land.

N) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.

O) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season.

P) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.

Q) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting programs.

R) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. Decoys must be

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

_____)

Section 590.80 Early and Late Goose (all species) Hunting Regulations on Department Sites

- a) During goose hunting seasons that begin before or extend beyond the regular duck season, statewide regulations and site specific regulations for goose hunting, as indicated in Sections 590.40, 590.50 and 590.60, shall apply to all sites (except those closed in subsections (c), (d) and (e) with the following exceptions:
- 1) Check in and check out (or sign in and out) is required only at sites with an asterisk (*).
 - 2) No fees will be charged for hunting for seasons before duck season or for seasons after the regular Canada goose season.
 - 3) No sites are closed to fishing during seasons before the regular duck season or for seasons after the regular Canada goose season.
 - 4) Hunting from a completed blind or staked site is waived during seasons held before the regular duck season or for seasons held after the regular Canada goose season at sites marked with an @.
 - 5) Hunting from a staked site (blind need not be completed) is required during seasons held before the regular duck season at sites marked with a #.
 - 6) During goose seasons held prior to regular duck season, no hunting is allowed in designated dove management fields or within 100 yards of such fields.
 - 7) During goose seasons held after the Canada goose season all restrictions regarding the use of decoys or the number of shotgun shells that hunters can possess are no longer in force.

- b) The following sites will be opened to all goose hunting seasons:

Blanding Wildlife Area @

Cache River Natural Area *

Carlyle Lake Project Lands and Water *

Chain O'Lakes State Park #

Chauncey Marsh (permit required, available at Red Hills State Park)

Des Plaines Conservation Area #

Dog Island Wildlife Management Area *

Fort de Chartres Historic Site

Kaskaskia River State Fish and Wildlife Area (between the Highway 13 and Highway 154 bridges) *

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Kidd Lake State Natural Area

Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville (except lands and waters covered in Section 590.60(b)(18))

Marshall Fish and Wildlife Area * #

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) @

Mississippi River Pools 16, 17 and 18 @

Oakford Conservation Area

Rend Lake Project Lands and Waters @

Saline County Conservation Area *

Sanganois State Fish and Wildlife Area * @

Shawnee Forest, LaRue Scatters

Shawnee Forest, Oakwood Bottoms

Sparland Fish and Wildlife Area #

Ten Mile Creek Fish and Wildlife Area (permit required; rest areas open to hunting during goose season before and after the regular goose season)

Turkey Bluffs State Fish and Wildlife Area *

Woodford Fish and Wildlife Area * #

- c) The following sites will be open to any goose hunting seasons that occur before the regular duck season through the end of the regular Canada Goose Season:

Anderson Lake (closed after regular duck season) * @

Horseshoe Lake Fish and Wildlife Area (Controlled Hunting Area and Public Hunting Areas)

Horseshoe Lake State Park (Madison County) #

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area (must

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Wrongful Tree Cutting
- 2) Code Citation: 17 Ill. Adm. Code 1585
- 3) Section Numbers: Adopted Action:
 1585.10 New Section
 1585.20 New Section
 1585.30 New Section
 1585.40 New Section
- 4) Statutory Authority: Implementing and authorized by the Wrongful Tree Cutting Act [740 ILCS 185].
- 5) Effective Date of Rulemaking: August 12, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: August 11, 1997
- 9) Notice of Proposal Published in Illinois Register: May 2, 1997, 21 Ill. Reg. 5394
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:

 In Section 1585.10 - Commercial Timber - changed "product" to "forest products".

 In Section 1585.10 - Doyle Log Rule - a semi-colon was added after "is" and the definitions were put on separate lines.

 In Section 1585.20(b)(1), "which" was changed to "that" and "Act" changed to "Part".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part outlines a method of value determination for commercial trees cut without authorization; defines commercial timber and the measures and methods to determine unit value and clarifies what appraisals may be used.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

- 16) Information and questions regarding this adopted rule shall be directed to:

Jack Price
 Department of Natural Resources
 524 S. Second Street, Room 430
 Springfield, IL 62701-1787
 217/782-1809

The full text of the Adopted Rule begins on the next page:

NOTICE OF ADOPTED RULES

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER 4: FORESTRY

PART 1585

WRONGFUL TREE CUTTING

1585.10 Definitions

1585.20 Volume and Value Determination

1585.30 Appraisers

1585.40 Parties

AUTHORITY: Implementing and authorized by the Wrongful Tree Cutting Act [740 ILCS 185].

SOURCE: Adopted at 21 Ill. Reg. effective

11747

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

Section 1585.10 Definitions

"Commercial Timber" - means species of trees of a size which will be purchased by an available primary forest products market, such as for sawlogs, pulpwood, veneer, cooperage or forest products, which at the minimum will produce one stick of wood with a 4 inch diameter inside the bark at the small end and 8 feet long or greater.

"Department" - means the Illinois Department of Natural Resources.
"Diameter at Breast Height" (DBH) - means the stem diameter, outside bark, at a point 4.5 feet above ground.

"Doyle Log Rule" - is:

$$(2) \frac{4}{(D-4)L=BR}$$

where: D is diameter of the small end of a log in inches

L is the log length in feet

BR is Board Feet.

NOTICE OF ADOPTED RULES

Section 1585.20 Volume and Value Determination

a) Volume. The Doyle Log Rule will be used to determine board foot

b) Value.

1) No value will be assigned to any tree that will not meet the definition of commercial timber. This Part does not apply to replacement, aesthetic, shade-tree or landscaping value.

2) The unit value will be based on the appraiser's knowledge of commercial timber market values based on comparable sales or sawmill purchases of commercial timber. The estimated value will be the dollar amount of the commercial timber had it been offered for sale on the open market. The "Illinois Timber Price" report issued by the Illinois Department of Agriculture and the Illinois Department of Natural Resources can be used to determine commercial timber value.

Section 1585.30 Appraisers

a) Within 15 days after receiving a court order requiring the appointment of these appraisers, the Department shall initiate the contact of enough potential appraisers to obtain 3 who agree to appraise the ordered site. Appraisers shall be either:

1) Timber buyers currently licensed in Illinois; or

2) Individuals possessing at least a bachelor's degree with a major in forestry and who have expressed a willingness to be a timber appraiser and have a knowledge of Illinois' local commercial timber values.

b) Disqualification. Appraisers must not have contracted nor conducted business with either the plaintiff or defendant in the case within the previous 5 years.

c) Report. Within 10 working days after examining the site, each appraiser shall submit a report to the Department. The report must contain, at a minimum, the appraiser's name and address and the total value determination. This report must be accompanied by the appraiser's expenses as a separate document listing the court case as the billing party.

d) Payment. Appraisers shall be paid by the parties pursuant to Sections 3 and 4 of the Act.

Section 1585.40 Parties

The parties and their legal representatives will be advised of the time and date of the appraisal, and may be present if they so desire. The parties are responsible for plainly delineating boundary lines prior to any appraisal.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Respiratory Care Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1456
- 3) Section Numbers: Adopted Action:

1456.05	New Section
1456.10	New Section
1456.20	New Section
1456.30	New Section
1456.40	New Section
1456.50	New Section
1456.60	New Section
1456.70	New Section
1456.80	New Section
1456.90	New Section
1456.100	New Section
1456.110	New Section
1456.120	New Section
- 4) Statutory Authority: Implementing the Respiratory Care Practice Act [225 ILCS 106]
- 5) Effective Date of Rulemaking: August 11, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes--"Statement of Ethics and Professional Conduct" of the American Association for Respiratory Care.
- 8) Date Filed in Agency's Principal Office: August 11, 1997
- 9) Notice of Proposal Published in Illinois Register: March 21, 1997; 21 Ill. Reg. 3407
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: No substantive changes were made to the proposed version. The only changes involved spelling, style and technical discrepancies (correcting the names of examinations, including affiliates of listed associations as continuing education providers, etc.).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? Yes

DEPARTMENT OF PROFESSIONAL REGULATION

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Public Act 89-0033, effective January 1, 1996, provides for the licensure of respiratory care practitioners by the Department of Professional Regulation.
- 16) Information and questions regarding these adopted rules shall be directed to:

Name: Department of Professional Regulation
Address: Attention: Jean Courtney
 320 West Washington, 3rd Floor
 Springfield, Illinois 62786
 Fax: 217/782-7645
Telephone: 217/785-0813

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

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applicant's experience as a respiratory care practitioner;

2) A complete work history;

3) The required fee set forth in Section 75(a) of the Act;

4) Certification, on forms provided by the Department, from a jurisdiction in which the applicant was originally licensed and is currently licensed, if applicable, stating:

A) The time during which the applicant was licensed in that jurisdiction, including the date of original issuance of the license; and

B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

b) When the accuracy of any submitted documentation or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:

1) Provide such information as may be necessary; and/or

2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

Section 1456.10 Definitions

"Act" means the Respiratory Care Practice Act.

"Board" means the Respiratory Care Board.

"Department" means the Department of Professional Regulation.

"Respiratory care practitioner" means a person who is licensed by the Department and meets all of the following criteria:

the person is engaged in the practice of cardiorespiratory care and has the knowledge and skill necessary to administer respiratory care.

the person is capable of serving as a resource to the licensed physician in relation to the technical aspects of cardiorespiratory care and the safe and effective methods for administering cardiorespiratory care modalities.

the person is able to function in situations of unsupervised patient contact requiring great individual judgment.

the person is capable of supervising, directing, or teaching less skilled personnel in the provision of respiratory care services (Section 10 of the Respiratory Care Practice Act [225 ILCS 106/10]).

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TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1456

RESPIRATORY CARE PRACTICE ACT

Section

1456.05 Application for Licensure as a Respiratory Care Practitioner Under Section 50(b) of the Act (Grandfather)

1456.10

Definitions

1456.20

Approved Respiratory Care Training Program

1456.30

Application for Licensure on the Basis of Examination

1456.40

Application for Licensure for Graduates from a Nonapproved Program

1456.50

Examination

1456.60

Endorsement

1456.70

Renewals

1456.80

Inactive Status

1456.90

Restoration

1456.100

Unprofessional Conduct

1456.110

Continuing Education

1456.120

Granting Variances

AUTHORITY: Implementing the Respiratory Care Practice Act [225 ILCS 106] and authorized by Section 60(7) of the Civil Administrative Code of Illinois. [20 ILCS 2105/60(7)].

SOURCE: Emergency rule at 21 Ill. Reg. 3730, effective March 11, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 11751, effective

Section 1456.05 Application for Licensure as a Respiratory Care Practitioner Under Section 50(b) of the Act (Grandfather)

a) Any person seeking a license under Section 50(b) of the Respiratory Care Practice Act (the Act) shall file an application with the Department, on forms provided by the Department. The application shall be postmarked no later than January 1, 1998, and shall include the following:

I) Verification of employment as a respiratory care practitioner as defined in Section 3 of the Act for at least 3 of the 5 years prior to January 1, 1996. Employment shall be documented by one or more of the following:

A) Certification of experience, on forms provided by the Department, signed by an employer; or
B) Three affidavits submitted by peers familiar with the

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Section 1456.20 Approved Respiratory Care Training Program

- a) The Department of Professional Regulation (the Department) shall, upon the recommendation of the Respiratory Care Board (the Board), approve a respiratory care program if it meets the criteria set forth in this Section. The institution:
- 1) Is regionally accredited or legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree or certificate;
 - 2) Has a faculty that consists of a sufficient number of full-time instructors to ensure educational obligations to the students are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees or experience in their area(s) of teaching from professional colleges or institutions;
 - 3) Has a program director, clinical coordinator and medical director; and
 - 4) Has 62 semester hours or the equivalent of a 12 month course of study which includes, but not limited to, all of the following curriculum/subject areas with structured laboratory and clinical experience:
 - A) Basic Sciences:
 - Biology
 - Cardiopulmonary anatomy and physiology
 - Chemistry
 - Human anatomy and physiology
 - Computer science
 - Mathematics
 - Microbiology
 - Pharmacology
 - Physics
 - Psychology
 - B) Clinical Sciences:
 - Cardiopulmonary diseases
 - General medical and surgical specialties
 - Pathology
 - Pediatrics and perinatology
 - C) Respiratory Care Content Areas:
 - Aerosol therapy
 - Airway management
 - Assessment of patients' cardiopulmonary status
 - Cardiopulmonary diagnostics and interpretation
 - Cardiopulmonary monitoring and interpretation
 - Cardiopulmonary rehabilitation and home care
 - Cardiopulmonary resuscitation
 - Chest physiotherapy
 - Ethics of respiratory care and medical care
 - Gas therapy
 - General patient care

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Humidity therapy
 Hyperinflation therapy
 Mechanical ventilation management
 Oxygen therapy
 Pediatrics and perinatology

- b) Individuals applying for licensure who are deficient in any of the content areas set forth in subsection (a)(4) above may complete any one or all of these courses in an approved respiratory care program. The applicant will be required to submit proof to the Department that he or she has passed such a course(s). Proof shall include, but not be limited to, transcript, curriculum, program materials and course materials.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work is questioned by the Department or the Board, the applicant will be required to provide such information as may be necessary and/or appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
- d) In determining whether a program should be approved, the Department, upon recommendation of the Board, shall take into consideration, but not be bound by, accreditation or approval by the Joint Review Committee for Respiratory Therapy Education, or its successor organization, or accreditation by the American Medical Association Committee on Allied Health Education and Accreditation (CAHEA), or its successor, the Commission on Accreditation of Allied Health Education Programs (CAAHEP).
- e) The Department, upon recommendation of the Board, has determined that all respiratory therapy programs accredited or approved by the Joint Review Committee for Respiratory Therapy Education, or its successor organization, or accredited by CAHEA, or its successor CAAHEP, meet the minimum criteria set forth in this Section and are, therefore, approved.

Section 1456.30 Application for Licensure on the Basis of Examination

- a) An applicant for a respiratory care practitioner license shall apply on forms approved by the Department. The application shall include:
 - 1) Verification of successful completion of an approved respiratory therapy program as set forth in Section 1456.20(e) of this Part.
 - 2) Proof of passage of the Entry Level Certified Respiratory Therapy Technician (CRTT) Examination or the Registered Respiratory Therapists (RRT) Examination (Written Registry Examination and Clinical Simulation Examination) of the National Board for Respiratory Care submitted directly from the testing entity.
 - 3) A complete work history.
 - 4) The required fee specified in Section 75(a) of the Act.
- b) In lieu of the documents required in subsections (a)(1) and (2) above, an applicant may submit certification as a Certified Respiratory

DEPARTMENT OF PROFESSIONAL REGULATION

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Therapy Technician or as a Registered Respiratory Therapist from the National Board for Respiratory Care.

- c) If the applicant has ever been licensed in another jurisdiction, he/she shall also submit a certification, on forms provided by the Department, from the jurisdiction in which the applicant was originally licensed and in which the applicant is currently licensed, stating:
- 1) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
- 2) A description of the examination in that jurisdiction; and
- 3) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- d) When the accuracy of any submitted documentation or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such discrepancies or conflicts in information, or clear up any

1456.40 Application for Licensure for Graduates from a Nonapproved Program

An applicant for a respiratory care practitioner license from a nonapproved program shall apply on forms approved by the Department. The application shall include:

1) Transcripts and verification of successful completion of a respiratory therapy program which shall meet the requirements set forth in Section 1456.20 of this Part. The applicant shall be responsible for submitting the program materials for evaluation. If the documentation is insufficient to evaluate the program, the applicant will be requested to submit additional materials;

2) A complete work history; and

3) The required fee specified in Section 75(a) of the Act.

- b) If the applicant has ever been licensed in another jurisdiction, he/she shall also submit a certification, on forms provided by the Department, from the jurisdiction in which the applicant was originally licensed and in which the applicant is currently licensed, stating:
- 1) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
- 2) A description of the examination in that jurisdiction; and
- 3) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

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c) Upon approval of the applicant's program by the Department, the applicant may sit for the examination set forth in Section 1456.50 of this Part.

- d) When the accuracy of any submitted documentation or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such discrepancies or conflicts in information, or clear up any

Section 1456.50 Examination

a) The examination for licensed respiratory care practitioners shall be the Entry Level Certified Respiratory Technician (CRTT) of the National Board for Respiratory Care.

b) Candidates for the examination shall make application and pay the examination fee directly to the designated testing service.

c) Application to the testing services for purposes of the examination shall not constitute application to the Department for licensure.

d) In lieu of the Entry Level Certified Respiratory Therapy Technician (CRTT) Examination of the National Board for Respiratory Care, the Department will accept the Registered Respiratory Therapists (RRT) Examination (Written Registry Examination and Clinical Simulation Examination) of the National Board for Respiratory Care.

Section 1456.60 Endorsement

a) An applicant who is licensed/registered under the laws of another state or territory of the United States who wishes to be licensed in Illinois as a respiratory care practitioner shall file an application with the Department, on forms provided by the Department, which includes:

- 1) Verification of meeting education requirements as set forth in Section 1456.20 of this Part;
- 2) Proof of passage of the Entry Level Certified Respiratory Therapy Technician (CRTT) Examination or Registered Respiratory Therapists (RRT) Examination (Written Registry Examination and Clinical Simulation Examination) of the National Board for Respiratory Care submitted directly from the testing reporting service;
- 3) Certification from the jurisdiction of original licensure and the jurisdiction in which the applicant is currently licensed and practicing, if other than original, stating the time during which the applicant was licensed in that state, whether the file on the applicant contains any disciplinary actions taken or pending, and

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- the applicant's license number;
- 4) Complete work history; and
 - 5) The required fee specified in Section 75(m) of the Act.
- b) In lieu of the documents required in subsections (a)(1) and (2) above, an applicant may submit certification from the National Board for Respiratory Care.
 - c) The Department shall examine each endorsement application to determine whether the requirements and examination in the jurisdiction at the date of licensing were substantially equivalent to the requirements and examination of the Act or the applicant possesses individual qualifications which were substantially equivalent to the requirements of the Act.
 - d) The Department shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reasons for the denial of the application.

Section 1456.70 Renewals

- a) The first renewal period for licensure under the Act shall be April 30, 1999. Thereafter, every license issued under the Act shall expire on April 30 of odd numbered years. The holder of a license may renew such license during the month preceding the expiration date by paying the required fee. Beginning with the April 30, 2001 renewal and every renewal thereafter, a renewal applicant will be required to complete 24 hours of continuing education as set forth in Section 1456.110 of this Part.
- b) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee.
- c) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 95 of the Act.

Section 1456.80 Inactive Status

- a) Licensed respiratory care practitioners who notify the Department, on forms provided by the Department, may place their licenses on inactive status and shall be excused from paying renewal fees until they notify the Department in writing of the intention to resume active practice.
- b) Any licensed respiratory care practitioner seeking restoration from inactive status shall do so in accordance with Section 1456.90 of this Part.
- c) Any respiratory care practitioner whose license is on inactive status shall not use the title "licensed respiratory care practitioner" in the State of Illinois. Any person violating this subsection shall be considered to be practicing without a license and shall be subject to the disciplinary provisions of the Act.

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Section 1456.90 Restoration

- a) Any respiratory care practitioner whose license has expired or has been placed on inactive status for 5 years or less may have the license restored by paying the fees required by Section 75(e) of the Act. Individuals restoring a license after April 30, 2001 will be required to submit proof of 24 hours of continuing education as set forth in Section 1456.110 of this Part.
- b) Any person seeking restoration of a license that has been expired or placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department, for review by the Board, together with the fee required by Section 75(f) of the Act. Individuals restoring a license after April 30, 2001 will be required to submit proof of 24 hours of continuing education as set forth in Section 1456.110 of this Part. The applicant also shall submit either:
 - 1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from an appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice; or
 - 2) An affidavit attesting to military service as provided in Section 65(d) of the Act; or
 - 3) Proof of passage of a respiratory care examination set forth in Section 1456.50 of this Part during the period the registration was lapsed or on inactive status.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the licensee seeking restoration shall be requested to:
 - 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
- d) Upon recommendation of the Board and approval by the Director, an applicant shall have the license restored or be notified in writing of the reason for denying the application.

Section 1456.100 Unprofessional Conduct

- a) Pursuant to Section 95 of the Act, unprofessional conduct in the practice of respiratory care shall include but not be limited to:
 - 1) Procuring, attempting to procure or renewing a license as provided by this Part by bribery, by fraudulent misrepresentation or through an error of the Board or the Department;
 - 2) Willfully making or filing a false report or record, willfully failing to file a report or record required by State or federal law, or willfully impeding or obstructing such filing or inducing

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Continue

DEPARTMENT OF PROFESSIONAL REGULATION

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that has been approved and authorized by the Department pursuant to subsection (c)(2) of this Section upon the recommendation of the Board to coordinate and present continuing education courses or programs.

- 2) Entities seeking a license as a CE sponsor shall file a sponsor application, along with the required fee of \$500. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) The applicant shall certify to the following:
 - A) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c) of this Section and all other criteria in this Section. The applicant shall be required to submit a sample 3 hour CE program with course materials, presenter qualifications and course outline for review prior to being approved as a CE sponsor;
 - B) That the sponsor will be responsible for verifying attendance at each course or program, and provide a certification of attendance as set forth in subsection (c)(8) below; and
 - C) That upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance.
- 3) Each sponsor shall submit a written notice to the Department of a course offering at least 30 days prior to the course date. The notice shall include a course outline and the location, date and time the course is to be offered. The notice shall also contain the credit hours earned upon successful completion of the course.
- 4) Each sponsor shall submit by April 30 of each odd numbered year a sponsor application along with the a \$250 renewal fee. With the application the sponsor shall be required to submit to the Department a list of all courses and programs offered in the prerenewal period, which includes a description, location, date and time the course was offered.
- 5) Each CE program shall provide a mechanism for written evaluation of the program and instructor by the participants. Such evaluation forms shall be kept for 5 years and shall be made available to the Department upon written request.
- 6) All courses and programs shall:
 - A) Contribute to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of respiratory care;
 - B) Provide experiences which contain scientific integrity, relevant subject matter and course materials; and
 - C) Be developed and presented by persons with education and/or

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experience in the subject matter of the program.

- 7) All programs given by approved sponsors shall be open to all licensed respiratory care practitioners and not be limited to the members of a single organization or a group and shall specify the number of CE hours that may be applied toward Illinois CE requirements for licensure renewal.
- 8) Certificate of Attendance
 - A) It shall be the responsibility of the sponsor to provide each participant in a program with a certificate of attendance signed by the sponsor. The sponsor's certificate of attendance shall contain:
 - i) The name and address of the sponsor;
 - ii) The name and address of the participant and his/her respiratory care practitioner license number;
 - iii) A detailed statement of the subject matter;
 - iv) The number of hours actually attended in each topic;
 - v) The date of the program;
 - vi) Signature of the sponsor.
 - B) The sponsor shall maintain these records for not less than 5 years.
- 9) The sponsor shall be responsible for assuring verified continued attendance at each program. No renewal applicant shall receive credit for time not actually spent attending the program.
- 10) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board pursuant to the Administrative Hearing Rules (see 68 Ill. Adm. Code 1110) shall thereafter refuse to accept CE credit for attendance at or participation in any of that sponsor's CE programs until such time as the Department receives reasonably satisfactory assurances of compliance with this Section.
- d) Continuing Education Earned in Other Jurisdictions
 - 1) If a licensee has earned CE hours in another jurisdiction from a nonapproved sponsor for which he/she will be claiming credit toward full compliance in Illinois, that applicant shall submit an application along with a \$20 processing fee prior to taking the program or within 90 days prior to the renewal date. The Board shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.
 - 2) If a licensee fails to submit an out of state CE approval form within the required time, late approval may be obtained by submitting the application with the \$20 processing fee plus a \$10 per hour late fee not to exceed \$150. The Board shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.
- e) Certification of Compliance with CE Requirements
 - 1) Each renewal applicant shall certify, on the renewal application, full compliance with CE requirements set forth in subsection (a)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 1) The provision from which the variance is granted is not statutorily mandated;
- 2) No party will be injured by the granting of the variance; and
- 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- h) The Director shall notify the Board of the granting of the variance, and the reasons therefor, at the next meeting of the Board.

DEPARTMENT OF PROFESSIONAL REGULATION

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- 2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance.
- 3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board, at which time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].
- f) Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of his/her license without having fully complied with these CE requirements shall file with the Department a renewal application, the renewal fee set forth in Section 75(d) of the Act, a statement setting forth the facts concerning such non-compliance, and a request for waiver of the CE requirements on the basis of such facts. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that good cause has been shown for granting a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.
- 2) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prere renewal period because of:
 - A) Full-time service in the armed forces of the United States of America during a substantial part of such period; or
 - B) Extreme hardship, which shall be determined on an individual basis by the Board and shall be limited to documentation of:
 - i) An incapacitating illness documented by a currently licensed physician,
 - ii) A physical inability to travel to the sites of approved programs, or
 - iii) Any other similar extenuating circumstances.
- 3) If an interview with the Board is requested at the time the request for such waiver is filed with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.
- 4) Any renewal applicant who submits a request for waiver pursuant to subsection (f)(1) of this Section shall be deemed to be in good standing until the Department's final decision on the application has been made.

Section 1456.120 Granting Variances

e) The Director may grant variances from this Part in individual cases

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Literacy Grant Program
- 2) Code Citation: 23 Ill. Adm. Code 3040
- 3) Section Numbers: Adopted Action:
 3040.150 Amendment
 3040.160 Amendment
 3040.300 Amendment
 3040.320 Amendment
 3040.330 Amendment
- 4) Statutory Authority: Implementing and authorized by the State Library Act [15 ILCS 320] and the Illinois Literacy Act [15 ILCS 322]
- 5) Effective Date of Amendments: August 11, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? Yes
- 8) Date Filed in Agency Principal Office: August 11, 1997
- 9) Notice(s) of Proposal published in Illinois Register: April 11, 1997; 21 Ill. Reg. 4431
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Difference(s) between proposal and final version: Minor punctuation and wording changes were made at the request of the Joint Committee or Administrative Rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not applicable
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of amendments: The rules enable not-for-profit organizations with relevant experience to become involved with family literacy projects. Audit requirements are clarified in response to the change in the ending date of the State lapse period. The rules revision also addresses P.A. 89-697 which includes legislation covering family literacy grants.
- 16) Information and questions regarding this adopted amendment shall be directed to:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

Kathleen Bloomberg
 Associate Director for Communications & Planning
 Illinois State Library
 300 S. Second Street
 Springfield, IL 62701-1796
 217/785-0052
 217/782-8261 fax
 kbloomb@library.sos.state.il.us

The full text of the Adopted Amendments begins on the next page:

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effective August 15, 1992; amended at 17 Ill. Reg. 7234, effective May 10, 1993; amended at 18 Ill. Reg. 4990, effective March 9, 1994; amended at 20 Ill. Reg. 5889, effective April 9, 1996; amended at 21 Ill. Reg. 2408, effective February 3, 1997; amended at 21 Ill. Reg. 11767, effective

Section 3040.150 Cancellation of Grant

a) A grant shall be cancelled if: 1) Financial, statistical, and narrative reports are not submitted as required by Section 3040.140(e) and (f) or if the previous fiscal year's audit, as required by Section 3040.140(f), is not received by September 1 and the program has a grant under which it is operating in the current fiscal year. Grant programs shall receive one thirty--(30) day notice requesting compliance with this Section before the grant shall be cancelled.

2) An audit or the interim financial reports show financial irregularities, such as misappropriation or embezzlements of funds by the grant program operator and/or its employees and staff. 3) The grant program fails to meet its stated goals. 4) The grant program managers are convicted of any felony or misdemeanor.

5) The grant program fails to operate properly and effectively. 6) The grant program fails to receive a notice by certified mail under which it is not received by September 1 and the program has a grant under which it is operating in the current fiscal year.

b) Upon cancellation, the Secretary shall send a notice by certified mail return receipt requested to the grant program, which shall return all unexpended public funds to the Secretary within thirty--(30) days of the date of the cancellation notice. c) Any public funds not returned shall be the subject of a collection action by the Attorney General of Illinois.

(Source: Amended at 21 Ill. Reg. 11767, effective

Section 3040.160 Audit Procedures

a) On or before September 1 of each year, the literacy grant recipient must conduct an audit of the program and its expenditure of the grant funds. Grant funds shall be accounted for using the modified accrual accounting method. The State Library will add funds to budgets of grant recipients to pay for audit costs. The literacy grant recipient shall select an independent certified public accountant to perform the audit in accordance with the United States General Accounting Office Government Auditing Standards - Standards for Audit of Governmental Organizations, Programs, Activities and Functions (Yellow Book), 1994

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NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE B: CULTURAL RESOURCES
CHAPTER I: SECRETARY OF STATE

PART 3040

LITERACY GRANT PROGRAM

SUBPART A: LITERACY PROVIDER PROGRAM

Section 3040.100 Purpose
3040.110 Definitions
3040.120 Application for Grant
3040.130 Review of Grant Applications
3040.140 Award of Grants and Recordkeeping
3040.150 Cancellation of Grant
3040.160 Audit Procedures
3040.170 Other Requirements
3040.180 Invalidity

SUBPART B: WORKPLACE LITERACY PROGRAM

Section 3040.200 Purpose
3040.210 Definitions
3040.220 Application for Grant
3040.230 Review of Grant Applications
3040.240 Award of Grant, Financial Reports, and Program Progress Reports
3040.250 Cancellation of Grant
3040.260 Other Requirements
3040.270 Invalidity

SUBPART C: FAMILY LITERACY PROGRAM

Section 2040.300 Purpose
2040.310 Definitions
2040.320 Eligible Applicants
2040.330 Grant Applications

AUTHORITY: Implementing and authorized by the State Library Act [15 ILCS 320] and the Illinois Literacy Act [15 ILCS 322].

SOURCE: Emergency rules adopted at 9 Ill. Reg. 15563, effective October 2, 1985, for a maximum of 150 days; adopted at 10 Ill. Reg. 4916, effective March 11, 1986; amended at 11 Ill. Reg. 17258, effective October 15, 1987; amended at 15 Ill. Reg. 18757, effective December 17, 1991; amended at 16 Ill. Reg. 13084,

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revision, no later editions. This document can be obtained through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. A copy of this document is also maintained for public inspection at the Illinois State Library, 300 South Second Street, Springfield, Illinois 62701. The results of this audit must be submitted to the State Library, Office of the Secretary of State, by September 1 of each year. Failure to submit the audit by the September 1 deadline shall result in immediate forfeiture to the Secretary of State of 10% of the grant award. Failure to conduct the audit or failure to report the results to the State Library shall result in cancellation of any existing grants. The State Library shall withhold 10% of the grant funds until receipt and approval of the final program and financial reports.

~~b) A grantee who does not comply with audit requirements will be ineligible to receive funds in any following fiscal year.~~

b) The provisions of this Section will not be applicable to entities that fall under the audit authority of the Auditor General of Illinois.

c) Entities electing to fulfill their audit requirements by submitting a "single audit" of their entity in accordance with the Single Audit Act of 1984 (31 U.S.C.A. Section 7501 et seq.) may do so. However, a schedule of revenues and expenditures for the grant, showing budget and actual amounts, must be included as a supplementary schedule in the audit report. Those entities electing to submit a "single audit" will not be subject to the September 1 deadline indicated in subsection (a) above. Single audits must be submitted within 30 days after release of the single audit report.

(Source: Amended at 21 Ill. Reg. 11767, effective August 1, 1987)

Section 3040.300 Purpose

The family literacy program is part of the Literacy Grant Program established by the State Library Act [15 ILCS 320]. Family literacy funds made available by the State Librarian from State or federal sources will be used to involve public or school libraries, adult literacy programs, and children at risk programs and/or other not for profit organizations with educational experience in breaking the intergenerational cycle of illiteracy.

(Source: Amended at 21 Ill. Reg. 11767, effective August 1, 1987)

Section 3040.320 Eligible Applicants

Only applications that will provide involvement of an Illinois public library, an Illinois agency serving children at risk, and an Illinois agency with an adult literacy program, and/or other not for profit organizations with

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educational experience in breaking the intergenerational cycle of illiteracy shall be eligible for this grant program. The public library must be a member of an Illinois library system. ~~The agency submitting the grant application and administering the use of the grant funds may be any one of the three agencies.~~

(Source: Amended at 21 Ill. Reg. 11767, effective August 1, 1987)

Section 3040.330 Grant Applications

a) Application requirements, including criteria, will be made available by the Illinois State Library by January 15 for the ensuing year. The maximum grant amount, if any, shall be specified in the requirements. The Illinois State Library Advisory Committee shall provide assistance in developing the criteria for the grants. Applications shall be submitted to the Illinois State Library on or before March 15 for the ensuing year. Applications not submitted on time or on the required forms shall not be considered for funding.

b) Grant criteria may include but are not limited to the following:

- 1) Documented concentration of families with children at risk in the project area.
- 2) ~~Involvement of a paid staff person to coordinate all aspects of the program.~~
- 2) A focus on reciprocal learning activities involving parents and children together.
- 3) The use of volunteers in the program.
- 4) The use of technology in delivery of reciprocal activities.
- 5) Evidence of local community support for the project.

c) Applications shall include the following information, at a minimum:

- 1) The name and address of the applicant.
- 2) The name and telephone number of the applicant's director or executive officer.
- 3) The name, address, telephone number, and signature of the applicant's fiscal officer, who will receive any approved grant and be responsible for the grant funds.
- 4) The beginning and ending dates of the family literacy program.
- 5) The total amount of grant money requested for the family literacy program.
- 6) A brief and explicit description of the program's goals and objectives and how the goals and objectives address the grant criteria included in the application requirements.
- 7) A statement supported by statistics detailing the need for the literacy program in the particular community or geographic region of the grant applicant.
- 8) A statement of the methods to be used by the grant applicant to meet stated goals and objectives.
- 9) A statement of the applicant's plans to coordinate its efforts with other agencies cited in Section 3040.320 of this Part. The

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- 1) Heading of the Part: The Illinois Library System Act
Code Citation: 23 Ill. Adm. Code 3030
- 2) Section numbers:
3030.90
3030.105
3030.106
New Section
- 3) Adopted Action:
Amendment
Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Library System Act [75 ILCS 10/1]
- 5) Effective Date of Amendments: August 11, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? Yes
- 8) Date Filed in Agency Principal Office: August 11, 1997
- 9) Notice(s) of Proposal published in Illinois Register: April 11, 1997; 21 Ill. Reg. 4438
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Difference(s) between proposal and final version: Minor punctuation and wording changes were made at the request of the Joint Committee on Administrative Rules. In addition, Sections 3030.105 (I) and 3030.106 were revised to address grant evaluation and award criteria in more detail. Section 4040.105 (k)(1) was revised to clarify the deadline for library system approval of school library membership.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of amendments: The amendments clarify how and when the official population served by a public library is verified for public library per capita and equalization aid grants. P.A. 89-697, signed by the Governor in January 1997, specifies grants for library technology and Illinois Veterans' Homes Libraries, so the amendments specify the criteria for awarding the grants. Clarification is added to the criteria for the Educate & Automate, school library and Veterans' Homes grant programs.
- 16) Information and questions regarding this adopted amendment shall be

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es of the other agencies to be involved in the be cited along with a statement or letter from the ing their responsibility to the program. detailing plans to evaluate the program's objectives ments. a how the program will be continued without further for the literacy program, including revenue sources, y category (personnel, fringes, travel, equipment pplies, contractual services, and other), and local in-kind support for the project. be reviewed by the State Library Literacy Office ce with the criteria and requirements set forth in cket. When appropriate, the Director of the State fice may appoint a committee to assist in reviewing ittee shall include membership from those types elligible to apply for the funds as defined in s part. The decision of the State Librarian is be awarded is at the discretion of the State onlines of available funding.

21 Ill. Reg. 11774, effective

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

directed to:

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The full text of the Adopted Amendments begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
 SUBTITLE B: CULTURAL RESOURCES
 CHAPTER I: SECRETARY OF STATE

PART 3030

THE ILLINOIS LIBRARY SYSTEM ACT

Section	Definitions
3030.10	Forms
3030.15	Administration of the Act: Hearings
3030.20	Establishment of Systems
3030.25	Geographic Boundaries
3030.30	Membership in a Library System
3030.35	Contracting Libraries
3030.40	Accessing Resources and Services (Repealed)
3030.45	Service Standards
3030.50	Service to State Institutions (Repealed)
3030.55	Services to the Physically Disabled (Repealed)
3030.60	Plan of Service for a Cooperative or Multitype Library System
3030.65	Plan of Service for a Public Library System (Repealed)
3030.70	Conversion of a Cooperative Public Library System or a Public Library System to a Multitype Library System
3030.75	Liquidation
3030.80	Merger
3030.85	Finances and Records
3030.90	Governing Board
3030.95	Rules
3030.100	State Grants
3030.105	<u>Educate & Automate Automation/Technology Grants</u>
3030.106	Revocation of Approval
3030.110	Suspension of a Library from Membership
3030.115	Adjustment of the Geographic Boundaries of Library Systems
3030.120	Administrative Review of State Librarian's Decision in Contested Cases
3030.121	Notice of Hearing
3030.122	Conduct of Hearing
3030.123	Motions
3030.124	Order of the Hearing
3030.125	Authority of Administrative Law Judge
3030.126	Record of the Hearing
3030.127	Rules of Evidence; Official Notice
3030.128	Decisions and Orders
3030.129	Annual System Reports
3030.130	Withdrawal of Membership
3030.135	

AUTHORITY: Implementing and authorized by the Illinois Library System Act [75 ILCS 10].

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- c) Application for Annual Grants for special library services to the blind and physically handicapped to no more than six Systems Providing Administrative and Support Services to Libraries and Radio Information Services Serving Physically Disabled Individuals shall be made to the State Librarian on or before March 15 of each year and shall consist of a budget and a description of services to be offered. Any change in the use of funds from that stated in the approved application shall have prior approval of the State Librarian. Failure to spend funds in accordance with the application or approved amendment shall result in ineligibility for future grants for a period of one year. The State Librarian shall be notified in advance of any proposed change in their budget.
- d) To be eligible for a per capita grant, a public library shall show that it will either meet or show progress toward meeting the *Illinois Library Standards, as most recently adopted by the Illinois Library Association*, by raising or improving its performance levels in relation to the standards, when such levels are below the standards, according to objectives, time frames, and priorities which the library shall state in its application for a grant, and which it shall also state are consistent with the terms of the plan of service of the system of which it is a member. (Section 8.1(1) of the Act)
- e) Application for annual equalization grants and per capita grants to public libraries shall be made on or before July 15 of each year. (Section 8 of the Act) The application deadline may be extended at the discretion of the State Librarian for public libraries subjected to Acts of God or natural disasters including but not limited to flooding for libraries located in counties which have been legally declared State and/or federal disaster areas. Those affected libraries may receive the extension by writing to the State Librarian setting forth the basis for said extension request by August 15 of the same calendar year. The State Librarian shall grant the extensions for affected libraries, but in no event shall the deadline be extended beyond September 1. The State Library shall verify the eligible service area population of a public library using the latest census of population of Illinois, or a municipality or parts thereof, prepared and submitted to the Index Division by the federal government and certified by the Secretary of State no later than July 15, the filing deadline for grant applications. The applicant library shall submit supporting documentation with the grant application whenever there are any changes to be reported in the population service area.
- f) For a public library to qualify for a per capita grant, it must be a member of a library system and not under suspension. The application shall show that grant funds will be used to meet or make progress in meeting Illinois library standards cited in subsection (d) above. Any change in the use of funds from that stated in the approved application shall have prior approval of the State Librarian. Failure to spend funds in accord with Section 8.1 of the Act shall result in ineligibility for future grants for a period of one year.

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- g) Libraries that qualify for the ILLINOIS MAJOR URBAN LIBRARY PROGRAM shall submit an application to the State Librarian, subject to his final approval, for use of the funds by July 15 of each year. The application shall consist of the public library per capita grant application cited in Section 3030.105(e) of this Part.
- h) Research and reference center funding shall be allocated by the State Librarian for the purposes of making available adequate library resources and services. Grants shall be awarded for statewide resource sharing projects and for improving services of large libraries with special collections which benefit citizens throughout the state. Grants will be awarded at the discretion of the State Librarian each fiscal year as funding allows.
- i) The Research and Reference contracts will specify by inclusion:
- 1) The terms for apportionment of the grant funding, and
 - 2) Services to be performed.
- j) To qualify for an Annual Grant to the Illinois Regional Library for the Blind and Physically Handicapped, the applicant agent shall be jointly designated by the Illinois State Library and the Library of Congress National Library Service for the Blind and Physically Handicapped for such purpose. An annual contract with the State Library shall be executed which specifies the objectives and budget for the service.
- k) School District Library Grant Program
- 1) To be eligible for a School Library Grant, the applicant must be an Illinois public school district and a member in good standing of a regional multitype library system; or have made application for system membership prior to the November 30 grant deadline and be approved for membership prior to the following January 15. The library system may be granted an extension until January 31, if requested in writing on or before January 15, to notify the Illinois State Library about the status of the application for library system membership.
 - 2) Application for School Library Grants shall be made on or before November 30 of each year. Applications shall be reviewed by the State Library staff and are subject to final approval by the State Librarian. The application deadline may be extended at the discretion of the State Librarian for school districts subjected to Acts of God or natural disasters, including but not limited to flooding for school districts located in counties which have been legally declared State and/or federal disaster areas. Those affected districts may receive the extension by writing to the State Librarian setting forth the basis for the extension request by December 31. The State Librarian shall grant the extensions for affected school districts, but in no event shall the deadline be extended beyond January 15.
 - 3) The applicant shall show that grant funds will be used to support the services of the district's school library media program. The grant may not be used for the construction of a new library. Any

SECRETARY OF STATE

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B) A statement from the superintendent certifying that the financial support for the library meets the requirements as stated in the act.

F) Evidence that the fiscal year grant funds received were encumbered prior to June 30 of that fiscal year and expended prior to September of the calendar year in which the fiscal year ended.

G) Certification by the director of the library system that the school district is a member of the library system. If the school district is not a member of the library system, the school district is not a member of the library system. It shall be signed by the superintendent of the school district and submitted to the Illinois State Library. It shall consist of:

H) Subsequent to approval of an application by the Illinois State Library, the Illinois State Board of Education with acknowledgment receipt of evidence that the requirements of Section 8-4(4) and 8-4(5) of the act have been met.

I) Upon receipt of the application and review of the Illinois State Library, it shall be approved for funding within 90 days after submission of the application if the criteria are met as set forth in this section and Section 8-4 of the Illinois Library Act and the application was completed fully and with accurate information.

J) Library Grants for Veterans' Homes

1) Pursuant to Section 8.6 of the Illinois Library System Act [75 ICS 10/8.6], there is established by this subsection (1) the application procedures for Veterans' Home library grants.

2) The application for annual grants to State-funded Veterans' Homes shall be made according to a deadline established by the State Librarian. The application shall be signed by the administrator and Librarian or person responsible for library services at the Veterans' Home.

3) The applications will be evaluated by Illinois State Library staff, and final funding decisions will be made by the State Librarian.

4) Applications will be funded according to amount of funding available; demonstrated need; and number of residents being served. Criteria will also include whether the plan of operation contains information about the project goals and objectives, the methods used to achieve these goals and objectives, and the involvement of staff in providing library service.

5) In order for an application to be considered, the Veterans' Home must be providing library services to its residents at the time of application.

6) Any change in the use of funds from that stated in the approved application shall have prior approval of the State Librarian. Failure to spend funds as approved shall result in ineligibility for future grants for a period of one year.

7) The application shall consist of:

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I) Pursuant to Section 8-4 of the Illinois Library System Act (117 Rev. Stat. 1997 ch. 87 par. 18-4) (75 ICS 10/8-4) there is established by these rules the application procedures for school district library grants.

2) The application for annual school grants shall be made between October 1 and prior to December 1 of each year starting in 1990. It shall be signed by the superintendent of the school district and submitted to the Illinois State Library. It shall consist of:

A) A description and verification of the school board's review as effected in the minutes of a school board meeting of the school district library standards as provided for in 75 ICS 10/8-4(4).

B) A report on the use of the previous year's grant. It shall be received which shall show how said grant was used, and an evaluation detailing the effect of the program in overall district-wide school library-media program improvement and progress towards or compliance with school library-media standards.

C) A statement on the proposed use of the grant for which application is being made which shall show how grant funds will be used to further the purposes in the act. The grant may not be used for construction of a new library.

D) The following specific information:

I) The effect of the name and complete address of the school district.

II) The name of the library system of which the district is a member or to which it has applied for membership; the name or names and type of attendance unit in which the library or districts are located.

III) The number of students served by the library or districts.

IV) The name of the librarian.

V) The number of hours per week the library is open.

VI) The number of hours per week the library is open.

VII) The name of the librarian and the number of librarians and staff in the library.

III) The percentage of hours available to the library.

IV) The dates of the library fiscal year and the fiscal year and the dates of the library fiscal year.

V) The library's taxing area and the library's Federal-employment-identification-Number (FBIIN).

change in the use of funds from that stated in the approved application shall have prior approval of the State Librarian. Failure to spend funds in accordance with Section 8.4 of the Act shall result in ineligibility for future grants for a period of one year.

I) Pursuant to Section 8-4 of the Illinois Library System Act (117 Rev. Stat. 1997 ch. 87 par. 18-4) (75 ICS 10/8-4) there is established by these rules the application procedures for school district library grants.

2) The application for annual school grants shall be made between October 1 and prior to December 1 of each year starting in 1990. It shall be signed by the superintendent of the school district and submitted to the Illinois State Library. It shall consist of:

A) A description and verification of the school board's review as effected in the minutes of a school board meeting of the school district library standards as provided for in 75 ICS 10/8-4(4).

B) A report on the use of the previous year's grant. It shall be received which shall show how said grant was used, and an evaluation detailing the effect of the program in overall district-wide school library-media program improvement and progress towards or compliance with school library-media standards.

C) A statement on the proposed use of the grant for which application is being made which shall show how grant funds will be used to further the purposes in the act. The grant may not be used for construction of a new library.

D) The following specific information:

I) The effect of the name and complete address of the school district.

II) The name of the library system of which the district is a member or to which it has applied for membership; the name or names and type of attendance unit in which the library or districts are located.

III) The number of students served by the library or districts.

IV) The name of the librarian.

V) The number of hours per week the library is open.

VI) The number of hours per week the library is open.

VII) The name of the librarian and the number of librarians and staff in the library.

III) The percentage of hours available to the library.

IV) The dates of the library fiscal year and the fiscal year and the dates of the library fiscal year.

V) The library's taxing area and the library's Federal-employment-identification-Number (FBIIN).

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- A) A statement on the proposed use of the grant for which application is being made which shall show how grant funds will be used to expand library services to residents of the Veterans' Home. Grant funds are eligible to be used for library staff, materials, equipment, and library services.
- B) A report on the use of the previous year's grant, if a grant was received, which shall show how the grant was used; and an evaluation detailing the impact of the program.
- C) A certification stating that:
- i) the grant funds will be kept in a separate account;
 - ii) local funding for library service will not diminish as a result of the program;
 - iii) the library will submit semi-annual financial and programmatic reports to the Illinois State Library on January 31 and July 31 of each year covering the use of the funds.

(Source: Amended at 21 Ill. Reg. 11774, effective Aug 1 1991)

3030.106 Educate & Automate Automation/Technology Grants

- a) Competitive grants
- 1) Application for purchases of equipment and services that support library development and technological advancement (Section 8.5 of the Act) in libraries shall be made according to an annual deadline and criteria established by the State Librarian. Applicants shall use the forms prepared and made available by the Secretary of State for this purpose. Applications not submitted on time or on the required forms shall not be considered by the State Library.
 - 2) Applications shall be reviewed by the State Library staff and the decision of the State Librarian is final. Criteria will include whether the project plan contains information about the project goals and objectives, the methods used to achieve these goals and objectives, the number of people to be served, and whether the proposed budget is reasonable in view of the proposed goals.
 - 3) The number of grants to be awarded is at the discretion of the State Librarian.
 - 4) Applicants must meet requirements designated by the State Library for public access to electronic information and technology.
- b) Direct expenditures by the State Librarian may be made to support library development and technological advancement in libraries (Section 8.5 of the Act).
- c) Funding awarded under subsections (a) and (b) of this Section may be used for any or all of the following purposes:
- 1) Telecommunications costs for electronic networks for ILLINET libraries and library systems;

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 2) Computer hardware and software for ILLINET libraries and library systems;
- 3) Access to electronic information by the general public through ILLINET libraries;
- 4) Converting special collections and rare materials in ILLINET libraries into digital format, making them accessible by computer to students, researchers and the general public.

(Source: Added at 21 Ill. Reg. 11774, effective Aug 1 1991)

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Illinois Speech-Language Pathology and Audiology Practice Act

2) Code Citation: 68 Ill. Adm. Code 1465

3) Section Numbers: 1465.75
Emergency Action: New Section

4) Statutory Authority: Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]

5) Effective Date of Rules: August 7, 1997

6) If these emergency rules are to expire before the end of the 150-day period, please specify the date on which they will expire: These emergency rules are to expire when the proposed rules are adopted.

7) Date filed in Agency's Principal Office: August 7, 1997

8) Reason for Emergency: Public Act 90-69, effective July 8, 1997, includes the reauthorization of the Illinois Speech-Language Pathology and Audiology Practice Act. Among its changes was elimination of the statutory fee Section, replacing it with fees set by administrative rule. This emergency rule is nearly identical to the previous statutory Section. Permanent rules are pending, but will not take effect prior to the elimination of the statutory fee provisions.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes fees for licensure under the Illinois Speech-Language Pathology and Audiology Practice Act; the statutory fees were removed during reauthorization of the Act.

10) Are there any proposed Rules to this Part pending: No

11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government

12) Information and questions regarding these Rules shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax #: 217/782-7645

13) Regulatory Agenda on which this rulemaking was summarized: July 1997

The full text of the Emergency Amendments begins on the next page:

NOTICE OF EMERGENCY AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1465
THE ILLINOIS SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY PRACTICE ACT

Section	
1465.10	Application for Licensure Under Section 7 of the Act (Repealed)
1465.20	Approved Programs
1465.30	Professional Experience
1465.35	Supervision
1465.36	Evaluation and Management Related to Speech-Language Pathology and Audiology
1465.40	Application for Licensure
1465.50	Examination
1465.60	Endorsement
1465.70	Renewal
1465.75	Fees
1465.80	Restoration
1465.90	Granting Variances

AUTHORITY: Implementing the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 13 III. Reg. 1616, effective January 20, 1989, for a maximum of 150 days; emergency expired June 19, 1989; adopted at 13 III. Reg. 13882, effective August 22, 1989; amended at 18 III. Reg. 12794, effective August 4, 1994; amended at 19 III. Reg. 11477, effective July 28, 1995; emergency amended at 21 III. Reg. 11785, effective August 7, 1997, for a maximum of 150 days.

Section 1400.75 Fees
EMERGENCY

The following fees shall be paid to the Department and are not refundable:
a) Application Fees.

1) The fee for application for initial license by examination is \$90. In addition, applicants for any examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF EMERGENCY AMENDMENTS

- of the examination fee.
- 2) The fee for application for a person licensed as a speech-language pathologist or audiologist under the laws of another state or territory of the United States or of a foreign country or province is \$100.
- b) Renewal Fees. The fee for the renewal of a license shall be calculated at the rate of \$50 per year.
- c) General Fees.
- 1) The fee for the restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees.
 - 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license, for a license which has been lost or destroyed or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Department records when no duplicate license is issued.
 - 3) The fee for a certification of a licensee's record for any purpose is \$20.
 - 4) The fee for rescoring an examination shall be the cost to the Department of rescoring the examination, plus any fees charged by the applicable testing service to have the examination rescored.
 - 5) The fee for a wall certificate showing licensure shall be the actual cost of producing such certificate.
 - 6) The fee for a roster of persons licensed as speech-language pathologists or audiologists in this State shall be the actual cost of producing such a roster.

(Source: Added by emergency amendment at 21 Ill. Reg. 11785, effective August 7, 1997, for a maximum of 150 days)

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT(S)

- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Numbers: Peremptory Action:
125.270 Amended
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Meat Inspection Act (21 U.S.C.A. 661); and 62 FR 27940.
- 5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650/16].
- 6) Effective Date: August 8, 1997
- 7) A Complete Description of the Subjects and Issues Involved: In order to maintain an "equal to" status with the federal meat inspection program as required by the Federal Meat Inspection Act and in compliance with Section 16 of the Meat and Poultry Inspection Act, changes in the federal rules relative to meat inspection are hereby adopted. The Food Safety and Inspection Service (FSIS) is amending the federal meat inspection regulations and will permit the use of liquid nitrogen for the contact freezing of meat and meat products. The federal regulation being amended is 9 CFR 318.7(c)(4), effective July 21, 1997. The amendment appears in the May 22, 1997 Federal Register on page 27940.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed in Agency's Principal Office: August 8, 1997
- 10) This rule is in compliance with Section 5.03 of the Illinois Administrative Procedure Act.
- 11) Are there any proposed amendments pending to this Part? No
- 12) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local governments.
- 13) Information and questions regarding this adopted amendment shall be directed to:

Debbie Wakefield
Illinois Department of Agriculture
State Fairgrounds
P.O. Box 19281
Springfield, Illinois 62794-9281
Telephone: 217/785-5713

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT(S)

Facsimile: 217/785-4505

The full text of the Peremptory amendment begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT(S)

TITLE 8: AGRICULTURE AND ANIMALS

CHAPTER I: DEPARTMENT OF AGRICULTURE

SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

PART 125

MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR

POULTRY INSPECTION

Section
125.10

Definitions

125.20

Incorporation by Reference of Federal Rules

125.30

Application for License; Approval

125.40

Official Number

125.50

Inspections; Suspension or Revocation of License

125.60

Administrative Hearings; Appeals (Repealed)

125.70

Assignment and Authority of Program Employees

125.80

Schedule of Operations; Overtime

125.90

Official Marks of Inspection, Devices and Certificates

125.100

Records and Reports

125.110

Exemptions

125.120

Disposal of Dead Animals and Poultry

125.130

Reportable Animal and Poultry Diseases

125.140

Detention; Seizure; Condemnation

125.141

Sanitation Standard Operating Procedures (SOP's)

125.142

Hazard Analysis and Critical Control Point (HACCP) Systems

125.143

Imported Products

SUBPART B: MEAT INSPECTION

Section

125.150 Livestock and Meat Products Entering Official Establishments

125.160

Equine and Equine Products

125.170

Facilities for Inspection

125.180

Sanitation

125.190

Ante-Mortem Inspection

125.200

Post-Mortem Inspection

125.210

Disposal of Diseased or Otherwise Adulterated Carcasses and Parts

125.220

Humane Slaughter of Animals

125.230

Handling and Disposal of Condemned or Other Inedible Products at

125.240

Official Establishment

125.250 Rendering or Other Disposal of Carcasses and Parts Passed for Cooking

125.260

Marking Products and Their Containers

125.270

Entry into Official Establishment; Reinspection and Preparation of

125.280

Product

Meat Definitions and Standards of Identity or Composition

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT(S)

125.290 Transportation
 125.295 Imported Products (Repealed)
 125.300 Special Services Relating to Meat and Other Products
 125.305 Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section
 125.310 Application of Inspection
 125.320 Facilities for Inspection
 125.330 Sanitation
 125.340 Operating Procedures
 125.350 Ante-Mortem Inspection
 125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts
 125.370 Handling and Disposal of Condemned or Inedible Products at Official Establishments
 125.380 Labeling and Containers
 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
 125.400 Definitions and Standards of Identity or Composition
 125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT(S)

10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; peremptory amendment at 17 Ill. Reg. 16238, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; peremptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; peremptory amendment at 18 Ill. Reg. 12546, effective July 29, 1994; peremptory amendment at 18 Ill. Reg. 14475, effective September 7, 1994; amended at 18 Ill. Reg. 14924, effective September 26, 1994; peremptory amendment at 18 Ill. Reg. 15452, effective September 27, 1994; peremptory amendment at 19 Ill. Reg. 1342, effective January 27, 1995; peremptory amendment at 19 Ill. Reg. 4765, effective March 13, 1995; peremptory

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DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF UNCLAIMED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

Pursuant to statutory requirement, the Illinois Department of Financial Institutions is publishing the names and last known addresses of unclaimed property owners whose last known addresses are allegedly in a state other than Illinois. The other state does not have a reciprocity arrangement with Illinois.

If your name or that of a person you represent appears below, you may contact the Department for further information about the assets.

INQUIRIES MUST BE IN WRITING. The written inquiry should include the name and address as listed, and the correct name and address for reply. If inquiring about a name other than your own, you must indicate your authority to act on behalf of that person.

Address written inquiries to:

UNCLAIMED PROPERTY DIVISION
DEPARTMENT OF FINANCIAL INSTITUTIONS
P.O. Box 19495
Springfield, IL 62794-9495

AUTHORITY: Implementing and required by the Illinois Uniform Disposition of Unclaimed Property Act [765 ILCS 1025/12].

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

AARP PRUDENTIAL	PO BOX 13999 PHILADELPHIA	PA	19187-0000
ABRAHAM, ROGER D	1648 CHATTIN CIRCLE PHILADELPHIA	PA	19118-0000
ACMGA	SUITE 900 1355 S COLORADO BLVD DENVER	CO	80222-0000
AETNA	PO BOX 800 ENFIELD	CT	06082-0000
AETNA	115 C ELM STREET PO BOX 800 ENFIELD	CT	06083-0000
AETNA	3541 WINCHESTER RD ALLENTOWN	PA	18195-0501
AETNA HEALTH	PO BOX 9000 CORAOPOLIS	PA	15108-0000
ALAMEDA COUNTY OF	4400 B MACARTHUR BLVD DALLAS	TX	75266-0000
ALDRICH, DIANE	SUITE 4 1005 LOCUST DUBUQUE	IA	52001-0000
ALICEA, ELVIN	1005 GRAND AVE NORTH BERGEN	NJ	07047-0000
ALLEN, JACQUELINE	PO BOX 357 PELL CITY	AL	35125-0000
ALLIED SERVICES	50 NYE ROAD GLASTONBURY	CT	06033-0000
ALLSTATE SEARS EMPLOYEE	PO BOX 105181 ATLANTA	GA	30348-0000
ALPACA INTERNATIONAL INC	NO 130 AN HO RD TAI PING HSIANG TAIPEI, TAIWAN	FA	00000-0000
ALSHULER, ROSEMARY H.	12805 GATEPOST COURT HERNDON	VA	22071-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

AMER COLL OF PHYSICIANS	6TH STREET AT RACE PHILADELPHIA	PA	19106-0000	BALILEY, FELISA	5400 MEMORIAL DRIVE ATLANTA	GA	30083-0000
AMER HEALTH CONSULTANTS	PO BOX 740059 ATLANTA	GA	30374-0000	BALGER, BRAIN	34 OAKLAWN ROAD CHURCHTOWN	VA	00000-0000
AMER SOC OF MECH ENGINEERS	22 LAW DRIVE PO BOX 2900 FAIRFIELD	NJ	07007-2900	BATES, GORDON	BOX 21 R R 2 OSAGE	IA	50461-0000
AMERICAN HOSPITAL OF PARIS		FA	50000-0000	BATON ROUGE GENERAL HOSPITAL	3600 FLORIDA STREET BATON ROUGE	LA	70806-0000
AMERICAN PACIFIC INS & FINANCIAL SERV	PO BOX 10300 TAMUNING, GUAM	FA	96931-0000	BCBS CONNECTICUT	PO BOX 504 NORTH HAVEN	CT	06473-0000
ANDERSON, BUZZ	PO BOX 777 WATERLOO	IA	50704-0000	BEACHAM, WILLIAM	116 BROOKSIDE CR GREENVILLE	SC	29609-0000
ANDERSON, RUTH A.	SUITE 145 1275 BENNETT DRIVE LONGWOOD	FL	32750-0000	BEAUFORT CITY MEMORIAL HOSPITAL	PO BOX 1068 BEAUFORT	SC	29902-0000
ANNALS OF INTERNAL MED	PO BOX 7777 H 0320 PHILADELPHIA	PA	19175-0000	BEGAY, VERN K	PO BOX 1631 CHINLE	AZ	86503-0000
ANUTECH PTV LTD	GPO BOX 4 CANBERRA 02601 AUSTRALIA	FA	00000-0000	BELIZE CITY HOSPITAL			00000-0000
APATIRA, TADDEO A.	37 EGERTON LN LAGOS, NIGERIA	FA	00000-0000	BILL KELLEY CHEVROLET INC	601 N FEDERAL HWY HALLANDALE	FL	33009-0000
ARCHIE, LEORA	ROUTE 2 BOX 279 BRADENTON	FL	33508-0000	BLACKWELL, ROBERT	240 KING STREET YELLOW SPRINGS	OH	45387-0000
AHIES SCIENTIFIC INC	PO BOX 744065 DALLAS	TX	75374-0000	BLAZE INDUSTRIAL TIRE	2204 HINTON PO BOX 610108 IRVING	TX	75061-0000
AT&T	PO BOX 371956M PITTSBURGH	PA	15250-0000	BLUE CROSS OF WESTERN PA	ONE SOUTFIELD PITTSBURG	PA	15222-0000
AT&T BELL LABS	PO BOX 800 SHORT HILLS	NJ	07078-0000	BNA BOOKS	PO BOX 7814 EDISON	NJ	08818-7814
AUSTRALIA RINGER		FA	00000-0000	BOARD OF TRADE	I FISHST CANADIAN PL TORONTO M5X1C ON		
BABANI, DOULAT O	30 ALBERT ST BELIZE CITY, BELIZE	FA	00000-0000				

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

AMER COLL OF PHYSICIANS	6TH STREET AT RACE PHILADELPHIA	PA	19106-0000	BALILEY, FELISA	5400 MEMORIAL DRIVE ATLANTA	GA	30083-0000
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AMERICAN HOSPITAL OF PARIS		FA	50000-0000	BATON ROUGE GENERAL HOSPITAL	3600 FLORIDA STREET BATON ROUGE	LA	70806-0000
AMERICAN PACIFIC INS & FINANCIAL SERV	PO BOX 10300 TAMUNING, GUAM	FA	96931-0000	BCBS CONNECTICUT	PO BOX 504 NORTH HAVEN	CT	06473-0000
ANDERSON, BUZZ	PO BOX 777 WATERLOO	IA	50704-0000	BEACHAM, WILLIAM	116 BROOKSIDE CR GREENVILLE	SC	29609-0000
ANDERSON, RUTH A.	SUITE 145 1275 BENNETT DRIVE LONGWOOD	FL	32750-0000	BEAUFORT CITY MEMORIAL HOSPITAL	PO BOX 1068 BEAUFORT	SC	29902-0000
ANNALS OF INTERNAL MED	PO BOX 7777 H 0320 PHILADELPHIA	PA	19175-0000	BEGAY, VERN K	PO BOX 1631 CHINLE	AZ	86503-0000
ANUTECH PTV LTD	GPO BOX 4 CANBERRA 02601 AUSTRALIA	FA	00000-0000	BELIZE CITY HOSPITAL			00000-0000
APATIRA, TADDEO A.	37 EGERTON LN LAGOS, NIGERIA	FA	00000-0000	BILL KELLEY CHEVROLET INC	601 N FEDERAL HWY HALLANDALE	FL	33009-0000
ARCHIE, LEORA	ROUTE 2 BOX 279 BRADENTON	FL	33508-0000	BLACKWELL, ROBERT	240 KING STREET YELLOW SPRINGS	OH	45387-0000
AHIES SCIENTIFIC INC	PO BOX 744065 DALLAS	TX	75374-0000	BLAZE INDUSTRIAL TIRE	2204 HINTON PO BOX 610108 IRVING	TX	75061-0000
AT&T	PO BOX 371956M PITTSBURGH	PA	15250-0000	BLUE CROSS OF WESTERN PA	ONE SOUTFIELD PITTSBURG	PA	15222-0000
AT&T BELL LABS	PO BOX 800 SHORT HILLS	NJ	07078-0000	BNA BOOKS	PO BOX 7814 EDISON	NJ	08818-7814
AUSTRALIA RINGER		FA	00000-0000	BOARD OF TRADE	I FISHST CANADIAN PL TORONTO M5X1C ON		
BABANI, DOULAT O	30 ALBERT ST BELIZE CITY, BELIZE	FA	00000-0000				

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

	CANADA	FA	00000-0000
BOLDUC, PAUL	LAMBTON CP73 CPE MGNTC CMPTN QUEBEC, CANADA	FA	00000-0000
BOUTTE, DOROTHY C	2816 MATHEWS ST BERKELEY	CA	94702-0000
BRENNANBEGGAN, JEAN	469 SADDLE RIVER RD UPEER SADDLERIVER	NJ	07458-0000
BRIDGESTONE FIRESTONE INC	PO BOX 140999 NASHVILLE	TN	37214-0000
BRINO, SANDRA	53 SUN VALLEY RD SOUTHINGTON	CT	06489-0000
BRISTOL FLATS DISTRIB INC	603 E FIRST CLE ELLUM	WA	98922-0000
BROOKS, DONALD C	PO BOX 10025 OP II AL JUBAIL AL	FA	00000-0000
BROWN, BARBARA A	1721 N MANSARD BLVD GRIFFITH	IN	46323-0000
BROWN, MARK T	1721 N MANSARD BLVD GRIFFITH	IN	46323-0000
BROWN, PHYLLIS	1721 N MANSARD BLVD GRIFFITH	IN	46323-0000
BUEHLER, WALTER E	2589 SCHWEGMANN DRIVE MARRERO	LA	70072-0000
BUFETE REIBIO VILLEGAS Y ASSOC	RIO DUERTO 31 MEXICO	FA	00000-0000
BUSHRA, MOHID T	PO BOX 621321 AMMAN, JORDAN	FA	00000-0000
BUSINESS CONTROLS	2260 AB LEIDSCHENDAM NETHERLANDS	FA	00000-0000
BYRD, ERNEST	57 3RD AVE S BIRMINGHAM	AL	35205-0000

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CALIFORNIA MED ASSN		CA	00000-0000
CAMPUS NERLANDIS	61 BLVD JOURDAN 75690 PARIS CEDEX 14 FRANCE	FA	00000-0000
CANON MCMILLAN SCHOOL DISTRICT	1 NORTH JEFFERSON CANONSBURG	PA	15317-0000
CARDOZE & LINDO	APARTADO 6 2997 PANAMA CITY PANAMA	FA	00000-0000
CARROLL, ROBERT	190 SPANKENKILL RD POUGHKEEPSIE	NY	12603-0000
CASTRO, AMY S	12 JARDIN ST GUAYNABO 00657 PUERTO RICO	FA	00000-0000
CASTRO, RICHARD	5350 E TROPICANA LAS VEGAS	NV	89122-0000
CHAMPION LIGHT ELECTRIC	21 22 BLDG 3RD INDUSTRIAL PARK GUANG CHINA	FA	00000-0000
CHANCELLOR & MANN SUPPLY	1201 N RIPLEY ST MONTGOMERY	AL	36104-0000
CHANGAN YUNG WEN ELECTRONIC FA	GUANG DONG CHINA	FA	00000-0000
CHARLES, ROSEMARIE	5201 NECHES ST HOUSTON	TX	77026-0000
CHASTLEY ENTERPRISE CO LTD	550 CHUNG SHAN RD HSIN CHU KWO TAIWA TAIWAN	FA	00000-0000
CHEN DEE INDUSTRIAL CO LTD	746 DON CHEN ST TAINAN, TAIWAN	FA	00000-0000
CHING, CLIFFORD	802 MAPPUNAPUNA ROAD HONOLULU	HI	96819-0000
CHUN TAI ELECTRIC HEATER CO LTD	NO 49 ALLEY 7 LANE 100 TUN HWA TAIPE		

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06104-0000	CT	HARTFORD					
00000-0000	FA	RAMON CORONA 23 JALISCO, MEXICO	CONSEPCION, ARCE H	30359-0000	GA	ATLANTA	CIGNA HEALTH PLAN
00000-0000	TX	1305 MEADOWCREEK CT IRVING	COPENHAVER, ELLEN	30359-0000	GA	ATLANTA PO BOX 29000	CIGNACOMM GENERAL
00000-0000	OR	34027 MONTPELLIER CEDEX I PO BOX 220	CORUM HEBBERGEMENT	97603-0000	OR	KLAMATH FALLS	CLINTON, PAULINE E
00000-0000	AZ	10215 N 28TH DRIVE PHOENIX	COST PLUS	00000-0000	IL	STATE PARK	CLINTON, SIBERT
85051-0000	MD	ONE CONTINENTAL SH CRANBURY	CONTINENTAL LOSS ADJ	20904-0000	MD	SILVER SPRING	COLEMAN, GRANETTA
08512-0000	NJ	185 3E AVE BASTIEN CANADA	COUTU, LIONEL	43207-0000	OH	COLUMBUS 3074 SOUTHFIELD	COLEMAN, RIP
00000-0000	FA	USS RANGER CV 61 APO SAN FRANCISCO	CRES, M J	00000-0000	IL	PO BOX 49 LINCOLN	COLLINS, ANGIAL
96633-0000	FA	3948 HALYARD WAY MYRTLE BEACH	CROWLEY, ALLYN E	35096-0000	AL		COLUMBIA UNIVERSITY
29577-0000	SC	4601 E SKYLINE SH TUCSON	CRUCKSHANK, LAINE E	19380-0000	PA	WESTCHESTER 1585 PAOLI PIKEC 2683	COMBUSTION ENGINEERING
85718-0000	AZ	24 N W 25TH STREET DELRAY BEACH	DANCA, CHEYL L	08077-0000	NJ	CINNAMINSON 1605 INDUSTRIAL HWY	CONN DEE MEG
33444-0000	FL	304 WARE RD NEWARK	DAPKUS, JANE L	06062-0000	CT	PLAINVILLE PO BOX 8012	CONN GENERAL LIFE
19711-0000	DE	SUITE LB 205 THIRD AVE ANCHORAGE	DAVIS, ELLIOT	06032-0000	CT	FARMINGTON NINE FARM SPRINGS DRIVE	CONNECTICUT GENERAL
99508-0000	AK	POSTFACH 269 8100 GARMISCH PARTEN GERMANY	DEGZMAN, GLORIA	30359-0000	GA	ATLANTA PO BOX 29230	CONNECTICUT GENERAL
00000-0000	FA	10125 PINE SPRINGS DR SUN CITY	DEORA, JOAN H	06062-0000	CT	PLAINVILLE 80 SPRING LANE	CONNECTICUT GENERAL
85373-0000	AZ	9806 45TH AVE EDMONTON ALBERTA, CANADA	DESIGN LIFTS LTD	06062-0000	CT	PLAINVILLE PO BOX 2987	CONNECTICUT GENERAL LIFE

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06104-0000	FA	TAIWAN		00000-0000	FA		
00000-0000	GA	ATLANTA	CONSEPCION, ARCE H	30359-0000	GA	ATLANTA PO BOX 49400	CIGNA HEALTH PLAN
00000-0000	GA	ATLANTA PO BOX 29000	COPENHAVER, ELLEN	30359-0000	GA	ATLANTA PO BOX 29000	CIGNACOMM GENERAL
00000-0000	OR	4336 SYCAMORE DR KLAMATH FALLS	CORUM HEBBERGEMENT	97603-0000	OR	KLAMATH FALLS	CLINTON, PAULINE E
00000-0000	IL	STATE PARK	COST PLUS	00000-0000	IL	STATE PARK	CLINTON, SIBERT
85051-0000	MD	I APPLEBY COURT SILVER SPRING	CONTINENTAL LOSS ADJ	20904-0000	MD	SILVER SPRING	COLEMAN, GRANETTA
08512-0000	NJ	3074 SOUTHFIELD COLUMBUS	COUTU, LIONEL	43207-0000	OH	COLUMBUS 3074 SOUTHFIELD	COLEMAN, RIP
00000-0000	IL	PO BOX 49 LINCOLN	CRES, M J	00000-0000	IL	PO BOX 49 LINCOLN	COLLINS, ANGIAL
96633-0000	FA	3948 HALYARD WAY MYRTLE BEACH	CROWLEY, ALLYN E	35096-0000	AL		COLUMBIA UNIVERSITY
29577-0000	SC	4601 E SKYLINE SH TUCSON	CRUCKSHANK, LAINE E	19380-0000	PA	WESTCHESTER 1585 PAOLI PIKEC 2683	COMBUSTION ENGINEERING
85718-0000	AZ	24 N W 25TH STREET DELRAY BEACH	DANCA, CHEYL L	08077-0000	NJ	CINNAMINSON 1605 INDUSTRIAL HWY	CONN DEE MEG
33444-0000	FL	304 WARE RD NEWARK	DAPKUS, JANE L	06062-0000	CT	PLAINVILLE PO BOX 8012	CONN GENERAL LIFE
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85373-0000	AZ	9806 45TH AVE EDMONTON ALBERTA, CANADA	DESIGN LIFTS LTD	06062-0000	CT	PLAINVILLE PO BOX 2987	CONNECTICUT GENERAL LIFE

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DICKERSON, MCNARY	1916 WILLIAMS ST GARY	IN	46400-0000
DIMERCO ENTERPRISES CORP	4 YU 3 ROAD TAO YUAN HSIEN TAIWAN	FA	00000-0000
DÖWNEN, LAURA R	4230 UTICA STREET DENVER	CO	00000-0000
DRIFTWOOD DRUGS	3519 WILLIAMS BLVD TUCSON	AZ	85702-0000
DRUGS PLUS 147	1128 LAKELAND PLAZA KENNER	LA	70062-0000
DUBUQUE NEUROL SURG	MERCY DRIVE DUBUQUE	IA	52001-0000
DUDLEY ANDERSON YUTZY	40 WEST 57TH ST BIRMINGHAM	AL	35202-0168
DUFFERIN CHRISTIAN SCHOOL	BOX 908 CARMAN MB CANADA	FA	00000-0000
DUPONT AGRICHEMICALS CARIBE INC	HIGHWAY 686 KM 2 3 CALL BOX DACI MAN PUERTO RICO	FA	00701-0000
DYSKO, HALINA	APT 309 435 GRAY LONDON, CANADA	FA	00000-0000
EBERLE, RAY	POSTFACH 269 8100 GARMISCH PARTEN GERMANY	FA	00000-0000
EDGAR, JAMES	508 SETON CIRCLE LAKEWOOD	NJ	08701-0000
EDWARD WECK INC	PO BOX 951253 DALLAS	TX	75395-1253
EDYCE INGENIERIA IND SA	GENL FLORES 83 PROVINCIA SANTIAGO, CHILE	FA	00000-0000
ENDOH, NOBUYUKI	MIYAMAE KU 215 22 HIGASHI ARIMA KAWA		

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	JAPAN	FA	00000-0000
ENRON LIQUID PIPELINE CO	PO BOX 1188 HOUSTON	TX	77251-1180
EQUICOR	4 GATEWAY CT 625 PITTSBURGH	PA	15222-0000
ESTES, BRENDA	5752 EMBRY BEND RD LINCOLN	AL	35096-0000
ETTLING, RALPH	2508 SEQUDIA DR ST LOUIS	MO	63376-7537
FERRER, YAMILLE M	GAUTIERBENITEZ NO 55 FLORA PARK PUERTO RICO	FA	00000-0000
FINEGAYAN ELEMENTARY SCHOOL LIBRARY	PO BOX DE AGANA GUAM	FA	96910-0000
FIRILAS, ANTHONY	102 VISTA LANE JOHNSTOWN	PA	15906-0000
FISHER, KING	BLOOMFIELD	IL	61701-0000
FLETCHER, MARGA K	2934 HEALY DALLAS	TX	75228-0000
FLETCHER, WILLIAM M	2934 HEALY DALLAS	TX	75228-0000
FOOD & DRUG ADMINISTRATION	75200 STANDISH PLACE 260 ROCKLAND	MD	20855-0000
FOWLER, OLIVER	112 E 10TH AVENUE HOMESTEAD	PA	15120-0000
FRIEDEL, HENRY N	23 TAGORE ST 1 TEL AVIV 69203 ISRAEL	FA	00000-0000
FUJI ELECTRIC CO LTD	KITAADACHI GUN SAITAMI KEN 369 01 JAPAN	FA	00000-0000
FULLER, MARK A	148 LAMBERT ROAD NEW CANAAN	CT	06840-0000

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GAPASIN, ANGELITA A	1025 NORTH REGAL CANYON DRIVE WATNUT CA	91789-0000	GRAHAM, JACK	4535 HARBOR DR SIOUX CITY IA	51111-0000
GAPASIN, CRESCENCIO U	1025 NORTH REGAL CANYON DRIVE WATNUT CA	91789-0000	GRANGER, FRED	249 VEDFORD STREET OTTOMA CA	00000-0000
GENERAL ACCIDENT INS	PO BOX 40326 PHILADELPHIA PA	19106-0000	GUERRA, AQUILES	QUIBRAYUGOS 4730 MONTEVIDEO URUGUAY	00000-0000
GEORGE, PATRICIA	ROUTE I BOX 505 LAKE PARK GA	31636-0000	GUSTAFSON, MAXINE M	2234 E DUDLEY INDIANAPOLIS IN	46260-0000
GEORGE WASHINGTON UNIV	368 COMMON ST BELMONT MA	02178-0000	GUSTAFSON, NANCY	2234 E DUDLEY INDIANAPOLIS IN	46260-0000
GHITEZIS, MANYA	368 COMMON ST BELMONT MA	02178-0000	HAMILTON, SHEILA	4601 E SKYLINE DR TUCSON AZ	85718-0000
GHITEZIS, MORHIS	368 COMMON ST BELMONT MA	02178-0000	HAN DEUNG INC	BUK KU 516 I HYOSUNG DONG INCHON 403 KOREA	00000-0000
GLOBE SECURITY SYS INC	2 CAMPUS DR PARSHIPANY NJ	07054-0000	HANSEN, INA	1607 W 12TH ST DAVENPORT IA	52804-0000
GOLDEN, JOY	1270 N COOK SPRINGS RD BELL CITY AL	35125-0000	HARE, DENNIS	217 WOODWARD ESTATES BESSEMER AL	35020-0000
GOMEZ, ERNESTO A	COL ALAMEDA TAMAILIPAS 302 CELAYA GT MEXICO	00000-0000	HARTMAN, LOUISE	36 ASH ST FLOREAL PARK NY	11001-0000
GONZALES & ALONSO ATTY	STE 1819 BANCO POPLAR CTR BL HATO RE PUERTO RICO	00918-0000	HAYASHIDA, JAMES	802 MAPUNAPUNA RD HONOLULU HI	96819-0000
GONZALEZ, IRMA	13 FEDERAL STREET CLIFTON NJ	07171-0000	HEINEMAN, ERIK	ERASMUS UNIVERSITY ROTTERDAM GORDELM NETHERLANDS	00000-0000
GOOD WORD INC	99 POQUINOCK AVE WINDSOR CT	06095-0000	HERNANDEZ, CAROL D	CITIL COURTS BLDG 100 HOUSTON FORT MOHTH TX	76196-0260
GOODMAN HUDNALL COHN & ABRAMS	SUITE 200 780 JOHNSON FERRY RD ATLANTA GA	30342-0000	HERNANDEZ, CECELIO R	306 NICOLAS BRAVO AILLA GONZALES TAM	

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GOODMAN HUDNALL COHN & ABRAMS	SUITE 200 780 JOHNSON FERRY RD ATLANTA GA	30342-0000	HERNANDEZ, CECELIO R	306 NICOLAS BRAVO AILLA GONZALES TAM	

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	MEXICO	FA	00000-0000
HERNANDEZ, CECILIO	306 NICOLAS BRANO VILLA GANZALES MEXICO	FA	00000-0000
HOLMES, JOHN J	112 PETUNIA AVENUE PITTSBURGH	PA	15229-0000
HOLMQUIST, GUY W	RT 4 BOX 318 NEW TAZWELL	TN	37825-0000
HOLZER, JOSEPH	APT 204 13281 E ASHBURY DR AURORA	CO	80014-0000
HOSPITAL INFANTIL DE TAMAULIPAS	CALZ GRAL LUIS CABALLERO VICTORIA MEXICO	FA	00000-0000
HOTCHANDANI, CHAND G	BELIZE COROZAL RD ORANDE WALK TOWN BELIZE	FA	00000-0000
HOTCHANDANI, NIMMU S	PO BOX 830 BELIZE CITY BELIZE	FA	00000-0000
HOTCHANDANI, SUNDER M	PO BOX 830 BELIZE CITY BELIZE	FA	00000-0000
HOWARD, GABRIELE	2818 CUERRO DRIVE NE ALBUQUERQUE	NM	37110-0000
HQ ALLIED FORCE SO EUROPE	PIAZZA POZZA OFFICE VERONA ITALY	FA	00000-0000
HSAHEMZADEH, A	GHAEM HOSPITAL MASHHAD IRAN	FA	00000-0000
HUANGWN, TIEN WEI	YUNGKANG ST F1 361 LN 23 TAIPAI TAIWAN	FA	00000-0000
HUTCHINS, ELIZABETH	507 PINE ST 3 PHILADELPHIA	PA	19106-0000

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I SHENG ENTERPRISE CO LTD	I HSUEH CHUN TAI SHAN HSIANG TAIPEI HSIEN TAIWAN	FA	00000-0000
IBM CANADA LTD	3500 STELLER AVE E 33 814 MARKHAM ONT CANADA	FA	00000-0000
INDIANA PACERS		IN	00000-0000
INOVATIVE ELECTRONICS	1600 PENNSYLVANIA AVE YORK	PA	17404-0000
INTERCITY CONSTRUCTION LTD	EDMONTON 4027 9TH ST ALBERTA CANADA	FA	00000-0000
INTERNAL REVENUE SERVICE	2ND FLOOR 841 CHESTNUT ST PHILADELPHIA	PA	19107-0000
IRS	PO BOX 57 BENSALEM	PA	19020-0000
J T BAKER CHEMICAL CO	222 RED SCHOOL LANE PHILLIPSBURG	NJ	08865-2210
JEROME MEDICAL	309 FELLOWSHIP RD MOUNT LAUREL	NJ	08054-0000
JOHNSON, JOSEPH	35 E HIGH STREET PHILADELPHIA	PA	19144-0000
JONES, ANTONIO R	7 LABETTE COURT LITTLE ROCK	AR	72205-0000
KALACANOVIC, ROSANDA	11500 VOJMISICA 166 OBRENOVAC YUGOSLAVIA	FA	00000-0000
KANSAS CITY CITY TREASURER		MO	00000-0000
KANSAS STATE OF		KS	00000-0000
KATKAT, MUSTAFA	PO BOX 621321 AMMAN JORDAN	FA	00000-0000
KATKAT, MUSTAFA	PO BOX 621321 ALSHE AYLEYAH AMMAN JORDAN	FA	00000-0000
KEYSTONE DRUG	7328 MAPLE ST		

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MADDEN CORP	99 880 IWAENA STREET AIEA	HI	96701-3202
MANAGEMENT SERVICE INC	PO BOX C 5009 WARMINSTER	PA	18971-0000
MANAGER ADS FINANCIAL PLANNING	1285 BOSTON AVE BRIDGEPORT	CT	06602-0000
MANDOZA, RICHARDO	MANAGUS	FA	00000-0000
MANOR MOTORS	R1 PENN RUN	PA	15765-0000
MAPLE GROVE PLASTICS	BOX 40 LAUDER MANITOBA CANADA	FA	00000-0000
MARLETTE, JANET	2907 WEST 34TH ST DAVENPORT	IA	52806-0000
MARLETTE, PERRY	2907 WEST 34TH ST DAVENPORT	IA	52806-0000
MARRIOT RIVER CENTER	101 BOWIE STREET SAN ANTONIO	TX	78205-0000
MARTINEZ, ROSA	CALLE Y COLONIA MONSERRAT 255 SAN SALVADOR	FA	00000-0000
MCCARTHY, REBECCA A	SHERARD	MS	38669-0000
MCGANN, B	1521 S BROADWAY CLEVELAND	TN	37311-0000
MCI TELECOMMUNICATIONS	PO BOX 371392 PITTSBURGH	PA	15250-7392
MEDICARE THE TRAVELERS	PO BOX 10046 AUGUSTA	GA	30999-0001
MERLO, A B	S 11000 ORADI SYR 405 LOMAS DIVIRREY MEXICO	FA	00000-0000
METRO LIFE INS CO	1130 N CHASE PKWY MARIETTA	GA	30067-0000

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METROMEDIA	PO BOX 13602 PHILADELPHIA	PA	19101-3602
METROPOLITAN LIFE	SUITE 4000 600 GRANT ST PITTSBURGH	PA	15219-2702
METROPOLITAN LIFE	TWO MELLON BANK CT PITTSBURGH	PA	15219-0000
METROPOLITAN LIFE INS	2130 NORTH CHASE PKWY MARIETTA	GA	30067-0000
MIDWEST SPRING CO	544 PUSEY AVE COLLINGSDALE	PA	19023-0000
MISSOURI STATE MED A		MO	00000-0000
MOLERWAY FREIGHTLINES INC		MT	00000-0000
MORRIS, ALEX	APT 56234 NE 2625 PIEDMONT ROAD ATLANTA	GA	30324-0000
MORRIS, GENEVA E	2625 PIEDMONT ROAD ATLANTA	GA	30324-0000
MORRISON, PATRICIA A	5707 CREEK BRANCH COVE AUSTIN	TX	78744-0000
MORRISON, V	3005 ESSEX ATLANTA	GA	30342-0000
MURATA, NAGAYOSHI	MINATO KU 2 6 3 SHIBA KOWN TOKYO JAPAN	FA	00000-0000
MYRDAL, RANDOLPH	3 BALA PLAZA ST BALA CYNWYD	PA	19004-0000
NATICARGA DE LA LAGUNA SADE CV	TUXPAN NO 39 DESP 702 COL ROMA SUR CP	FA	00000-0000
NATIONAL BEN FRANKLIN	2 CORP PLACE PISCATAWAY	NJ	08854-0000
NATIONAL UNION FIRE INS	EAST ORANGE STATION PO BOX 1415 EAST ORANGE	NJ	00000-0000

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NATL STUDENT NURSES ASSN	PITMAN	NJ	00000-0000	
NATSUMOTO, SAYURI	SANDA CITY OKAWASEDO NO 01409.124 HY JAPAN	PA	00000-0000	
NAVA, JUAN	973 LORLYN DR 3B	PA	00000-0000	
NEW JERSEY LAWYERS FUND	R HUGHES COMPLEX 25 W MARKET CN 961 TRENTON	NJ	08625-0000	
NEW YORK CITY FIRE DEPARTMENT		NY	00000-0000	
NEW YORK STATE INCOME TAX		NY	00000-0000	
NEW YORK STATE UNIVERSITY		NY	00000-0000	
NEW YORK TIMES SALES INCORP	PO BOX 799	OR	00000-0000	
NORMAN, KENT	1599 WALLACE ROAD LIBRARY	PA	00000-0000	
NORTH CAROLINA FOUNDATION		NC	00000-0000	
NORTHWESTERN NATIONAL	5900 PRINCESS GARDEN PKWY LANHAM	MD	20706-0000	
NOSS, MICHAEL R	3911 LEMMON AVENUE DALLAS	TX	75219-0000	
NYC HEALTH & HOSPITAL CO		NY	00000-0000	
OBREIRNE, MARY E	RR 6 BOX 202 PELL CITY	AL	35125-0000	
OETTINGER, DAVID	ST THOMAS VIRGIN ISLANDS	FA	00802-0000	
OKLAHOMA STATE MEDICAL		OK	00000-0000	
OLIVE, CAROL	2182 CARSTENSEN 109 GREENBAY	WI	54304-0000	
OLIVE, DAVID	2182 CARSTENSEN 109 GREENBAY	WI	54304-0000	

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ONCOLOGY NURSING SOCIETY	BOX 56 NORTH WOODBURY RD PITMAN	NJ	08071-0000	
ORGANIZATION PLUS	9108 GLENWOOD OVERLAND PARK	KS	66212-0000	
OTTO DRUGS	121 BADGER AVE READING	PA	19612-3455	
PANHANDLE EASTERN CO	PO BOX 2521 HOUSTON	TX	77252-2521	
PELLETIER, MARIE I	PO BOX 285 BAHAMAS	FA	00000-0000	
PEN SUPREME	1863 CHARTER LANE LANCASTER	PA	17604-0000	
PENNSYLVANIA BOARD OF LAW		PA	00000-0000	
PEOPLES NATURAL GAS	PO BOX 209 DUBOQUE	IA	52001-0000	
PETERSON, JULIE	309 DELMONT DR ATLANTA	GA	30305-0000	
PHILLIPSSMITH, BEA	311 S HARRISON AVE KIRKWOOD	MO	63122-0000	
PHILLIS, J R	22 PARKSIDE KNIGHTSBRIDGE LONDON ENGLAND	FA	00000-0000	
PIERCE, NORMAN	POSTFACH 269 8100 GARMISCH PARTEN WEST GERMANY	FA	00000-0000	
PIERSON, JEANNIE	1320 N ALLISON STREET PHILADELPHIA	PA	19103-0000	
PINTO, WILLIAM	3 SOUTH LAGAN AVE AUDUBON	NJ	08106-0000	
PIP PRINTING	3283 6TH STREET SW CEDAR RAPIDS	IA	52404-0000	
PLENTY CORP	3500 PARKWAY 730 NORCROSS	GA	30092-0000	

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POE, BRIAN H	BOX 5262 APO NEW YORK	FA	09286-0000
POE, GAIL H	BOX 5262 APO NEW YORK	FA	09286-0000
POPE, CHUCK	790 22ND ST MARION	IA	52302-0000
POST MASTER	1802 MORNINGSIDE AVE SIOUX CITY	IA	51106-0000
PRINCE, MARCELLA H	HIBERNIA	NJ	07842-0000
PRINCIPLE MUTUAL LIFE	711 HIGH STREET DES MOINES	IA	50309-0000
PROVINCE OF ST J	CANADA	FA	00000-0000
PRUDENTIAL	PO BOX 515 PITTSBURGH	PA	15230-0000
PRUDENTIAL	PO BOX 900 MT ARLINGTON	NJ	07856-0000
PUNCH PUBLICATIONS LTD	MLK 1 8Z MILTON KEYNES BUCKS ENGLAND	FA	00000-0000
PWB CIRCUITS SND BHD	15 JALAN MANGGA 6 MILES TAMPOI JOHOR MALAYSIA	FA	00000-0000
QUEENSLAND TRANSPORT	OLD G P O BOX 1412 04001 BRISBANE AUSTRALIA	FA	00000-0000
QUISQUEYA AUTO REPAIR CORP	268 MUNOZ RIVERA HATO REY PUERTO RICO	FA	00918-0000
RADIO COMMUNICATION CO	2131 NORTH TOWNE LANE NE CEDAR RAPIDS	IA	52404-0000
RADVILE SCHOOL DISTRICT 67	BOX 189 RADVILLE SASK CANADA	FA	00000-0000
RAFAEL, C S	12 JARDIN ST GUAYNABO		

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	PUERTO RICO	FA	00657-0000
RAJNA, DIMIC	11500 VOJMISICA 166 OBERNOVAC YUGOSLAVIA	FA	00000-0000
RAMIREZ, MARATHA	13303 QUITWOOD CT HOUSTON	TX	77038-0000
RANARD & SEEGER'S IMPLEMEN	HWY 298 SOUTH WAVERLY	IA	50677-0000
REEVES, WALTER L	LOT 13 2011 OLD ANDERSON RD GREENVILLE	SC	29611-0000
REFRACTORIES INSTITUTE	SUITE 1160 650 SMITHFIELD STREET PITTSBURGH	PA	15222-3907
RELATO, FLORENCIA	608 CABRAL ST EMITA MANILLA PHILLIPINES	FA	00000-0000
RELATOR, FLORENCIA	608 CABRAL ST ERMITA MANILLA PHILLIPINES	FA	00000-0000
RELIANCE INDUSTRIES	222 NARIMAN POINT BOMBAY 40002 INDIA	FA	00000-0000
RELIANCE INSURANCE	4 PENN CENTER PLAZA PHILADELPHIA	PA	19103-0000
RICHARDSON, CHAS	1656 W TIERRA BUENA 122 PHOENIX	AZ	85023-0000
RICHARDSON, GAY	1656 W TIERRA BUENA 122 PHOENIX	AZ	85023-0000
RIEGLER, ADELINE L	2226 HENRY ST MUSKEGON	MI	49440-0000
RIVERA, JULIO O	CONDO MIDTOWN 421 MUNOZ RIVERS AVE H PUERTO RICO	FA	00918-0000
RIVERA, JULIO O	SUITE 631		

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STONEFIELD, STEPHEN	1 1 3 OTEMACHI CHIYODAKN TOKYO JAPAN	FA	00000-0000
STRICKLAND, CORA	PO BOX 932 TUSCALOOSA	AL	35402-0000
SUBURBAN PROPANE	PO BOX 100264 NASHVILLE	TN	37224-0000
SWEET LIFE	PO BOX 638 WHITE RIVER	AZ	85941-0000
SWISHER, RALPJ	23500 E ALAMEDA AURORA	CO	80018-0000
SYNTHESES LTD	PO BOX 8538 662 PHILADELPHIA	PA	19171-0000
TANKA, STEPHANIE	3825 S E 31ST ST TOPEKA	KS	66605-0000
TCS MANAGEMENT GROUP INC	SUITE 800 210 25TH AVE NORTH PARKVIEW TOWER NASHVILLE	TN	00000-0000
THOMAS, CHRIS	PO BOX 37 ADAMANT	VT	05640-0000
THREE WISHES PRESS	PO BOX 81033 PITTSBURG	PA	15217-0000
TIEN MEDICAL CENTER LIBRARY	HSINTIEN TAIPEI HSIEN TAIPEI TAIWAN	FA	00000-0000
TILDEN COMMERCIAL	PO BOX 440 JERSEY CITY	NJ	07303-0000
TOMASSON, GUNNAR	HAUNBRAUT 20 KOPAVOGUR	FA	00000-0000
TRAVELERS	ONE TOWER SQUARE HARTFORD	CT	06183-6920

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TRAVELERS	PO BOX 9594 NEW HAVEN	CT	06536-0000
TRAVELERS ADMINISTRATION	PO BOX 1127 BLUE BELL	PA	19422-1127
TRAVELERS INS CO	PO BOX 3178 HARTFORD	CT	00000-0000
TRAVELERS INSURANCE	PO BOX 1535 PITTSBURG	PA	15230-0000
TRAVELERS INSURANCE	PO BOX 9806 NEW HAVEN	CT	06536-0000
TRAVELERS INSURANCE CO	PO BOX 10066 AUGUSTA	GA	30999-0000
TREADWELL, BRADLEY J	AUSTRALIA	FA	00000-0000
TRILOG INC	PO BOX 2975 HARTFORD	CT	06104-0000
TSAO SHIN ELECTRIC CO LTD	CHUNAN JENN NO 11 SHY WEI ST MIAO LI TAIWAN	FA	00000-0000
TURK TAVIPLERI BIRLIGI	MERKEZ KONSEYO BASKANLIGO TURKITE TURKEY	FA	00000-0000
TYSON FOODS INC	BOX 1144 CULLMAN	AL	35055-0000
U HAUL INTERNATIONAL	PO BOX 21502 PHOENIX	AZ	85036-1502
ULLOA, GLORIA	TEMPLO BETESDA BARRIO MANCHEN HONDOURAS	FA	00000-0000
UNIPOLY ELECTRIC CO	RM 333 3 F BLK 4 KWAI CHUNG FTY EST KOWLOON NT HONG KONG	FA	00000-0000
UNIV OF ARKANSAS		FA	00000-0000
UNIV OF MISSOURI COL		FA	00000-0000

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UNIVERSITY OF IOWA FA 00000-0000

UNIVERSITY OF PENNSYLVANIA FA 00000-0000

UNIVERSITY OF SOUTH FLORIDA FA 00000-0000

UNIVERSITY OF VIRGINIA FA 00000-0000

UPSALA COLLEGE INA 70 SIP AVENUE

JOURNAL SQUARE
JERSEY CITY NJ 07306-0000

K 46 16 S 19
SOUTH AMERICA FA 00000-0000

US WEST 925 HIGH RM 10 N 10
DES MOINES IA 50309-0000

USSR CHAMBER OF COMMERCE MOSCOW KOPIEWSKI LN
3 5 MOSCOW RUSSIA FA 00000-0000

VARADY, ROBERT 70 SIP AVENUE
JOURNAL SQUARE
JERSEY CITY NJ 07306-0000

VIGORTONE AG PRODUCTS INC 5264 COUNCIL ST NE
CEDAR RAPIDS IA 52404-0000

VIRGINIA DEPT OF TAXATION 462 GLEBEHOLME BLVD
TORONTO ONTARIO CANADA FA 00000-0000

WADDELL, JONI L 1979 JOSLYN COURT
BOULDER CO 80302-0000

WAHLSTROM & CO 1290 MAIN ST
STAMFORD CT 06902-0000

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WASHINGTON STATE OF WA 00000-0000

WEEKLEY, BEN 8706 JASON
HOUSTON TX 77074-0000

WEEKS, EMMANUEL 448 FAIRFAX
FAIRFAX AL 35064-0000

WELAND, S 1656 W TIERRA BUENA 122
PHOENIX AZ 85023-0000

WESSELHOFF, DANIEL E 1808 KATELYN
KENNETT MO 63857-0000

WEST VIRGINIA UNIV H WEST VIRGINIA UNIV H
FA 00000-0000

WESTINGHOUSE ELECTRIC CORP 750 TRUMBULL DRIVE
PITTSBURGH PA 15205-4390

WHITE AND WILLIAMS ATTY 18TH FLOOR
1 LIBERTY PLACE
PHILADELPHIA PA 19103-0000

WILLIAMS, NOREEN 1 BOGEL ST
WESTIN MA 02193-1001

WILLIAMS, RILEY 304 WALNUT LANE
PHILADELPHIA PA 19144-0000

WILSON, CHARLES 15 EDGEWOOD RD
EAST ORANGE NJ 07017-0000

WILSON, HARRIE 15 EDGEWOOD RD
EAST ORANGE NJ 07017-0000

MING WAH CHONG INVESTMENT AI A2 2 FL FORTUNE
FACTORY B CHAN WA HONG KONG FA 00000-0000

WYOMING STATE MEDICAL SCHOOL 2369 SS TRENTON WAY
DENVER CO 80231-0000

YOSHIOKA, BUNZO HIGASHI GOTAWDA

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	5 22 33 CHINAGAWA KU TOYKO JAPAN	FA	00000-0000
YOUNG, DELANO	59 SEWARD DETROIT	MI	48202-0000
YOUSEFN, HAMDY	MADENIL EL OMAL EGYPT	FA	00000-0000
YUNG I ILLUMINATION IND CO LTD	TAN TZE HSIANG TAICHUNG HSIEN TAIWAN	FA	00000-0000
ZUSIN, STEPHEN	806 5TH ST DELRAN	NJ	08075-0000

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of August 5, 1997 through August 11, 1997 and have been scheduled for review by the Committee at its September 16, 1997 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
9/18/97	<u>Department of Nuclear Safety,</u> Accrediting Persons in the Practice of Medical Radiation Technology (32 Ill Adm Code 401)	5/23/97 21 Ill Reg 6156	9/16/97
9/18/97	<u>Department of Insurance,</u> Long-Term Care Partnership Insurance (50 Ill Adm Code 2018)	3/7/97 21 Ill Reg 2890	9/16/97

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97-419

RESPECT LIFE WEEK

Whereas, the Preamble of the Constitution of the United States was designed for the people of this land to "secure the blessings of liberty to ourselves and our posterity;" and

Whereas, the Declaration of Independence states that we are endowed by our creator with the inalienable rights of life, liberty and the pursuit of happiness; and

Whereas, the Respect for Life program began as a national week of prayer and study, and the purpose of Respect Life Week is to remind the American people of the dignity of human life; and

Whereas, the Knights of Columbus, a co-sponsor of Respect Life Week, have a deep concern for children, the mentally handicapped, the disabled, the aged and the disadvantaged;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 5-12, 1997, as *RESPECT LIFE WEEK* in Illinois.

Issued by the Governor July 28, 1997.

Filed by the Secretary of State August 4, 1997.

97-420

BLACK ON BLACK LOVE (BOBL) COMMENDED

Whereas, the purpose of Black on Black Love (BOBL) is to break the cycle of crime in our society by offering programs and services which offer alternatives to this lifestyle as well as nurture self-discipline; and

Whereas, BOBL was founded in January 1983 by Edward Gardner in response to a random act of violence in which a woman was murdered; and

Whereas, BOBL has implemented numerous programs designed to help break the cycles of crime in the black community: My Sister's Keeper, which is an after care program for female ex-offenders; Chicago No Crime Day; Cook County Jail monthly programs; and the Cultural Art Center in public housing; and

Whereas, Chicago No Crime Day, the largest event sponsored by BOBL, is a citywide effort involving representatives of city agencies, law enforcement, civic and community groups, political organizations, the clergy and small and large businesses; and

Whereas, the intent of Chicago No Crime Day is to promote peace, love, respect and self-discipline as alternatives to violence and criminal acts; and

Whereas, to raise funds to support the Chicago No Crime Day, the 2nd annual Women's Prayer Breakfast "Peace Through Prayer and Action" will be held on August 2, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, commend those working to unite our communities.

Issued by the Governor July 29, 1997.

Filed by the Secretary of State August 4, 1997.

97-421

HISPANIC ILLINOIS STATE LAW ENFORCEMENT DAY

Whereas, the Hispanic Illinois State Law Enforcement Association (HISLEA) is a nonprofit organization whose primary objective is to offer support to Hispanic law enforcement officers; and

Whereas, HISLEA works closely with other Hispanic organizations to ensure that Hispanics are treated fairly and are considered for top administrative appointments; and

Whereas, HISLEA, along with the United States Marine Corps and various other police agencies, supported the Toys for Tots campaign and worked with Mujeres Latina En Accion in Domestic Violence and Child Abuse Awareness training; and

Whereas, HISLEA grants scholarships for graduating high school students pursuing a college education in law enforcement;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 6, 1997, as *HISPANIC ILLINOIS STATE LAW ENFORCEMENT DAY* in Illinois in recognition of the efforts the association has made to advance law enforcement careers and provide service to our citizens.

Issued by the Governor July 30, 1997.

Filed by the Secretary of State August 4, 1997.

97-422

ILLINOIS RECYCLES DAY

Whereas, the recycling industry in Illinois offers diverse methods for commercial use of discarded materials, thereby conserving valuable natural resources and landfill space; and

Whereas, the purchase of products made from recycled materials is a final and necessary step in the recycling process, thereby creating economic demand for collected recyclables; and

Whereas, a strong recycling industry contributes to the economic strength of the State of Illinois, provides high quality jobs and enhances the potential for export of Illinois-produced goods; and

Whereas, an efficient community-based collection and processing system provides recycled feedstock for a viable Illinois-based recycling industry; and

Whereas, recycling and waste reduction are enhanced by the implementation of innovative technologies supported by research and demonstration programs; and

Whereas, a comprehensive education program increases awareness and participation in recycling activities among students, businesses and the general public in Illinois; and

Whereas, the Solid Waste Management Act designates the Illinois Department of Commerce and Community Affairs (DCCA) with the responsibility of lead agency in implementing and encouraging development of such waste reduction and recycling programs in Illinois; and

Whereas, with DCCA's support, Illinois joins with other states in the national celebration of "America Recycles Day";

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 15, 1997, as *ILLINOIS RECYCLES DAY*. I ask all citizens, businesses, civic groups, government agencies, schools and other organizations to work together to save resources by recycling, to support recycling by purchasing items with recycled-content, and to participate in Illinois Recycles Day events as coordinated by the Illinois Department of Commerce and Community Affairs (DCCA).

Issued by the Governor July 30, 1997.

Filed by the Secretary of State August 4, 1997.

Rules acted upon during the quarter of April 1 through June 30, 1997 (Issues 17-28) are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 4401 published in Issue 40 will be listed as 50-4401-40. The letter "R" designates a rule that is being repealed. The quarterly Sections Affected Index and Cumulative Index will be published in Issue 29 (July 15); Issue 42 (October 17); and Issue 3 (January 16, 1998). Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatate@ccgate.sos.state.il.us (Internet address).

PROPOSED	83-415-31	23-2763-32	PEREMPT.	8-125-34
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	86-1910-31	23-2764-32		
	89-148-30,31	23-2765R-32		
	89-220-31	23-2765-32		
	89-230-31	23-2770R-32		
	89-240-31	23-2770-32		
	35-205-30	23-2771R-32		
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	71-2005-30			
	71-205-30			
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	77-591-34			
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