

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

Proposed Rulemakings

COLLEGE SAVINGS PLANS

The OFFICE OF THE TREASURER proposed amendments to College Savings Pool (23 IAC 2500; 41 Ill Reg 2763), updating contribution limits allowed under the federal Internal Revenue Code as well as making technical revisions and updating the rule to embrace technological developments for the program since the Part was last amended in 2006. New terms are defined, including: college savings plan (a qualified tuition program established under the Internal Revenue Code); "Investment Policy Statement" (a statement of the Treasurer setting forth the policies, objectives and guidelines governing the investment of deposits in the program); and program disclosure statement (an offering document describing college savings plans to participants

concerning opening an account and participating in plans and information required by law). Processing fees now charged by financial institutions for processing an account application are being repealed. The present application fee of \$25 remains in force. A statutory penalty fee of 10% of earnings for expenses non-educational expenses is being removed. Account balance limit procedures are being revised: first, the permissible contribution limit is being changed from a fixed amount (\$235,000) to an amount posted on the Treasurer's website or in another form that provides notice to account owners, based on a survey of the costs of education from two public and private schools within Illinois, the Midwest and nationally, for a total higher education sampling pool of at least 12 higher education institutions selected by the Treasurer.

Questions/requests for copies/comments through 4/17/17: Allan Mayer, State Treasurer, 219 State House, Springfield IL 62706, 217/557-2673, Fax: 217/785-2777, AMayer@illinoistreasurer.gov

FOSTER CARE

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES proposed an amendment to Services Delivered by the Department of Children and Family Services (89 IAC 302; 41 Ill Reg 2709) expanding eligibility for State-funded subsidized guardianship. A DCFS ward who is age 12 (currently 14) or older, lives with an unlicensed relative caregiver or licensed non-relative, and for whom neither a return home nor adoption are appropriate permanency options may qualify for State-funded subsidized

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NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.
PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.
PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.
■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.
QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.
RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Proposed Rulemakings

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guardianship if he or she does not qualify for KinGap (DCFS' subsidized guardianship program for relatives who assume legal guardianship of a child age 14 or older). A younger sibling of a child who meets these criteria and has been placed with the same caregiver may also qualify for State-funded subsidized guardianship if DCFS and the caregiver agree that the placement is appropriate.

Questions/requests for copies/comments through 4/17/17: Jeff Osowski, DCFS, 406 E. Monroe St., Station #65, Springfield IL 62701-1498, 217/524-1983, TDD 217/524-3715, fax 217/557-0692, e-mail: cfpolicy@idcfs.state.il.us

■ ACUPUNCTURISTS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed amendments to the Part titled Acupuncture Practice Act (68 IAC 1140; 41 Ill Reg 2724). These amendments update and add definitions for commonly used terms, clarify the application requirements for licensure, and correct the number of acupuncture curriculum hours required by the American Council on Acupuncture and Oriental Medicine (ACAOM). Continuing education standards are updated and a maximum of 23 hours CE credit can now be earned through self-study courses. Unprofessional conduct standards are also updated. Approved CE sponsors now

include the National Certification Commission for Acupuncture and Oriental Medicine and the American Society of Acupuncturists. Acupuncturists and acupuncture students are affected by this rulemaking.

Questions/requests for copies/comments through 4/17/17: Craig Cellini, DFPR, 320 W. Washington, 3rd Fl., Springfield IL 62786, 217/785-0813, Fax: 217/557-4451.

■ VIDEO GAMING

The ILLINOIS GAMING BOARD proposed amendments to Video Gaming (General) (11 IAC 1800; 41 Ill Reg 2751) prohibiting certain business arrangements between terminal operators and licensed video gaming locations (LVGLs) that have entered into use agreements (for the location to use the operator's terminals). Terminal operators may not employ or contract with owners or Persons with Significant Influence or Control (PSIC) of an LVGL with which it has entered into a use agreement to act as sales agents or brokers, licensed terminal handlers, or licensed technicians. Terminal operators are prohibited from owning, leasing, having an option to purchase, holding a security interest in, or managing (either alone or through an affiliated entity) an LVGL if the terminal operator has entered into a use agreement with that location. Terminal operators also may not provide any compensation to, or receive any compensation from, a LVGL with which it has entered into a use agreement, other than

the after-tax profits from video gaming provided by the Act. However, an individual who is an investor, member, shareholder, PSIC, or otherwise owner of a licensed video gaming terminal operator may also be an investor, member, shareholder, PSIC, or otherwise owner of a LVGL, provided that the terminal operator does not currently, nor will in the future, have a use agreement with, or provide video gaming terminals, directly or indirectly, to that LVGL. This rulemaking will impact video gaming terminal owners and operators.

Questions/requests for copies/comments through 4/16/17: Agostino Lorenzini, IGB, 160 N. LaSalle St., Chicago IL, 60601, 312/814-7253, e-mail: Agostino.lorenzini@igb.illinois.gov

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's March 14, 2017 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF FINANCIAL AND PROFESSIONAL REGULATION

Illinois Architecture Practice Act of 1989 (68 IAC 1150; 40 Ill Reg 15482) proposed 12/30/16

DEPT OF NATURAL RESOURCES

Sport Fishing Regulations for the Waters of Illinois (17 IAC 810; 40 Ill Reg 16514) proposed 12/30/16

Fish Salvage (17 IAC 860; 40 Ill Reg 16640) proposed 12/30/16

Forestry Development Cost-Share Program (17 IAC 1536; 40 Ill Reg 16645) proposed 12/30/16

Forestry Management Plan (17 IAC 1537; 40 Ill Reg 16680) proposed 12/30/16

DEPT OF PUBLIC HEALTH

Manufacturing, Processing, Packing or Holding of Food Code (77 IAC 730; 40 Ill Reg 13309) proposed 9/23/16

Processors of Fresh and Smoked Fish (Repealer) (77 IAC 735; 40 Ill Reg 13315) proposed 9/23/16

Processors of Cacao Products and Confectionery (Repealer) (77 IAC 738; 40 Ill Reg 13336) proposed 9/23/16

Soft Drink Manufacturers (Repealer) (77 IAC 740; 40 Ill Reg 13358) proposed 9/23/16

Sanitary Vending of Food and Beverages (Repealer) (77 IAC 743; 40 Ill Reg 13381) proposed 9/23/16

DEPT OF REVENUE

Income Tax (86 IAC 100; 40 Ill Reg 16181) proposed 12/27/16

OFFICE OF THE STATE FIRE MARSHAL

Policy and Procedures Manual for Fire Protection Personnel (41 IAC 141; 40 Ill Reg 15482) proposed 11/18/16

SECRETARY OF STATE

Illinois State Library, Library Operations Division (23 IAC 3010; 40 Ill Reg 16117) proposed 12/16/16

Illinois State Library, Government Documents Section (23 IAC 3020; 40 Ill Reg 16122) proposed 12/16/16

STATE BOARD OF EDUCATION

Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 40 Ill Reg 15915) proposed 12/2/16