



Sen. Terry Link

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1 AMENDMENT TO SENATE BILL 254

2 AMENDMENT NO. _____. Amend Senate Bill 254 by replacing
3 everything after the enacting clause with the following:

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

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

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 6. Water Well and Pump Installation Contractors
10 Licensing Board; Closed Loop Well Contractors Certification
11 Board.

12 (a) There is created in the Department the Water Well and
13 Pump Installation Contractors Licensing Board which shall
14 exercise its duties provided in this Act under the supervision
15 of the Department. The Water Well and Pump Installation
16 Contractors Licensing Board shall consist of 6 members,

1 designated from time to time by the Director. Two members shall
2 be licensed water well contractors, two members shall be
3 licensed water well pump installation contractors, and two
4 members shall be licensed water well and pump installation
5 contractors. In making the appointments to the Water Well and
6 Pump Installation Contractors Licensing Board, the Director
7 shall consider the recommendation of the Illinois Association
8 of Groundwater Professionals or a successor organization.

9 The members of the Water Well and Pump Installation
10 Contractors Licensing Board shall be reimbursed for necessary
11 traveling expenses in accordance with travel regulations
12 prescribed by the Department of Finance.

13 The Water Well and Pump Installation Contractors Licensing
14 Board shall advise and aid the Director in:

15 (1) ~~(a)~~ preparing subject matter for continuing
16 education sessions and examinations to test the knowledge
17 and skills of applicants for license in the construction,
18 installation and repair of water wells, well pumps, water
19 pressure storage tanks, connecting piping and related
20 appurtenances, including proper sealing of abandoned water
21 wells, and the rules and regulations of the Department
22 promulgated pursuant to the Illinois Pump Installation
23 Code Law and the Illinois Water Well Construction Code Law;

24 (2) ~~(b)~~ promulgating rules to govern the number of
25 hours of continuing education required for a continuing
26 education session, examinations, hearings for suspension

1 or revocation of or refusal to issue or renew a license,
2 clarifying the law as it relates to water well and pump
3 installation contracting;

4 (3) ~~(e)~~ holding examinations of applicants for license
5 at least once a year prior to November 1st in each year;

6 (4) ~~(d)~~ holding hearings for the revocation or
7 suspension of, or refusal to issue, renew or reinstate
8 licenses;

9 (5) ~~(e)~~ submitting recommendations to the Director
10 from time to time for the efficient administration of this
11 Act;

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

14 (7) ~~(g)~~ performing such other duties from time to time
15 prescribed by the Director; and -

16 (8) conferring with the Closed Loop Well Contractors
17 Certification Board regarding the installation of closed
18 loop wells. For purposes of this item (8), the term "closed
19 loop well" shall be limited to the construction of the bore
20 hole and the grouting of the bore hole.

21 (b) There is created in the Department the Closed Loop Well
22 Contractors Certification Board, which shall exercise its
23 duties provided in this Act under the supervision of the
24 Department. The Closed Loop Well Contractors Certification
25 Board shall consist of 6 members, designated from time to time
26 by the Director. The 6 members must be closed loop well

1 contractors who are registered under this Act. In making
2 appointments to the Closed Loop Well Contractors Certification
3 Board, the Director shall consider the recommendations of the
4 Geothermal Alliance of Illinois, or its successor
5 organization. Recommendations shall include consideration of
6 statewide geographical representation.

7 The members of the Closed Loop Well Contractors
8 Certification Board shall be reimbursed for necessary
9 traveling expenses in accordance with travel regulations
10 prescribed by the Governor's Travel Control Board.

11 The Closed Loop Well Contractors Certification Board shall
12 advise and aid the Director in:

13 (1) preparing subject matter for continuing education
14 sessions relating to closed loop wells and closed loop well
15 systems, and preparing examinations to test the knowledge
16 and skills of applicants for certification relating to the
17 construction, installation, and repair of closed loop
18 wells and closed loop well systems and the rules and
19 regulations of the Department promulgated pursuant to this
20 Act for closed loop wells and closed loop well systems;

21 (2) promulgating rules relating to (i) closed loop
22 wells and closed loop well systems, (ii) continuing
23 education requirements, (iii) examinations, (iv) hearings
24 for suspension or revocation of or refusal to issue or
25 renew a certification, and (v) the installation of closed
26 loop wells and closed loop well systems;

1 (3) holding examinations of applicants for
2 certification at least once a year prior to November 1st in
3 each year;

4 (4) holding hearings for the revocation or suspension
5 of, or refusal to issue, renew, or reinstate,
6 certifications;

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

9 (6) grading all tests and examinations for
10 certifications, and promptly reporting the results to the
11 Director;

12 (7) performing such other duties as may be from time to
13 time prescribed by the Director; and

14 (8) conferring with the Water Well and Pump
15 Installation Contractors Licensing Board regarding the
16 installation of closed loop wells. For purposes of this
17 item (8), the term "closed loop well" shall be limited to
18 the construction of the bore hole and the grouting of the
19 bore hole.

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

21 (225 ILCS 345/13) (from Ch. 111, par. 7114)

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

23 Sec. 13. The fee to be paid by an applicant for an
24 examination to determine his fitness to receive a license as a
25 water well contractor is \$50.

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

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

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

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

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

17 The fee to be paid by an applicant for restoration of a
18 water well contractor's license or water well pump installation
19 contractor's license which has lapsed more than three years is
20 \$150.

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

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

1 There shall be no reduction in such fees because a license
2 when issued may be valid for less time than a full license
3 year.

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

5 Section 10. The Illinois Water Well Construction Code is
6 amended by changing Sections 3, 5, and 6 and by adding Sections
7 9.1, 9.2, and 9.3 as follows:

8 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

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

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

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

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

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

21 (e) "Water well" means any excavation that is drilled,
22 cored, bored, washed, driven, dug, jetted or otherwise
23 constructed when the intended use of such excavation is for the
24 location, diversion, artificial recharge, or acquisition of

1 ground water, but such term does not include an excavation made
2 for the purpose of obtaining or prospecting for oil, natural
3 gas, minerals or products of mining or quarrying or for
4 inserting media to repressure oil or natural gas bearing
5 formation or for storing petroleum, natural gas or other
6 products or for observation or any other purpose in connection
7 with the development or operation of a gas storage project.

8 (f) "Public water system", "community water system",
9 "non-community water system", "semi-private water system" and
10 "private water system" have the meanings ascribed to them in
11 the Illinois Groundwater Protection Act.

12 (g) "Potential route", "potential primary source" and
13 "potential secondary source" have the meanings ascribed to them
14 in the Environmental Protection Act.

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

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

20 (j) "Closed loop well contractor" means any person who
21 installs closed loop wells for another person. "Closed loop
22 well contractor" does not include the employee of a closed loop
23 contractor.

24 (k) "Horizontal closed loop well" means a closed loop well
25 constructed to contain horizontal piping and the installation
26 and grouting of the horizontal piping not exceeding 20 feet in

1 depth and the connection to the horizontal header of the closed
2 loop cooling and heating system.

3 (l) "Vertical closed loop well" means a closed loop well
4 constructed to contain vertical piping and the installation and
5 grouting of the vertical piping exceeding 20 feet in depth and
6 the connection to the horizontal header of the closed loop
7 cooling and heating system.

8 (m) "Closed loop well system" means the entire system
9 containing the horizontal closed loop well or wells, the
10 vertical closed loop well or wells, the header piping, the
11 heating and cooling equipment, and the connections to the
12 heating and cooling equipment.

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

14 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

15 Sec. 5. Department powers and duties.

16 The Department has general supervision and authority over
17 the location, construction and modification of water wells,
18 closed loop wells and monitoring wells and for the
19 administration of this Act. With respect thereto it shall:

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

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

25 (b-5) Commencing no later than January 1, 2010, issue

1 permits for the construction and modification of closed loop
2 well systems; and

3 (c) Exercise such other powers as are practical and
4 reasonably necessary to carry out and enforce the provisions of
5 this Act.

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

7 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

8 Sec. 6. Rules and regulations. The Department shall adopt
9 and amend rules and regulations reasonably necessary to
10 effectuate the policy declared by this Act. Such rules and
11 regulations shall provide criteria for the proper location and
12 construction of any water well, closed loop well, or monitoring
13 well and shall, no later than January 1, 1988, provide for the
14 issuance of permits for the construction and operation of water
15 wells other than community public water systems, ~~closed loop~~
16 ~~wells~~ and monitoring wells. The Department shall by regulation
17 require a one time fee, not to exceed \$100, for permits for
18 construction of water wells and for permits for the
19 construction of closed loop well systems. Water well and closed
20 loop well system construction permit fees shall be for the
21 purpose of reviewing the water well or closed loop well system
22 permit application and for the issuance of the permit issued
23 ~~under the authority of this Act.~~

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

1 (415 ILCS 30/9.1 new)

2 Sec. 9.1. Closed loop well contractor certification.

3 (a) On or before January 1, 2010, the Department shall
4 issue closed loop well contractor certificates to those
5 applicants who are qualified and have successfully passed the
6 Department's closed loop well contractor's certification exam.
7 Application for certification as a closed loop well contractor
8 must be made to the Department in writing and under oath or
9 affirmation upon forms prescribed and furnished by the
10 Department. Applications may require any information the
11 Department deems necessary in order to carry out the provisions
12 of this Act. The Department shall collect a \$50 fee for the
13 closed loop contractor's qualification exam.

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

19 (c) Any person who only installs horizontal closed loop
20 wells using the open trench method shall be exempt from
21 certification under this Section.

22 (415 ILCS 30/9.2 new)

23 Sec. 9.2. Closed loop well contractor registration.

24 (a) Beginning on January 1, 2010, no person may engage in
25 the occupation of a closed loop well contractor unless he or

1 she holds a valid certificate of registration as a closed loop
2 well contractor issued by the Department.

3 (b) All closed loop well contractors doing business in this
4 State must annually file an application for registration with
5 the Department.

6 (c) All applications filed for registration under this
7 Section before November 1, 2010 must be accompanied by
8 verification of the certification of the applicant by the
9 International Ground Source Heat Pump Association, or a
10 successor organization, as a closed loop well contractor and
11 the applicant must submit proof of certification under Section
12 9.1 of this Act, unless specifically exempt from certification
13 in Section 9.1 of this Act, before November 1, 2010.

14 (d) All applications filed for registration under this
15 Section on or after November 1, 2010 must be accompanied by
16 verification of the certification of the applicant by the
17 International Ground Source Heat Pump Association, or a
18 successor organization, as a closed loop well contractor and
19 proof of certification under Section 9.1 of this Act, unless
20 specifically exempt from certification in Section 9.1 of this
21 Act.

22 (e) Certificates of registration issued under this Section
23 shall expire and must be renewed on an annual basis.

24 (f) The Department shall collect an annual fee of \$25.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".