FISCAL NOTE PUBLIC COST

I. RULE NUMBER

Rule Number and Name:	10 CSR 20-7.031 Water Quality Standards	
Type of Rulemaking:	Proposed Amendment	

This rulemaking includes revisions that ensure that state water quality standards (WQS) are functionally equivalent to federal standards and that improve the clarity, specificity and effectiveness of the rule. In summary, the revisions include the following:

<u>Waters of the State Definition</u>: The proposed rule revises the definition of "Waters of the state" at 10 CSR 20-7.031(1)(DD) to reference the definition in state statute. The proposed rule revision is a result of legislation (2015 HB 92) passed to change the definition of waters of the state in Missouri statute [RSMo 644.016(27)]. This item is included to ensure consistency between state regulation and state statute.

Mixing Zones and Zones of Initial Dilution: The proposed rule clarifies the physical dimensions and requirements for mixing zones and zones of initial dilution at higher stream flows. The revision updates the rule at 10 CSR 20-7.031(5)(A)4.B.(III) to allow site-specific mixing zone determinations at stream 7Q10 low flows greater than 20 cubic feet per second. This item was requested by stakeholders.

<u>Hardness</u>: The proposed rule changes the hardness derivation methodology from a twenty-fifth percentile to a median. This revision would change the definition and derivation methodology for hardness at 10 CSR 20-7.031(1)(BB) from a lower quartile (twenty-fifth percentile) to a median (fiftieth percentile) value. The revision also clarifies that hardness values will be considered representative if collected from similar waters within the same ecoregion. This item was requested in part by stakeholders and part of the triennial review.

<u>pH</u>: The proposed revision to specific criteria for pH at 10 CSR 20-7.031(5)(E) clarifies the criteria shall be considered a four-day average concentration of representative samples. The revision further clarifies that the specific criteria for pH are chronic toxicity criteria. This item was requested by stakeholders.

General Criteria Revisions: The proposed rule includes two revisions to the general (narrative) criteria at 10 CSR 20-7.031(4). One revision would update the rule at 10 CSR 20-7.031(4)(D) to clarify that acute toxicity may be allowed by permit in zones of initial dilution and that chronic toxicity may be allowed by permit in mixing zones. This item was requested by stakeholders. The second general criteria revision adds a section at 10 CSR 20-7.031(4)(E) to ensure protections for downstream uses are included in the water quality standards as required by the federal clean water act. This item is included as part of the triennial review.

Antidegradation Implementation Procedure: The proposed revision updates reference to Missouri's Antidegradation Implementation Procedure (AIP) at 10 CSR 20-7.031(3)(D). The updated rule language references the approval date of the AIP by the Missouri Clean Water Commission on July 13, 2016. Revisions to the AIP were required following notification by the Environmental Protection Agency (EPA) that the *de minimis* provision in Missouri's AIP makes no distinction between bioaccumulative versus non-bioaccumulative pollutants. This item is included as part of the triennial review.

Losing Stream Reference and Table J: The proposed revision updates the definition of 'Losing Stream' at 10 CSR 20-7.031(1)(N) to remove reference to Table J and include reference to the digital geospatial dataset 'Losing Stream' developed by the Missouri Department of Natural Resources, Missouri Geological Survey. This revision would also remove all entries from Table J and rename the table for approved variances. This item was requested by the Missouri Geological Survey and is included as part of the triennial review.

Modify Table K, Site-Specific Criteria: In its current form, Table K of 10 CSR 20-7.031 contains disapproved or expired site-specific criteria for dissolved oxygen. The proposed revision modifies Table K to remove disapproved or expired site-specific criteria. The revision also includes placeholder language for site-specific criteria that may be developed in the future. This item is included as part of the triennial review.

Missouri Use Designation Dataset (MUDD) Update: The Missouri Use Designation Dataset (MUDD) was first adopted on November 6, 2013. This MUDD update contains revisions that use more accurate GIS data to refine the delineation of start and end points of water body features, update and incorporate water body features according to 10 CSR 20-7.031(2), and recalculate stream mileages and lake acreages. This item is included as part of the triennial review.

Section 304(a) Water Quality Criteria: Additions and/or revisions to specific ambient water quality criteria are recommended based on a review of EPA national criteria developed pursuant to Section 304(a) of the federal Clean Water Act. These modifications would bring Missouri's water quality standards up-to-date with many of the latest EPA national recommended water quality criteria. Water quality criteria updates for aluminum, ammonia, acute cadmium, manganese, and bacteria/pathogens will be deferred to the next rulemaking due to staff and/or data limitations. Changes in the layout and format of the existing water quality criteria table (Table A) are needed in order to accommodate the Section 304(a) criteria revisions. Additional revisions are also needed to 10 CSR 20-7.031(5)(M) to incorporate default values for risk-based calculations used in development of Section 304(a) criteria for the protection of human health. This item is included as part of the triennial review.

Numeric Nutrient Criteria for Lakes: In August 2011, the EPA disapproved the majority of Missouri's numeric nutrient criteria (NNC) for lakes at 10 CSR 20-7.031(3)(N), citing concerns in regard to scientific rigor, reproducibility, and connection to designated uses (US EPA, 2011). The Missouri Department of Natural Resources, with the input of stakeholders, is proposing revised NNC for lakes and providing improved scientific rationale for criteria development while strengthening the link between the criteria and the designated uses of lake waters. It was decided

through the Water Protection Forum that aquatic habitat protection would be the focus of the current NNC effort. NNC for recreational uses will be pursued during a future rulemaking. The proposed water quality standards rule includes numeric chlorophyll-a (Chl-a) criteria for lakes based on location. These criteria will apply to all lakes assigned designated uses in the Missouri Use Designation Dataset, with the exception of lakes located in the big river floodplains. Criteria for these lakes, as well as rivers and streams, will be addressed in a future rulemaking. This item is included to respond to an EPA disapproval.

<u>Disapproved Site-Specific Criteria and Variance Language</u>: These revisions remove, update or clarify specific phrases disapproved by EPA in their November 17, 2015 decision letter to the department. This includes language at 10 CSR 20-7.031(5)(A) concerning ephemeral waters, 10 CSR 20-7.031(5)(S)3. concerning site-specific criteria, and 10 CSR 20-7.031(12) regarding water quality standards variances. Reference to the Missouri Multiple-Discharger Variance framework will also be added to the section on water quality standards variances to allow the department to use the framework for Clean Water Act purposes. These items are included as part of the triennial review.

II. SUMMARY OF FISCAL IMPACT

This proposed amendment will cost public entities up to \$35,930,000 in the aggregate for the construction of wastewater treatment system upgrades. In addition, public entities will pay up to \$2,984,000 in the aggregate annually for system operation, maintenance and reporting. It is anticipated that the operation, maintenance and reporting costs will recur over the life of the rule and will vary with inflation. The majority of costs to public entities are from implementation of numeric nutrient criteria for lakes and reservoirs; all other revisions are not anticipated to cost public entities.

Implementation of numeric nutrient criteria for lakes and reservoirs

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule.	Classification by types of the business entities which would likely be affected.	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
7 facilities may be required to install treatment processes for biological and/or chemical nutrient removal	Publicly owned facilities operating domestic wastewater treatment facilities (WWTFs) under a state discharge permit. Examples include: municipal and government-owned facilities with wastewater	Construction Cost = \$35,930,000 Annual Operation & Maintenance (O&M) Cost = \$2,984,000 - see further breakdown of costs in worksheets below -
1 facility	Public facilities that do not presently remove nutrients from their wastewater discharges with design flows of less than or equal to 0.05 million gallons per day (mgd)	Construction Cost = \$2,020,000 Annual O&M Cost = \$199,000
4 facilities	Public facilities that do not presently remove nutrients from their wastewater discharges with design flows of greater than 0.05 mgd but less than or equal to 1.0 mgd	Construction Cost = \$12,590,000 Annual O&M Cost = \$1,161,000
2 facilities	Public facilities that do not presently remove nutrients from their wastewater discharges with design flows of greater than 1.0 mgd but less than or equal to 20.0 mgd	Construction Cost = \$21,320,000 Annual O&M Cost = \$1,624,000
0 facility	Public facilities that do not presently remove nutrients from their wastewater discharges with design flows of greater than 20.0 mgd	\$0

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III. WORKSHEET

Cost estimates for nutrient removal were derived using EPA's Computer Assisted Procedure for the Design and Evaluation of Wastewater Treatment Systems (CAPDET). The low and high cost estimates for public facilities to comply with biological and/or chemical nutrient removal under the proposed rule were developed for the facility upgrade scenarios found in Table 1 below using the assumptions found in Table 2, Section IV Assumptions.

An analysis of the estimated economic cost of implementing numeric nutrient criteria for lakes using the CAPDETS model was performed in support of this RIR. Assumptions used in the model are described below, with specific expense assumptions found in Appendix A, Table 3.

1) Capital Installation and Operation and Maintenance (O&M) costs were estimated from CAPDETWorks models developed by Tetra Tech. Total installation capital costs and annual O&M costs were developed for four scenarios representing widely available nutrient reduction technologies. Scenario descriptions for each nutrient reduction technology can be found below.

It is important to note that CAPDETWorks is mainly designed to assess systems with larger design flows (>0.1 MGD); estimates for smaller systems (\leq 0.1 MGD) are likely overstated. Since the overwhelming majority of treatment systems are smaller systems, it is expected that total cost estimates for each scenario are overstated, and that actual total costs may be considerably lower.

- 2) Operation and maintenance includes chemical input, repairs, and lab analyses.
- 3) Estimates do not account for specific waste load allocations required by TMDLs or other situations
- 4) Upgrade scenarios considered in the CAPDETWorks analysis are listed in Table 1.

Table 1: Facility upgrade scenarios

Unarada		Total	Total
Upgrade Scenario #	Scenario Description	Phosphorus	Nitrogen
Scenario #		(mg/L)	(mg/L)
1	Addition of anoxic basin to existing aeration process	0.5	8
1	without filtration	0.5	o
2	Addition of anoxic basin to existing aeration process	0.5	Q
2	with filtration	0.5	0
3	Addition of anoxic basin and chemical phosphorus	1	10
3	removal to existing aeration process without filtration ¹	1	10
4	Addition of anoxic basin and chemical phosphorus	0.5	10
4	removal to existing aeration process with filtration ²	0.5	10

¹ Use of this scenario statewide includes application of Scenario 1 in the Table Rock Lake and Lake Taneycomo watersheds.

² Use pf this scenario statewide includes application of Scenario 2 in the Table Rock Lake and Lake Taneycomo watersheds.

IV. ASSUMPTIONS

The costs assume that upgrades will be accomplished over a multi-year period, depending on the complexity and type of installation. Installation of simple chemical nutrient removal may only require a year to complete, but more complex installations where additional anoxic basin capacity is needed may take longer. Because most facilities will be allowed a schedule of compliance consistent with federal regulation, the estimated cost will likely be incurred over a multi-year period.

Table 2. Assumptions for Unit Costs for CAPDETS analysis

Description	Value	Units
Building Cost	110	\$/ft ²
Excavation	8	\$/yd ³
Wall Concrete	650	\$/yd ³
Slab Concrete	350	\$/yd ³
Crane Rental	250	\$/hr
Canopy Roof	20	ft^2
Electricity	0.10	\$/kWh
Hand Rail	75	\$/ft
Land Costs	0	\$/acre
Construction Labor Rate	40	\$/hr
Operator Labor Rate	25	\$/hr
Administration Labor Rate	20	\$/hr
Laboratory Labor Rate	25	\$/hr
Hydrated Lime [Ca(OH) ²]	0.18	\$/lb
Interest Rate (Public facility)	1	%
Interest Rate (Private facility)	5	%
Construction Period	3	yr
Operating Life of Plane	20	yr
Engineering Design Fee	10	%
Miscellaneous	5	%
Administration/ Legal	2	%
Inspection	2	%
Contingency	10	%
Technical	2	%
Profit and Overhead	2	%
Structural Life	20	yr
Mechanical Life	20	yr
Pump Replacement	10	yr
Filter Replacement	10	yr
Distance to haul sludge	20	mi
Sludge disposal cost	125	\$/yd ³

FISCAL NOTE PRIVATE COST

I. RULE NUMBER

Rule Number and Name:	10 CSR 20-7.031 Water Quality Standards	
Type of Rulemaking:	Proposed Amendment	

This rulemaking includes revisions that ensure that state water quality standards (WQS) are functionally equivalent to federal standards and that improve the clarity, specificity and effectiveness of the rule. In summary, the revisions include the following:

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<u>Hardness</u>: The proposed rule changes the hardness derivation methodology from a twenty-fifth percentile to a median. This revision would change the definition and derivation methodology for hardness at 10 CSR 20-7.031(1)(BB) from a lower quartile (twenty-fifth percentile) to a median (fiftieth percentile) value. The revision also clarifies that hardness values will be considered representative if collected from similar waters within the same ecoregion. This item was requested in part by stakeholders and part of the triennial review.

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through the Water Protection Forum that aquatic habitat protection would be the focus of the current NNC effort. NNC for recreational uses will be pursued during a future rulemaking. The proposed water quality standards rule includes numeric chlorophyll-a (Chl-a) criteria for lakes based on location. These criteria will apply to all lakes assigned designated uses in the Missouri Use Designation Dataset, with the exception of lakes located in the big river floodplains. Criteria for these lakes, as well as rivers and streams, will be addressed in a future rulemaking. This item is included to respond to an EPA disapproval.

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II. SUMMARY OF FISCAL IMPACT

This proposed amendment will cost private entities up to \$40,090,000 in the aggregate for the construction of wastewater treatment system upgrades. In addition, private entities will pay up to \$4,117,000 in the aggregate annually for system operation, maintenance and reporting. It is anticipated that the operation, maintenance and reporting costs will recur over the life of the rule and will vary with inflation. The majority of costs to public entities are from implementation of numeric nutrient criteria for lakes and reservoirs; all other revisions are not anticipated to cost public entities.

Implementation of numeric nutrient criteria for lakes and reservoirs

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule.	Classification by types of the business entities which would likely be affected.	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
23 facilities may be required to install treatment processes for biological and/or chemical nutrient removal	Privately owned facilities operating domestic wastewater treatment facilities (WWTFs) under a state discharge permit. Examples include: restaurants, resorts, service stations, and other private businesses operating a permitted domestic sewage treatment system.	Construction Cost = \$40,090,000 Annual Operation and Maintenance (O&M) Cost = \$4,117,000 - see further breakdown of costs in worksheets below -
22 facilities	Private facilities that do not presently remove nutrients from their wastewater discharges with design flows of less than or equal to 0.05 million gallons per day (mgd)	Construction Cost = \$36,600,000 Annual O&M Cost = \$3,802,000
1 facilities	Private facilities that do not presently remove nutrients from their wastewater discharges with design flows of greater than 0.05 mgd but less than or equal to 1.0 mgd	Construction Cost = \$3,490,000 Annual O&M Cost = \$315,000
0 facilities	Private facilities that do not presently remove nutrients from their wastewater discharges with design flows of greater than 1.0 mgd but less than or equal to 20.0 mgd	\$0
0 facilities	Private facilities that do not presently remove nutrients from their wastewater discharges with design flows of greater than 20.0 mgd	\$0

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III. WORKSHEET

Cost estimates for nutrient removal were derived using EPA's Computer Assisted Procedure for the Design and Evaluation of Wastewater Treatment Systems (CAPDET). The low and high cost estimates for public facilities to comply with biological and/or chemical nutrient removal under the proposed rule were developed for the facility upgrade scenarios found in Table 1 below using the assumptions found in Table 2, Section IV Assumptions.

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 Capital Installation and Operation and Maintenance (O&M) costs were estimated from CAPDETWorks models developed by Tetra Tech. Total installation capital costs and annual O&M costs were developed for four scenarios representing widely available nutrient reduction technologies. Scenario descriptions for each nutrient reduction technology can be found below.

It is important to note that CAPDETWorks is mainly designed to assess systems with larger design flows (>0.1 MGD); estimates for smaller systems (\leq 0.1 MGD) are likely overstated. Since the overwhelming majority of treatment systems are smaller systems, it is expected that total cost estimates for each scenario are overstated, and that actual total costs may be considerably lower.

- 2) Operation and maintenance includes chemical input, repairs, and lab analyses.
- 3) Estimates do not account for specific waste load allocations required by TMDLs or other situations
- 4) Upgrade scenarios considered in the CAPDETWorks analysis are listed in Table 1.

Table 1: Facility upgrade scenarios

Upgrade Scenario #	Scenario Description	Total Phosphorus (mg/L)	Total Nitrogen (mg/L)
1	Addition of anoxic basin to existing aeration process without filtration	0.5	8
2	Addition of anoxic basin to existing aeration process with filtration	0.5	8
3	Addition of anoxic basin and chemical phosphorus removal to existing aeration process without filtration ¹	1	10
4	Addition of anoxic basin and chemical phosphorus removal to existing aeration process with filtration ²	0.5	10

¹ Use of this scenario statewide includes application of Scenario 1 in the Table Rock Lake and Lake Taneycomo watersheds.

² Use pf this scenario statewide includes application of Scenario 2 in the Table Rock Lake and Lake Taneycomo watersheds.

IV. ASSUMPTIONS

The costs assume that upgrades will be accomplished over a multi-year period, depending on the complexity and type of installation. Installation of simple chemical nutrient removal may only require a year to complete, but more complex installations where additional anoxic basin capacity is needed may take longer. Because most facilities will be allowed a schedule of compliance consistent with federal regulation, the estimated cost will likely be incurred over a multi-year period.

Table 2. Assumptions for Unit Costs for CAPDETS analysis

Description	Value	Units
Building Cost	110	\$/ft ²
Excavation	8	\$/yd ³
Wall Concrete	650	\$/yd ³
Slab Concrete	350	\$/yd ³
Crane Rental	250	\$/hr
Canopy Roof	20	\$/ft ²
Electricity	0.10	\$/kWh
Hand Rail	75	\$/ft
Land Costs	0	\$/acre
Construction Labor Rate	40	\$/hr
Operator Labor Rate	25	\$/hr
Administration Labor Rate	20	\$/hr
Laboratory Labor Rate	25	\$/hr
Hydrated Lime [Ca(OH) ²]	0.18	\$/lb
Interest Rate (Public facility)	1	%
Interest Rate (Private facility)	5	%
Construction Period	3	yr
Operating Life of Plane	20	yr
Engineering Design Fee	10	%
Miscellaneous	5	%
Administration/ Legal	2	%
Inspection	2	%
Contingency	10	%
Technical	2	%
Profit and Overhead	2	%
Structural Life	20	yr
Mechanical Life	20	yr
Pump Replacement	10	yr
Filter Replacement	10	yr
Distance to haul sludge	20	mi
Sludge disposal cost	125	\$/yd ³

Title 16—RETIREMENT SYSTEMS Division 10—The Public School Retirement System of Missouri Chapter 5—Retirement, Options and Benefits

PROPOSED AMENDMENT

16 CSR 10-5.010 Service Retirement. The Public School Retirement System of Missouri is amending sections (6) and (16) and adding section (20).

PURPOSE: These amendments apply working after retirement rules to certain retirees who are employed by a third party or working as independent contractors, extend the time limit for certain retirees to name a new spouse as beneficiary, and add a divorce pop-up option to certain retirees. The proposed amendments are necessary due to recent amendments made to sections 169.560 and 169.141, RSMo.

(6) Part-time employment is any employment which is less than fulltime. Temporary-substitute employment is any employment either in a position held by a regularly employed person who is temporarily absent or in a position which is temporarily vacant. A retired member may be employed by a district included in the system to serve on a part-time or temporary-substitute basis in any capacity not to exceed five hundred fifty (550) hours in any one (1) school year and through such employment may earn an amount not in excess of the compensation limit set forth in this rule and section 169.560, RSMo, without a discontinuance of the retired member's retirement allowance. The limit on compensation shall be determined as set forth in section 169.560, RSMo. If the position or positions did not previously exist, a retired member may earn up to fifty percent (50%) of the annual compensation payable for the position within the district that is most comparable to the position filled by the retired member without exceeding the compensation limit. If such employment exceeds either the limitation on hours worked or the limitation on compensation, payment of benefits to the retired member shall cease until the employment terminates or a new school year begins. The provisions above shall apply to any person retired and currently receiving a retirement allowance under sections 169.010, RSMo to 169.141, RSMo who is employed by a third party or is performing work as an independent contractor, if such person is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any position that would normally require that person to be duly certificated by the Missouri Department of Elementary and Secondary Education if such person was employed by the district. The retirement system may require the district, the third-party employer, the independent contractor, and the retiree, subject to this section, to provide documentation showing compliance with this section. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this section. This rule shall not apply to employment with a state college, a state university, or any state agency. The employer covered by the Public School Retirement System of Missouri, the third-party employer, the independent contractor, and the retiree shall maintain a log of all dates worked, hours worked, wage earned, and the employer. The employer covered by the Public School Retirement System of Missouri, the third-party employer, the independent contractor, and retiree shall provide a copy of the work log upon request of retirement system.

Employee Name:		School Year:	
Date Worked	Hours Worked	Wage Earned	Employer

The working after retirement limits set forth in section 169.560, RSMo, shall be applied on a pro rata basis as provided below to a

retiree's hours of work during the school year in which the retiree's date of retirement is effective.

	Hours allowed after retirement
Effective date of retirement	for school year
July 1	550
August 1	504
September 1	458
October 1	413
November 1	367
December 1	321
January 1	275
February 1	229
March 1	183
April 1	138
May 1	92
June 1	0

The working after retirement limits set forth in section 169.560, RSMo, shall be applied on a pro rata basis as provided below to a retiree's base salary to determine the retiree's earnings limit during the school year in which the retiree's date of retirement is effective.

Effective date of retirement	Percentage of base salary allowed after retirement for school year
July 1	50%
August 1	46%
September 1	42%
October 1	38%
November 1	33%
December 1	29%
January 1	25%
February 1	21%
March 1	17%
April 1	13%
May 1	8%
June 1	0%

- (16) Any actuarial adjustment to a retirement allowance payment made because of the nomination of a successor beneficiary as provided in 169.141, RSMo, shall take effect in the month a properly completed nomination of successor beneficiary form is received by the Retirement System or the month of the retiree's marriage to the successor beneficiary, whichever occurs later. The nomination of a successor beneficiary shall be effective immediately upon receipt by the Retirement System of the properly completed nomination of successor beneficiary form or the date of the retiree's marriage to the successor beneficiary, whichever occurs later. Effective August 28, 2017, the properly completed nomination of a successor beneficiary form submitted pursuant to section 169.141, RSMo must be received by the Retirement System within one (1) year of remarriage of the retirement member and the new spouse.
- (20) Any member receiving a retirement allowance from the Public School Retirement System of Missouri who elected a reduced retirement allowance under subsection 3 of section 169.070, RSMo who, at the time of that election, named his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected Option 1 if the following requirements are met:
- (A) The marriage of the retired member and the nominated spouse must be dissolved on or after September 1, 2017. A dissolution that occurred prior to September 1, 2017 that is modified or amended on or after September 1, 2017 shall not satisfy the requirement that the marriage be dissolved on or after

September 1, 2017;

- (B) The retired member and the nominated spouse must have been married at the time of the election of the reduced retirement allowance under subsection 3 of section 169.070, RSMo;
- (C) The dissolution decree must clearly provide for sole retention by the retired member of all rights in the retirement allowance to the satisfaction of the Public School Retirement System of Missouri;
- (D) In order to receive the increased retirement allowance, a retired member who elected a term certain plan under subsection 3 of section 169.070, RSMo must have named his or her spouse as the primary beneficiary at the time of retirement. The increased retirement allowance shall continue for the remainder of the retired member's lifetime and no provisions of the term certain plan shall continue to apply to the retired member. All beneficiaries nominated by the retired member under the term certain plan shall be void, and the retired member must name new beneficiaries for any accumulated contributions payable upon the retired member's death. The retired member shall not be eligible to nominate a new spouse pursuant to section 169.141, RSMo; and
- (E) Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section. The increased retirement allowance will be paid prospectively only after receipt of the application and certified copy of the decree of dissolution. No retroactive benefits will be paid.

AUTHORITY: section 169.020, RSMo [Supp. 2013] 2016. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 6, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School Retirement System of Missouri at PO Box 268, Jefferson City, MO 65102 attn: General Counsel. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement
System of Missouri
Chapter 6—The Public Education Employee
Retirement System of Missouri

PROPOSED AMENDMENT

16 CSR 10-6.060 Service Retirement. The Public School Retirement System of Missouri is amending section (9) and adding section (16).

PURPOSE: These amendments extend the time limit for certain retirees to name a new spouse as beneficiary and add a divorce popup option to certain retirees. The proposed amendments are necessary due to recent amendments made to section 169.715, RSMo.

(9) Any actuarial adjustment to a retirement allowance payment made because of the nomination of a successor beneficiary as provided in 169.715, RSMo, shall take effect in the month a properly completed nomination of successor beneficiary form is received by the Retirement System or the month of the retiree's marriage to the successor beneficiary, whichever occurs later. The nomination of a successor beneficiary shall be effective immediately upon receipt by the Retirement System of the properly completed nomination of successor beneficiary form or the date of the retiree's marriage to the successor beneficiary, whichever occurs later. Effective August 28, 2017, the properly completed nomination of successor beneficiary form submitted pursuant to section 169.715, RSMo, must be received by the Retirement System within one (1) year of remarriage of the retirement member and the new spouse.

- (16) Any member receiving a retirement allowance from the Public Education Employee Retirement System of Missouri who elected a reduced retirement allowance under subsection 4 of section 169.670, RSMo, who, at the time of that election, named his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected Option 1 if the following requirements are met:
- (A) The marriage of the retired member and the nominated spouse must be dissolved on or after September 1, 2017. A dissolution that occurred prior to September 1, 2017 that is modified or amended on or after September 1, 2017 shall not satisfy the requirement that the marriage be dissolved on or after September 1, 2017;
- (B) The retired member and the nominated spouse must have been married at the time of the election of the reduced retirement allowance under subsection 4 of section 169.670, RSMo;
- (C) The dissolution decree must clearly provide for sole retention by the retired member of all rights in the retirement allowance to the satisfaction of the Public Education Employee Retirement System of Missouri;
- (D) In order to receive the increased retirement allowance, a retired member who elected a term certain plan under subsection 4 of section 169.670, RSMo, must have named his or her spouse as the primary beneficiary at the time of retirement. The increased retirement allowance shall continue for the remainder of the retired member's lifetime and no provisions of the term certain plan shall continue to apply to the retired member. All beneficiaries nominated by the retired member under the term certain plan shall be void, and the retired member must name new beneficiaries for any accumulated contributions payable upon the retired member's death. The retired member shall not be eligible to nominate a new spouse pursuant to section 169.715, RSMo;
- (E) A retired member who elected the Option 7 Accelerated Payment Option in conjunction with a reduced retirement allowance under subsection 4 of section 169.670, RSMo, upon application for the increased retirement allowance pursuant to section 169.715, RSMo, will have his or her retirement allowance increased to the amount he or she would receive had he or she elected Option 1 in conjunction with the Option 7 Accelerated Payment Option; and
- (F) Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section. The increased retirement allowance will be paid prospectively only after receipt of the application and certified copy of the decree of dissolution. No retroactive benefits will be paid.

AUTHORITY: section 169.610, RSMo [Supp. 2013] 2016. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 6, 2017

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500)

in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School Retirement System of Missouri at PO Box 268, Jefferson City, MO 65102 attn: General Counsel. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled

by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*, an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the Missouri Register begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 6—DEPARTMENT OF HIGHER EDUCATION Division 255—Fertilizer Control Board Chapter 1—Organization and Description

ORDER OF RULEMAKING

By the authority vested in the Missouri Fertilizer Control Board under section 266.336, RSMo 2016, the board adopts a rule as follows:

6 CSR 255-1.010 General Organization is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2017 (42 MoReg 964). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 6—DEPARTMENT OF HIGHER EDUCATION Division 255—Fertilizer Control Board Chapter 10—Administration of Missouri Fertilizer Law

ORDER OF RULEMAKING

By the authority vested in the Missouri Fertilizer Control Board under section 266.336, RSMo 2016, the board adopts a rule as follows:

6 CSR 255-10.010 Tonnage Fee is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2017 (42 MoReg 964–966). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments on the proposed rule.

COMMENT #1: Mr. Brian Hodges commented that as a fertilizer distributor the new fees will cost his company several hundred dollars. He asks that the board return to a tonnage fee of fifty cents (50ϕ) per ton. He also asked that the fifty dollar (\$50) reporting fee be lowered or dissolved.

RESPONSE: In 2016, Missouri law created the Missouri Fertilizer Control Board and provided the board with authority to administer the fertilizer program and determine fees necessary for its administration. The board members are fertilizer distributors and fertilizer customers who also pay the fees levied by the board. While Missouri law allows tonnage fees of up to one dollar (\$1.00) per ton, the board's judgement was that sixty cents (\$0.60) per ton is the proper level to administer the program at this time. In regards to the fifty dollar (\$50) reporting fee, the board's judgement was that there are administrative costs that the program incurs regardless of the number of tons reported. After taking all factors into account, the board continues to believe these fees are appropriate. No changes have been made to the rule as a result of this comment.

COMMENT #2: Mr. Randy Sprock commented that the fees are a new tax on small fertilizer businesses and this extra money will be used to help fund Missouri University in their time of financial trouble

RESPONSE: In 2016, Missouri law created the Missouri Fertilizer Control Board and provided the board with authority to administer the fertilizer program and determine how the program's funds are to be expended. Using its best judgement, the board may or may not expend funds to procure goods and/or services from the University of Missouri. No changes have been made to the rule as a result of this comment.

Title 6—DEPARTMENT OF HIGHER EDUCATION Division 255—Fertilizer Control Board Chapter 10—Administration of Missouri Fertilizer Law

ORDER OF RULEMAKING

By the authority vested in the Missouri Fertilizer Control Board under section 266.336, RSMo 2016, the board adopts a rule as follows:

6 CSR 255-10.020 Permit Fee is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2017 (42 MoReg 967). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 65—Missouri Medicaid Audit and Compliance Chapter 3—Providers and Participants—General Provider and Participant Policies

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services under sections 208.159 and 660.017, RSMo 2016, the director adopts a rule as follows:

13 CSR 65-3.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2017 (42 MoReg 781–782). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Missouri Medicaid Audit and Compliance (MMAC), a unit within the Department of Social Services, received seven (7) comments on the proposed rule. Because of these comments, changes were made to this rule.

COMMENT #1: Therap Services refers to the requirement in subsection (6)(A) which requires only employees or designated agents of the provider to make entries in a participant's electronic record or electronic medical record, suggesting that this requirement will prohibit self-advocates and family members from making entries in a participant's record which it believed to be problematic if the participant self-medicated or otherwise contributed to his or her care. RESPONSE: If a participant self-medicates or otherwise contributes to his or her care, the participant will not be able to bill Medicaid for these activities and, therefore, will have no reason to submit a record, electronic or otherwise, to MO HealthNet. Family members approved to be care providers for certain programs are employees and subsection (6)(A) states employees may make entries. No changes have been made to the rule as a result of this comment.

COMMENTS #2 and #3: Therap Services and Missouri Association of County Developmental Disabilities Services refer to the requirement in paragraph (6)(D)3. that providers' electronic records and electronic medical records system maintain an activity tracking system that records several items including "device identification, such as a Media Assigned Control (MAC) address." Both providers recommend adding "or IP address" to the device identifications.

RESPONSE: The rule does not restrict providers to the MAC identifications but merely gives it as an example and does not exclude use of the IP address as the device identification. No changes have been made to the rule as a result of this comment.

COMMENT #4: Missouri Association of County Developmental Disabilities Services recommends that the word "electronic" be inserted prior to the word "signature" in subsections (7)(A) and (B). RESPONSE AND EXPLANATION OF CHANGE: Subsections (7)(A) and (B) will be amended, for consistency, from "signature" to "electronic signature."

COMMENT #5: Missouri Association of County Developmental Disabilities Services refers to the requirement in section (9) that edits or changes to a record be saved and the record contain the date of, the reason for, and the author of the edit or change and asks if a record can state that an edit or change was made and reference documentation supporting the reason for the change or note the reason for the change in another document that is linked to the electronic record. RESPONSE: The above-described processes would be allowable by the rule as written. No changes have been made to the rule as a result of the comment.

COMMENT #6: Missouri Alliance for Home Care refers to the

requirement in section (8) that requires at least two (2) distinct identification components be used when affixing an electronic signature and asks a two- (2-) part question. First, whether an electronic signature must look like a "written signature" or a "signature simply typed in;" and second, whether the regulation is referring to the health care provider, the provider's employee, or the participant. RESPONSE: With respect to the first part of the comment, subsection (1)(C) defines "electronic signature" as a compilation of computer data used with the intent of being the legally binding equivalent of the individual's handwritten signature. With respect to the second part of the comment, the requirement of section (8) applies to any electronic signature and when a requirement is specific to a party, the regulation so indicates as shown in section (7). No changes have been

COMMENT #7: Missouri Alliance for Home Care refers to the requirement in subsection (6)(B) that requires all entries in a participant's electronic record or electronic medical record be authenticated by a method that identifies the author, including computer keys/codes, voice authentication systems, or other codes so long as they are under the sole control of the employee or agent using them. Missouri Alliance for Home Care recommends that "voice authentication" be replaced with "biometric identification" so that future technologies are included.

made to the rule as a result of this comment.

RESPONSE AND EXPLANATION OF CHANGE: The phrase "voice authentication" will be replaced by the broader category of "biometric identification" to allow the regulation to adjust to technology without necessitating an amendment.

13 CSR 65-3.050 Electronic Signatures for Mo HealthNet Program

- (6) Nothing herein shall require a provider to conduct business electronically, but if a provider chooses to conduct business electronically, the following requirements shall apply:
- (B) All entries in a participant's electronic record or electronic medical record must be authenticated with a method established to identify the author. The method utilized may include computer keys/codes or biometric identification systems that utilize a personal identification number (PIN). When computer key/code(s), biometric identification systems, or other codes are used, these methods must be under the sole control of the employee or agent using them. Providers must be able to demonstrate that adequate safeguards are maintained to protect against improper or unauthorized use of these methods:
- (7) Electronic medical records shall contain the following:
- (A) The name, title, and electronic signature of the MO HealthNet enrolled provider delivering the service; and
 - (B) The date the electronic signature was executed.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 3—Voter Identification

ORDER OF RULEMAKING

By the authority vested in the secretary of state's office under section 115.427, RSMo 2016, the secretary rescinds a rule as follows:

15 CSR 30-3.010 Voter Identification Affidavit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2017 (42 MoReg 967). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS **Division 30—Secretary of State Chapter 3—Voter Identification**

ORDER OF RULEMAKING

By the authority vested in the secretary of state's office under section 115.427, RSMo 2016, the secretary adopts a rule as follows:

15 CSR 30-3.020 Provisional Ballots and Envelopes for Registered Voters under Voter Identification Law is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the Missouri Register on July 3, 2017 (42 MoReg 967–969). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS **Division 30—Secretary of State Chapter 3—Voter Identification**

ORDER OF RULEMAKING

By the authority vested in the secretary of state's office under section 115.427, RSMo 2016, the secretary adopts a rule as follows:

15 CSR 30-3.030 Procedures for Registered Voters Returning to the Polling Place with Identification is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the Missouri Register on July 3, 2017 (42 MoReg 970). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS **Division 30—Secretary of State** Chapter 3—Voter Identification

ORDER OF RULEMAKING

By the authority vested in the secretary of state's office under section 115.427, RSMo 2016, the secretary adopts a rule as follows:

15 CSR 30-3.040 Procedures for Identity Verification for Provisional Ballots for Registered Voters under Voter Identification Law, Counting Approved Ballots, and Recordkeeping is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the Missouri Register on July 3, 2017 (42 MoReg 970-971). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS **Division 30—Secretary of State Chapter 3—Voter Identification**

ORDER OF RULEMAKING

By the authority vested in the secretary of state's office under section 115.427, RSMo 2016, the secretary adopts a rule as follows:

15 CSR 30-3.050 Voter Inquiries as to Whether Provisional Ballot for Registered Voter was Counted is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the Missouri Register on July 3, 2017 (42 MoReg 971). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS **Division 30—Secretary of State** Chapter 3—Voter Identification

ORDER OF RULEMAKING

By the authority vested in the secretary of state's office under section 115.427, RSMo 2016, the secretary adopts a rule as follows:

15 CSR 30-3.100 Procedures for Obtaining One (1) Copy of Documents Needed to Obtain Free Personal Identification for Voting is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the Missouri Register on July 3, 2017 (42 MoReg 971-973). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION Division 2110-Missouri Dental Board

Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Dental Board under sections 332.011, 332.031.2., and 332.098, RSMo 2016, the board amends a rule as follows:

20 CSR 2110-2.120 Dental Assistants is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on July 3, 2017 (42 MoReg 976). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code* of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2016, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

NOTICE OF WINDING UP AND DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST MTC HYPERCOIL, LLC

On August 25, 2017, MTC Hypercoil, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective the date of the filing. All claims against MTC Hypercoil, LLC should be presented in accordance with this notice. Written claims are to be addressed to MTC Hypercoil, LLC, c/o Steven W. Scott, 4000 Main Street, Kansas City, Missouri 64111. Each claim shall include the following: (1) the claimant's name, address and telephone number, (2) the amount of the claim, (3) the date on which the claim arose, (4) the basis of the claim and any documents related to the claim. Any and all claims against MTC Hypercoil, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST PINPOINT ELECTRIC, LLC

Pinpoint Electric, LLC, a Missouri limited liability company, filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State on August 22, 2017.

Any and all claims against Pinpoint Electric, LLC may be sent to Steven P. Kuenzel, Jr., P.O. Box 228, Washington, MO 63090. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim; the date(s) on which the event(s) on which the claim is based occurred; and any documentation related to the claim.

Any and all claims against Pinpoint Electric, LLC will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the date this notice is published.

NOTICE OF CORPORATION DISSOLUTION

To: All creditors of and claimants against Smartpromos, Inc.

On September 12, 2017, Smartpromos, Inc., a Missouri corporation, Charter Number **00835022**, was dissolved pursuant to the filing of Articles of Dissolution by the Corporation Division, Missouri Secretary of State

All persons or organizations having claims against Smartpromos, Inc., are required to present them immediately in writing to:

Gayle Evans, Attorney at Law CHINNERY EVANS & NAIL, P.C. 800 NE Vanderbilt Lane Lee's Summit, MO 64064

Each claim must contain the following information:

- 1. Name and current address of the claimant.
- 2. A clear and concise statement of the facts supporting the claim.
- 3. The date the claim was incurred.
- 4. The amount of money or alternate relief demanded.

NOTE:

CLAIMS AGAINST SMARTPROMOS, INC., WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN TWO YEARS AFTER THE PUBLICATION OF THIS NOTICE.

NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST MERCO LEASING COMPANY

On September 13, 2017, Merco Leasing Company, a Missouri corporation (the "Corporation"), filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State. All persons and organizations with claims against the Corporation must submit to Merco Leasing Company Claims Administrator, 231 Madison Street, Jefferson City, Missouri, a written summary of any claims against the Corporation which shall include the name, address, and telephone number(s) of the claimant, the amount of the claim, date(s) the claim accrued, a brief description of the nature/basis for the claim, and any documentation of the claim. Claims against the Corporation will be barred unless a proceeding to enforce the claim is commenced within 2 years after the publication of this notice.

MISSOURI REGISTER

Rule Changes Since Update to Code of State Regulations

October 16, 2017 Vol. 42, No. 20

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—41 (2016) and 42 (2017). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10 1 CSR 20-5.015	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule Personnel Advisory Board and Division of	2			41 MoReg 1477
	Personnel		41 MoReg 1538		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		41 MoReg 1539		
	DEPARTMENT OF AGRICULTURE				
2 CSR 30-10.010 2 CSR 90-10	Animal Health Weights, Measures and Consumer Protection	42 MoReg 709	42 MoReg 712	42 MoReg 1244	42 MoReg 1203
2 CSR 90-10.012	Weights, Measures and Consumer Protection		42 MoReg 713	42 MoReg 1244	42 Workeg 1205
2 CSR 90-10.013 2 CSR 90-10.014	Weights, Measures and Consumer Protection Weights, Measures and Consumer Protection		42 MoReg 713 42 MoReg 714	42 MoReg 1244 42 MoReg 1244	
2 CSR 90-10.014 2 CSR 90-10.120	Weights, Measures and Consumer Protection		42 MoReg 714 42 MoReg 716	42 MoReg 1244 42 MoReg 1245	
2 CSR 100-12.010	Missouri Agricultural and Small Business Development Authority		42 MoReg 1027	·	
	DEPARTMENT OF CONSERVATION				
3 CSR 10-3.010	Conservation Commission		42 MoReg 1363		
3 CSR 10-5.425 3 CSR 10-7.431	Conservation Commission Conservation Commission		42 MoReg 1363 N.A.	42 MoReg 1385	
3 CSR 10-7.432	Conservation Commission		42 MoReg 962	42 MoReg 1385	
3 CSR 10-7.455	Conservation Commission		42 MoReg 963	42 MoReg 1386	42 MoReg 220
3 CSR 10-8.510 3 CSR 10-9.110	Conservation Commission Conservation Commission		42 MoReg 1364 42 MoReg 1364		
3 CSR 10-9.110 3 CSR 10-9.625	Conservation Commission		42 MoReg 1365		
3 CSR 10-10.727	Conservation Commission		42 MoReg 1365		
3 CSR 10-10.744	Conservation Commission		42 MoReg 1366		
3 CSR 10-10.767 3 CSR 10-11.180	Conservation Commission Conservation Commission		42 MoReg 1366 42 MoReg 1366		
3 CSR 10-11.205	Conservation Commission		N.A.	42 MoReg 1386	
3 CSR 10-12.110	Conservation Commission		42 MoReg 1368		
3 CSR 10-12.115 3 CSR 10-12.125	Conservation Commission Conservation Commission		42 MoReg 1368 N.A.	42 MoReg 1386	
3 CSR 10-12.125 3 CSR 10-12.135	Conservation Commission		42 MoReg 1368	42 MOREG 1360	
3 CSR 10-12.140	Conservation Commission		N.A.	42 MoReg 1387	
3 CSR 10-12.145 3 CSR 10-20.805	Conservation Commission Conservation Commission		N.A. 42 MoReg 1372	42 MoReg 1387	
3 CSK 10-20.803	Conservation Commission		42 WIOKEG 1372		
4 CCD 240 2 162	DEPARTMENT OF ECONOMIC DEVELO	PMENT	40 M.D. 1001D		
4 CSR 240-3.163 4 CSR 240-3.164	Public Service Commission Public Service Commission		42 MoReg 1231R 42 MoReg 1231R		-
4 CSR 240-18.010	Public Service Commission		42 MoReg 1231 42 MoReg 1232		
4 CSR 240-20.092	Public Service Commission		42 MoReg 160	42 MoReg 1245	
4 CSR 240-20.093	Public Service Commission Public Service Commission		42 MoReg 162	42 MoReg 1251	
4 CSR 240-20.094 4 CSR 240-120.011	Public Service Commission		42 MoReg 168 42 MoReg 1145	42 MoReg 1260	
4 CSR 240-120.031	Public Service Commission		42 MoReg 1146		
4 CSR 240-120.060	Public Service Commission		42 MoReg 1146		
4 CSR 240-120.065 4 CSR 240-120.070	Public Service Commission Public Service Commission		42 MoReg 1147 42 MoReg 1151		
4 CSR 240-120.070	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.085	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.090	Public Service Commission		42 MoReg 1156		
4 CSR 240-120.100 4 CSR 240-120.110	Public Service Commission Public Service Commission		42 MoReg 1158 42 MoReg 1158		
4 CSR 240-120.120	Public Service Commission		42 MoReg 1159		
4 CSR 240-120.130	Public Service Commission		42 MoReg 1159		
4 CSR 240-120.140 4 CSR 240-121.010	Public Service Commission Public Service Commission		42 MoReg 1160 42 MoReg 1161		
4 CSR 240-121.010 4 CSR 240-121.020	Public Service Commission		42 MoReg 1161		-
4 CSR 240-121.030	Public Service Commission		42 MoReg 1162		
4 CSR 240-121.040	Public Service Commission		42 MoReg 1163		
4 CSR 240-121.050 4 CSR 240-121.060	Public Service Commission Public Service Commission		42 MoReg 1163 42 MoReg 1164		
4 CSR 240-121.180	Public Service Commission		42 MoReg 1164		
4 CSR 240-123.010	Public Service Commission		42 MoReg 1164		
4 CSR 240-123.020 4 CSR 240-123.030	Public Service Commission Public Service Commission		42 MoReg 1165 42 MoReg 1166		
4 CSR 240-123.040	Public Service Commission		42 MoReg 1167		
4 CSR 240-123.050	Public Service Commission		42 MoReg 1169		
4 CSR 240-123.060	Public Service Commission		42 MoReg 1169		
4 CSR 240-123.065 4 CSR 240-123.070	Public Service Commission Public Service Commission		42 MoReg 1170 42 MoReg 1174		
4 CSR 240-123.080	Public Service Commission		42 MoReg 1174 42 MoReg 1174		-
4 CSR 240-123.090	Public Service Commission		42 MoReg 1175		
4 CSR 240-123.095	Public Service Commission		42 MoReg 1176	·	
4 CSR 240-124.010	Public Service Commission		42 MoReg 1180		

Missouri Register

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-124.020 4 CSR 240-124.030	Public Service Commission Public Service Commission		42 MoReg 1180 42 MoReg 1180		
4 CSR 240-124.040 4 CSR 240-124.045	Public Service Commission Public Service Commission		42 MoReg 1181 42 MoReg 1182		
4 CSR 240-124.050	Public Service Commission		42 MoReg 1184		
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22 CSR 10-2.120	Health Care Plan	42 MoReg 1359R 42 MoReg 1359	42 MoReg 1383R 42 MoReg 1383		

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Fertilizer Control B	oard			
6 CSR 255-1.010 6 CSR 255-10.010	General Organization			
6 CSR 255-10.020	Permit Fee			
Department of Re				
Director of Revenue 12 CSR 10-23.600	Complaint, Inspection, and Disciplinary Process for Transportation Network Companies	.42 MoReg 1223	Aug. 28, 2017 .	Feb. 23, 2018
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Family Support Div 13 CSR 40-2.030	ision Definitions Relating to Real and Personal Property	42 MoReg 1057	July 1 2017	Feb. 22, 2018
13 CSR 40-8.020	Ways of Treating Income and Assets			
MO HealthNet Divi 13 CSR 70-10.016	sion Global Per Diem Adjustments to Nursing Facility and HIV			
13 CSR 70-10.030	Nursing Facility Reimbursement Rates Prospective Reimbursement Plan for Nonstate-Operated	.42 MoReg 1225 .	Aug. 1, 2017.	Feb. 22, 2018
	Facilities for ICF/IID Services	.42 MoReg 1356 .	Sept. 1, 2017.	Feb. 27, 2018
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	42 MoReg 1061 .	July 1, 2017 .	Feb. 22, 2018
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)			
Elected Officials				
Secretary of State 15 CSR 30-3.010	Voter Identification Affidavit (Res)	.42 MoReg 956 .	June 1, 2017 .	Feb. 22, 2018
15 CSR 30-3.020	Provisional Ballots and Envelopes for Registered Voters under Voter Identification Law	_		
15 CSR 30-3.030	Procedures for Registered Voters Returning to the Polling Place with Identification	_		
15 CSR 30-3.040	Procedures for Identity Verification for Provisional Ballots	.42 Wokeg 938 .	Julie 2, 2017 .	
	for Registered Voters under Voter Identification Law, Counting Approved Ballots, and Recordkeeping	.42 MoReg 958 .	June 1. 2017 .	Feb. 22. 2018
15 CSR 30-3.050	Voter Inquiries as to Whether Provisional Ballot for Registered Voter was Counted	_		
15 CSR 30-3.100	Procedures for Obtaining One (1) Copy of Documents	.42 Mokeg 939 .	June 1, 2017 .	Feb. 22, 2018
15 CSR 30-120.010	Needed to Obtain Free Personal Identification for Voting Definitions			
15 CSR 30-120.020	Application to Register as a Family Trust Company			
	Application to Register as a Foreign Family Trust Company			
15 CSR 30-120.040 15 CSR 30-120.050	Annual Registration Report			
15 CSR 30-120.060	Examination	.42 MoReg 1300	Aug. 28, 2017 .	Feb. 22, 2018
15 CSR 30-120.070	Application Process and Forms	.42 MoReg 1301	Aug. 28, 2017 .	Feb. 22, 2018
State Auditor 15 CSR 40-3.170	Addendum Filed with the Auditor's Office	.42 MoReg 1017 .	June 26, 2017	Dec. 22, 2018
	ealth and Senior Services			
Division of Regulati 19 CSR 30-40.309	on and Licensure Application and Licensure Requirements Standards for the			
19 CSR 30-40.720	Licensure and Relicensure of Ground Ambulance Services Stroke Center Designation Application and Review			
19 CSR 30-40.720 19 CSR 30-81.030	Evaluation and Assessment Measures for Title XIX	_	-	
	Recipients and Applicants in Long-Term Care Facilities .	.42 MoReg 1137	July 15, 2017 .	Feb. 22, 2018

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Department of In	surance, Financial Institutions and Professional Re	gistration		
State Board of Nurs	sing			
20 CSR 2200-4.020	Requirements for Licensure	42 MoReg 861	May 9, 2017	Feb. 15, 2018
State Board of Phar	-		• '	
20 CSR 2220-2.650	Standards of Operation for a Class J: Shared Services			
	Pharmacy	42 MoReg 1227	Aug. 6, 2017	Feb. 22, 2018
20 CSR 2220-4.010	General Fees	42 MoReg 710 .	April 21, 2017	Dec. 1, 2017
State Committee of	Marital and Family Therapists	_	-	
20 CSR 2233-1.040	Fees	42 MoReg 1065	Aug. 1, 2017	Feb. 22, 2018
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22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations (Res.)	42 MoReg 1358	Oct. 1, 2017	March 29, 2018
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations	42 MoReg 1358	Oct. 1, 2017	March 29, 2018
22 CSR 10-2.120	Partnership Incentive Provisions and Limitations (Res.) .	42 MoReg 1359	Oct. 1, 2017	March 29, 2018
22 CSR 10-2.120	Partnership Incentive Provisions and Limitations	42 MoReg 1359	Oct. 1, 2017	March 29, 2018

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Orucis	2017	rncu Date	i ubiicativii
	<u> 2011</u>		
17-22	Implements the Emergency Mutual Assistance Compact and activates the state militia to aid the U.S. Virgin Islands in response to Hurricane Maria.	Sept. 20, 2017	Next Issue
17-21	Governor activates the state militia in anticipation of unrest in the St. Louis region.	Sept. 14, 2017	This Issue
17-20	Governor establishes a board of inquiry to review evidence and provide a recommendation on the death sentence for inmate Marcellus Williams.	Aug. 22, 2017	42 MoReg 1361
Proclamation	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget and permanently reducing appropriation lines in the fiscal year 2017 budget.	Aug. 1, 2017	42 MoReg 1307
17-19	Directs the Department of Health and Senior Services, the Department of Mental Health, the Department of Public Safety, the Department of Natural Resources, and the Department of Conservation to identify, train, equip, and assess law enforcement and emergency responder efforts to combat Missouri's Opioid Public Health Crisis.	July 18, 2017	42 MoReg 1229
17-18	Directs the Department of Health and Senior Services to create a		
Amended	prescription drug monitoring program.	July 17, 2017	42 MoReg 1143
Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	July 6, 2017	42 MoReg 1139
17-17	Creates the Missouri Justice Reinvest Taskforce to analyze Missouri's corrections system and recommend improvements.	June 28, 2017	42 MoReg 1067
Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	June 7, 2017	42 MoReg 1024
	Governor convenes the First Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding attracting new jobs to Missouri.	May18, 2017	42 MoReg 1022
17-16	Temporarily grants the Director of the Missouri Department of Revenue discretionary authority to adjust certain rules and regulations.	May 11, 2017	42 MoReg 909
17-15	Temporarily grants the Director of the Missouri Department of Health and Senior Services discretionary authority to adjust certain rules	•	
17-14	and regulations. Temporarily grants the Director of the Missouri Department of Natural Resources discretionary authority to adjust certain environmental rules and regulations.	May 8, 2017 May 4, 2017	42 MoReg 907 42 MoReg 905
17-13	Activates the state militia in response to severe weather that began on April 28, 2017.	April 30, 2017	42 MoReg 865
17-12	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather beginning on April 28,2017.	April 28, 2017	42 MoReg 863
17-11	Establishes the Boards and Commissions Task Force to recommend comprehensive executive and legislative reform proposals to the governor by October 31, 2017.	April 11, 2017	42 MoReg 779
17-10	Designates members of the governor's staff to have supervisory authority over departments, division, and agencies of state government.	April 7, 2017	42 MoReg 777
17-09	Establishes parental leave for state employees of the executive branch of Missouri state government and encourages other state officials to adopt comparable policies.	March 13, 2017	42 MoReg 429
17-08	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather that began on March 6.	March 7, 2017	42 MoReg 427
17-07	Establishes the Governor's Committee for Simple, Fair, and Low Taxes to recommend proposed reforms to the governor by June 30, 2017.	January 25, 2017	42 MoReg 315
17-06	Orders that the Missouri State Emergency Operations Plan be activated. Further orders state agencies to provide assistance to the maximum extent practicable and directs the Adjutant General to call into service such portions of the organized militia as he deems necessary.	January 12, 2017	42 MoReg 267
17-05	Activates the Missouri State Emergency Operation Center due to severe weather expected to begin on Jan. 12, 2017.	January 11, 2017	42 MoReg 266
17-04	Establishes the position of Chief Operating Officer to report directly to the governor and serve as a member of the governor's executive team.	January 11, 2017	42 MoReg 264

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17-03	Orders every state agency to immediately suspend all rulemaking until Feb. 28, 2017, and to complete a review of every regulation under its jurisdiction within the <i>Code of State Regulations</i> by May 31, 2018.	January 10, 2017	42 MoReg 261
17-02	Orders state employees of the executive branch of Missouri state government to follow a specified code of conduct regarding ethics during the Greitens administration.	January 9, 2017	42 MoReg 258
17-01	Rescinds Executive Orders 07-10, 88-26, 98-15, and 05-40 regarding the Governor's Advisory Council on Physical Fitness and Health and the Missouri State Park Advisory Board.	January 6, 2017	42 MoReg 257
	2016		
16-10	Reauthorizes the Governor's Committee to End Chronic Homelessness		
	until December 31, 2020.	December 30, 2016	42 MoReg 159
16-09	Advises that state offices in Cole County will be closed on Monday	D 1 22 2016	42 M D 150
16-08	January 9, 2017. Advises that state offices will be closed on Friday, November 25, 2016.	December 23, 2016 October 24, 2016	42 MoReg 158 41 MoReg 1659
16-08	Declares that a State of Emergency exists in the State of Missouri and	October 24, 2010	41 Mokeg 1039
10-07	directs that the Missouri State Emergency Operations Plan be activated as a result of storms that began on May 25, 2016. This order shall terminate on June 26, 2016, unless extended.	May 27, 2016	41 MoReg 830
16-06	Declares that the next Missouri Poet Laureate will be named in June 2016 and directs that a Missouri Poet Laureate be named biennially to serve for two years at the pleasure of the governor. The order also includes qualifications and responsibilities for the post. Additionally the Missouri Poet Laureate Advisory Committee is hereby established.	May 27, 2016	41 MoReg 828
16-05	Directs the Department of Public Safety, with guidance from the Missouri Veteran's Commission and the Adjutant General of the State of Missouri, to coordinate events with the World War I Centennial Commission that recognize and remember efforts and sacrifices of all Americans during World War I.	May 27, 2016	41 MoReg 826
16-04	Orders all departments, agencies and boards, and commissions, in the Executive Branch subject to the authority of the governor to take all necessary action to amend initial employment applications by removing questions related to an individual's criminal history unless a criminal history would render an applicant ineligible for the position.	April 11, 2016	41 MoReg 658
16-03	Extends Executive Orders 15-10, 15-11, and 16-02 until February 22,	April 11, 2010	71 WIUNCE 030
10 00	2016, due to severe weather that began on December 22, 2015.	Jan. 22, 2016	41 MoReg 299
16-02	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on December 22, 2015.		
16-01	Designates members of the governor's staff to have supervisory authority over	Jan. 6, 2016	41 MoReg 235
10-01	certain departments, divisions, and agencies.	Jan. 4, 2016	41 MoReg 153

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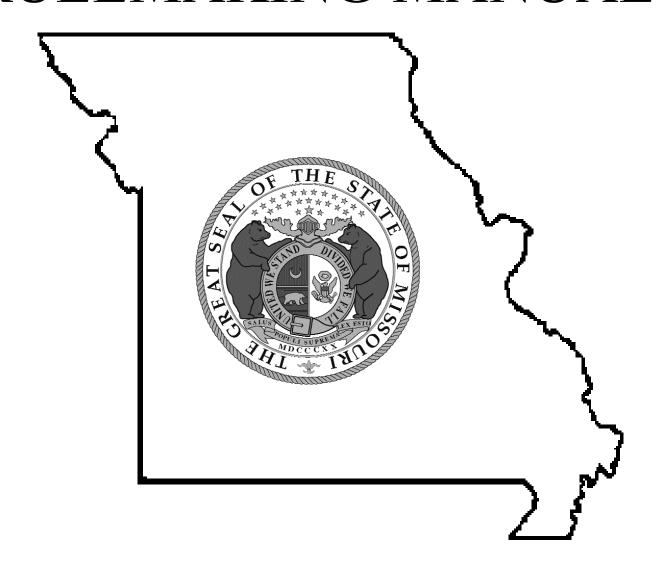
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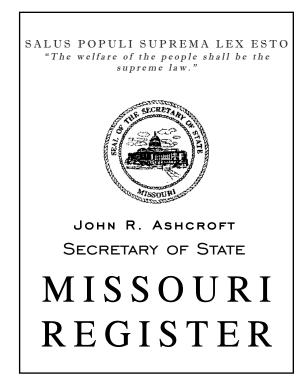


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