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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year’s schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation, i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo 2016.

EXECUTIVE ORDER
17-08

WHEREAS, I have been advised by the State Emergency Management Agency that severe storm systems beginning on March 6, 2017, and continuing, have caused damages associated with tornadoes, high winds, hail, heavy rains, flooding, and flash flooding impacting communities throughout the state of Missouri; and

WHEREAS, the severe weather created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local jurisdictions, and other established agencies; and

WHEREAS, the State of Missouri will continue to be proactive where the health and safety of the citizens of Missouri are concerned; and

WHEREAS, the resources of the state of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of Missourians; and

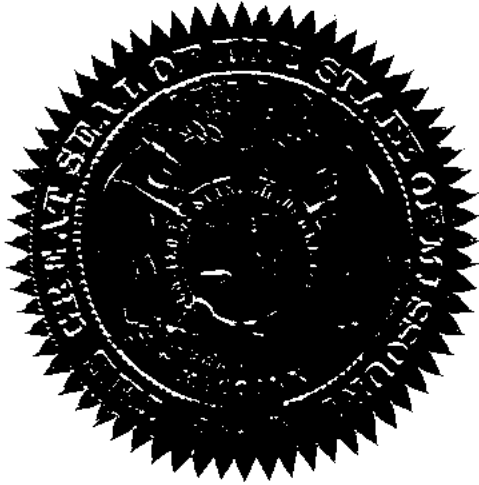
WHEREAS, an invocation of the provisions of Sections 44.100 and 44.110, RSMo., is required to ensure the protection of the safety and welfare of the citizens of Missouri.

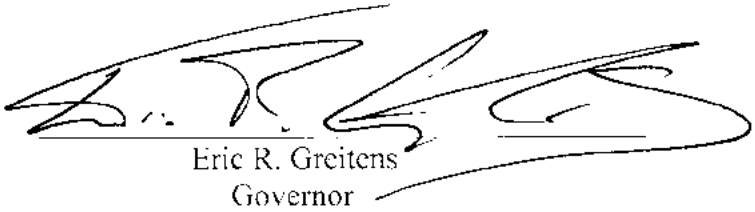
NOW, THEREFORE, I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, including Sections 44.100 and 44.110, RSMo., do hereby declare that a State of Emergency exists in the State of Missouri and direct that the Missouri State Emergency Operations Plan be activated.

I further authorize the use of state agencies to provide assistance, as needed.

This order shall terminate on April 7, 2017, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 7th day of March, 2017.




Eric R. Greitens
Governor


John R. Ashcroft
Secretary of State

EXECUTIVE ORDER
17-09

WHEREAS, every child is a gift of life to support and cherish; and

WHEREAS, paid time off for new parents provides time to nurture and bond with the newest member of the family, and is linked to better infant health and development; and

WHEREAS, paid time off for new mothers increases the likelihood they will go back to work, increases their work productivity and longevity once they return, and decreases the likelihood they will need government assistance within their child's first year; and

WHEREAS, paid time off for new fathers is connected to more involvement with their children and childcare activities; and

WHEREAS, many Missouri employers offer paid parental leave to recruit and retain new parents; and

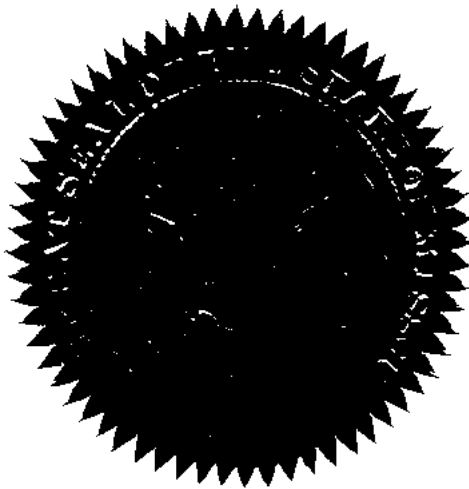
WHEREAS, state government should recruit the best and brightest individuals to serve Missourians; and

WHEREAS, paid parental leave will strengthen families and communities, which will make Missouri a better place to work and to live.

NOW THEREFORE, I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the following for state employees of the departments and agencies of the executive branch of Missouri state government (excepting the employees of independent commissions and other elected officials who set the policies for their offices):

1. Every parent shall receive parental leave following the birth or adoption of a child.
 - a. Every parent who is the primary caregiver shall receive six weeks of parental leave.
 - b. Every parent who is the secondary caregiver shall receive three weeks of parental leave.
 - c. If both parents are state employees, each parent shall receive parental leave, which may be taken concurrently, consecutively, or at different times.
2. Parental leave provides leave with 100 percent of regular salary.
3. Parental leave shall not be counted against annual leave or sick leave, which shall continue to accrue during the period of parental leave. Holidays shall not be counted against parental leave. Parental leave shall run concurrently with FMLA leave if the employee is eligible.
4. Parental leave is available for any birth or adoption that occurs on or after this day.

5. The Office of Administration Division of Personnel, the Personnel Advisory Board, and each state agency under the Governor's control shall take any necessary action to make their regulations, manuals, and other documents consistent with this policy.
6. Parental leave shall be taken within the 12 weeks following the birth or adoption of a child. Parental leave may not be donated or carried over to future years.
7. Parental leave is available to all state employees of the departments and agencies under the Governor's control, whether employed on a full-time basis, on an hourly basis, or in 24-hour-positions.
8. Missouri's other state elected officials, independent commissions, legislature, and judiciary are encouraged to adopt comparable policies for their employees.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 13th day of March, 2017.

Eric R. Greifens
Governor

John R. Ashcroft
Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

PROPOSED AMENDMENT

11 CSR 75-13.010 Classification of Peace Officer Licenses. The director of public safety is amending section (1).

PURPOSE: This amendment is being made because the Missouri State Water Patrol combined with the Missouri State Highway Patrol, so a Class A-WP peace officer license is no longer needed.

(1) Every peace officer license shall be classified according to the type of commission for which it is valid[:].

(A) Class A. Valid for any commission, except commission with the Missouri State Highway Patrol[, the Missouri State Water Patrol,] and the Missouri Conservation Commission.

(B) Class A-HP. Valid for any commission, except commission with the *[Missouri State Water Patrol, and the] Missouri Conservation Commission.*

[(C) Class A-WP. Valid only for commission by the Missouri State Water Patrol.]

[(D)](C) Class A-CC. Valid only for commission by the Missouri Conservation Commission.

[(E)](D) Class B. Valid for any commission, except commission by a first class county with a charter form of government, a political subdivision located within a first class county with a charter form of government, a city not within a county, the Missouri State Highway Patrol, [the Missouri State Water Patrol,] or the Missouri Conservation Commission.

[(F)](E) Class C. Valid only for commission within a third class county pursuant to section 590.040.1(4), RSMo and only for the particular commission held by the licensee on July 1, 2002, or a commission that the director has determined to be similar pursuant to section 590.040.2, RSMo.

[(G)](F) Class D. Valid only for commission as a reserve peace officer within a county having more than one (1) million inhabitants and with either a charter form of government or of the first classification pursuant to section 590.040.1(5), RSMo.

[(H)](G) Class R.

1. Valid only for commission as a reserve peace officer with police powers limited by the commissioning authority as follows: while on duty the officer shall be under the direct supervision of a commissioned officer who holds a valid class A, B, or C license; while off duty the officer shall have no police power and shall not carry a concealed weapon, unless otherwise permitted by law; and the officer shall have no police power outside the commissioning political subdivision.

2. As used in this rule, "direct supervision" means supervision in which the supervising officer: monitors the supervised officer, including by two-way radio or radio scanner; is available for voice communication with the supervised officer; and is able to respond and assist the supervised officer in a timely manner.

3. A class R license shall not be valid for any commission by a first class county with a charter form of government, a political subdivision located within a first class county with a charter form of government, a city not within a county, the Missouri State Highway Patrol, *[the Missouri State Water Patrol,]* or the Missouri Conservation Commission.

[(I)](H) Class S. Valid only pursuant to section 590.030.6, RSMo for the continuing licensure of a person holding and exercising a law enforcement commission requiring a peace officer license.

AUTHORITY: sections 590.020, 590.030, 590.040, and 590.190, RSMo [Supp. 2007] 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 10, 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 Jeremy Spratt, Missouri Department of Public Safety Peace Officer Standards and Training (POST) Program Manager, PO Box 749, Jefferson City, MO 65102. 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

PROPOSED AMENDMENT

11 CSR 75-13.060 Veteran Peace Officer Point Scale. The director of public safety is amending subsection (5)(B).

PURPOSE: This amendment is being made to award one (1) point of credit for every year of service as a full-time peace officer and to award credit to persons serving as a reserve peace officer.

(5) The Director shall score each applicant according to the following point system.

(B) For years of experience as *[an active, full-time]* a commissioned peace officer:

1. At least one year, up to two years: 1 point;
 2. Over two years, up to three years: 2 points;
 3. Over three years, up to four years: 3 points;
 4. Over four years, up to five years: 4 points;
 5. Over five years, up to six years: 5 points;
 6. Over six years, up to seven years: 6 points;
 7. Over seven years, up to eight years: 7 points;
 8. Over eight years, up to nine years: 8 points;
 9. Over nine years, up to ten years: 9 points;
 10. Over ten years, up to sixteen years: 10 points;
 11. Over sixteen years: 12 points.]
1. Every year of active, full-time experience: 1 point;
 2. Every three years of reserve, part-time experience: 1 point.

AUTHORITY: sections 590.030 and 590.190, RSMo [Supp. 2007] 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. For intervening history, please consult the Code of State Regulations. Amended: Filed March 10, 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 Jeremy Spratt, Missouri Department of Public Safety Peace Officer Standards and Training (POST) Program Manager, PO Box 749, Jefferson City, MO 65102. 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

PROPOSED AMENDMENT

11 CSR 75-14.030 Standard Basic Training Curricula and Objectives. The director of public safety is amending subsection (2)(E) so the listed training topics match the training topics found in the proposed amendment to 11 CSR 75-15.010.

PURPOSE: These amendments allow for additional training flexibility with the goal of covering these training topics in much greater detail. In the rule's current form, it requires the training provider to

very briefly touch on multiple complex training topics instead of giving a detailed and proper course of instruction, which was not the intent of the Peace Officer Standards and Training Commission.

(2) The mandatory basic training curriculum for each license class shall—

(E) Include training in the subject areas of—

1. Officer well-being, including mental health **and/or physical health** awareness;
2. Fair and impartial policing practices, including implicit bias recognition;
3. Handling persons with mental health *[and]* or cognitive impairment issues; and
4. Tactical training *[to]*, **which must include one (1) or more of the following areas:** de-escalation techniques, crisis management, critical thinking, *[and]* or social intelligence.

AUTHORITY: sections 590.030, 590.040, and 590.190, RSMo [Supp. 2014, and sections 590.030 and 590.190, RSMo Supp. 2013] 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. For intervening history, please consult the Code of State Regulations. Amended: Filed March 10, 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 Jeremy Spratt, Missouri Department of Public Safety Peace Officer Standards and Training (POST) Program Manager, PO Box 749, Jefferson City, MO 65102. 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 15—Continuing Education**

PROPOSED AMENDMENT

11 CSR 75-15.010 Continuing Education Requirement. The director of public safety is amending subsection (10)(A) by allowing the additional option of physical health training for the officer wellbeing training topic. The director of public safety is amending subsection (10)(C) by removing the requirement that the two (2) credit hours of training on handling persons with mental health issues must also include training on handling persons with cognitive impairment issues. The director of public safety is amending subsection (10)(D) by removing the requirement that the two (2) credit hours of training on tactical training must include all of the following: de-escalation techniques, crisis management, critical thinking, and social intelligence.

PURPOSE: These amendments allow for additional training flexibility with the goal of covering these training topics in much greater detail. In the rule's current form, it requires the training provider to very briefly touch on multiple complex training topics instead of giving a detailed and proper course of instruction, which was the intent of the Peace Officer Standards and Training Commission.

(10) Commencing for the reporting period beginning January 1, 2017, and ending December 31, 2017, and for successive reporting periods. Every peace officer shall obtain annual CLEE training covering the

following topics, which shall fit within one (1) of the four (4) curricula areas outlined in 11 CSR 75-15.020(1):

(A) Two (2) credit hours of training on officer well-being, including mental health **and/or physical health** awareness;

(C) Two (2) credit hours of training on handling persons with mental health *[and]* or cognitive impairment issues; and

(D) Two (2) credit hours of training on tactical training *[to]*, **which must include one (1) or more of the following areas:** de-escalation techniques, crisis management, critical thinking, *[and]* or social intelligence. Except that, for the reporting period commencing January 1, 2017, and ending December 31, 2017, the CLEE training required in subsections (A), (B), (C), and (D) hereinabove, may be satisfied by qualifying training obtained by the peace officer in 2016 or 2017, but that such hours obtained in 2016 shall not be used to satisfy the overall twenty-four (24) hours of CLEE training required to be obtained in 2017, by the provisions of section (1) hereinabove.

AUTHORITY: sections 590.030.5(1), 590.050, and 590.190, RSMo [Supp. 2013] 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. For intervening history, please consult the Code of State Regulations. Amended: Filed March 10, 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 Jeremy Spratt, Missouri Department of Public Safety Peace Officer Standards and Training (POST) Program Manager, PO Box 749, Jefferson City, MO 65102. 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 15—Continuing Education**

PROPOSED AMENDMENT

11 CSR 75-15.020 Minimum Standards for Continuing Education Training. The director of public safety is amending section (2) and subsection (4)(E) so the listed training topics match the training topics found in the proposed amendment to 11 CSR 75-15.010. The director of public safety is also amending subsection (4)(G) by removing the requirement that the instructor's name must appear on the certificate of training completion and replacing it with the previous requirement that the name of the individual responsible for the general administration of the course must appear on the certificate of training completion.

PURPOSE: This amendment changes the descriptions of the training topics to the descriptions found in the proposed amendment to 11 CSR 75-15.010. This amendment further changes the requirement that the names of all CLEE instructors must appear on the certificate of training completion and replaces it with the previous requirement that only the name of the individual responsible for the general administration of the course must appear on the certificate of training completion. This was an inadvertent change made to the rules earlier this year and has caused an undue burden on the training providers.

(2) All CLEE training shall be designated according to curricula area. CLEE training relating to racial profiling, firearms, officer

well-being, including mental health **and/or physical health** awareness; fair and impartial policing practices, including implicit bias recognition; handling persons with mental health *[and]* or cognitive impairment issues; and tactical training *[to]*, **which must include one (1) or more of the following areas:** de-escalation techniques, crisis management, **critical thinking, or social intelligence** shall also be designated as such, in addition to being designated by curricula area.

(4) Upon successful completion of the requirements of any CLEE course, the provider of the training shall report to the director the successful completion of the CLEE course by the trainee in a method to be determined by the director and shall present each trainee a certificate bearing—

(E) The number of racial profiling, firearms, officer well-being, including mental health **and/or physical health** awareness; fair and impartial policing practices, including implicit bias recognition; handling persons with mental health *[and]* or cognitive impairment issues; and tactical training *[to]*, **which must include one (1) or more of the following areas:** de-escalation techniques, crisis management, **critical thinking, or social intelligence** CLEE credit hours earned, if any;

(G) The name of the individual *[instructing the course]* **responsible for general administration of the course;** and

AUTHORITY: sections 590.030.5(1), 590.050, and 590.190, RSMo [Supp. 2013] 2016. Original rule filed May 1, 2002, effective Oct. 30, 2002. Amended: Filed July 1, 2008, effective Dec. 30, 2008. Amended: Filed Dec. 3, 2015, effective May 30, 2016. Amended: Filed March 10, 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 Jeremy Spratt, Missouri Department of Public Safety Peace Officer Standards and Training (POST) Program Manager, PO Box 749, Jefferson City, MO 65102. 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.