

Volume 43, Number 4
Pages 247–380
February 15, 2018

SALUS POPULI SUPREMA LEX ESTO

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



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI
REGISTER

The *Missouri Register* is an official publication of the state of Missouri, under the authority granted to the secretary of state by sections 536.015 and 536.033, RSMo 2016. Reproduction of rules is allowed; however, no reproduction shall bear the name *Missouri Register* or “official” without the express permission of the secretary of state.

The *Missouri Register* is published semi-monthly by

SECRETARY OF STATE

JOHN R. ASHCROFT

Administrative Rules Division
James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

EDITOR-IN-CHIEF

CURTIS W. TREAT

•

MANAGING EDITOR

AMANDA MCKAY

•

EDITOR

VONNE KILBOURN

•

ASSOCIATE EDITOR

MARTY SPANN

•

PUBLICATION SPECIALIST

JACQUELINE D. WHITE

•

ADMINISTRATIVE AIDE

ALISHA DUDENHOEFFER

ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO
Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

MISSOURI REGISTER

Office of the Secretary of State
Administrative Rules Division
PO Box 1767
Jefferson City, MO 65102

The *Missouri Register* and *Code of State Regulations* (CSR) are available on the Internet. The Register address is www.sos.mo.gov/adrules/moreg/moreg and the CSR is www.sos.mo.gov/adrules/csr/csr. These websites contain rulemakings and regulations as they appear in the paper copies of the Registers and CSR. The Administrative Rules Division may be contacted by email at rules@sos.mo.gov.

The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson City, MO 65102, (573) 751-4015. Hearing impaired citizens should contact the director through Missouri relay, (800) 735-2966.



IN THIS ISSUE:

EXECUTIVE ORDERS .....	.251	ORDERS OF RULEMAKING	
PROPOSED RULES		Elected Officials	
Department of Elementary and Secondary Education		Secretary of State .....	.287
Division of Learning Services .....	.252	Retirement Systems	
Department of Transportation		The County Employees' Retirement Fund .....	.292
Missouri Highways and Transportation Commission .....	.252	Department of Health and Senior Services	
Department of Mental Health		Division of Regulation and Licensure .....	.293
Certification Standards .....	.261	Department of Insurance, Financial Institutions	
Division of Developmental Disabilities .....	.261	and Professional Registration	
Department of Natural Resources		State Committee for Social Workers .....	.293
Air Conservation Commission .....	.262	CONSTRUCTION TRANSIENT LIST .....	.295
Hazardous Waste Management Commission .....	.265	DISSOLUTIONS .....	.354
Petroleum and Hazardous Substance Storage Tanks .....	.271	SOURCE GUIDES	
Land Reclamation Commission .....	.272	RULE CHANGES SINCE UPDATE .....	.359
Metallic Minerals Waste Management .....	.275	EMERGENCY RULES IN EFFECT .....	.367
Department of Social Services		EXECUTIVE ORDERS .....	.369
Division of Finance and Administrative Services .....	.276	REGISTER INDEX .....	.371
Children's Division .....	.276		
Family Support Division .....	.276		
MO HealthNet Division .....	.278		
Division of Youth Services .....	.278		
Department of Health and Senior Services			
Division of Senior and Disability Services .....	.279		
Division of Regulation and Licensure .....	.281		
Division of Maternal, Child and Family Health .....	.281		
Division of Injury Prevention, Head Injury Rehabilitation			
and Local Health Services .....	.282		
Missouri Senior Rx Program .....	.282		

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
October 2, 2017 October 16, 2017	November 1, 2017 November 15, 2017	November 30, 2017 November 30, 2017	December 30, 2017 December 30, 2017
November 1, 2017 November 15, 2017	December 1, 2017 December 15, 2017	December 31, 2017 December 31, 2017	January 30, 2018 January 30, 2018
December 1, 2017 December 15, 2017	January 2, 2018 January 16, 2018	January 29, 2018 January 29, 2018	February 28, 2018 February 28, 2018
January 2, 2018 January 16, 2018	February 1, 2018 February 15, 2018	February 28, 2018 February 28, 2018	March 30, 2018 March 30, 2018
February 1, 2018 February 15, 2018	March 1, 2018 March 15, 2018	March 31, 2018 March 31, 2018	April 30, 2018 April 30, 2018
March 1, 2018 March 15, 2018	April 2, 2018 April 16, 2018	April 30, 2018 April 30, 2018	May 30, 2018 May 30, 2018
April 2, 2018 April 16, 2018	May 1, 2018 May 15, 2018	May 31, 2018 May 31, 2018	June 30, 2018 June 30, 2018
May 1, 2018 May 15, 2018	June 1, 2018 June 15, 2018	June 30, 2018 June 30, 2018	July 30, 2018 July 30, 2018
June 1, 2018 June 15, 2018	July 2, 2018 July 16, 2018	July 31, 2018 July 31, 2018	August 30, 2018 August 30, 2018

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 www.sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

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

Title		Division	Chapter	Rule
3	CSR	10-	4	.115
Department	<i>Code of State Regulations</i>	Agency Division	General area regulated	Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in 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 paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is www.sos.mo.gov/adrules/csr/csr

The *Register* address is www.sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

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

EXECUTIVE ORDER 18-01

WHEREAS, Executive Order 07-21 established a system of performance evaluations for all state employees and directed the use of a specific online appraisal system; and

WHEREAS, the approach to evaluating the performance of employees has evolved in the past decade; and

WHEREAS, the mission of Missouri state government is to provide essential services to Missourians and that mission requires each state employee to perform his or her job with a commitment to excellence; and

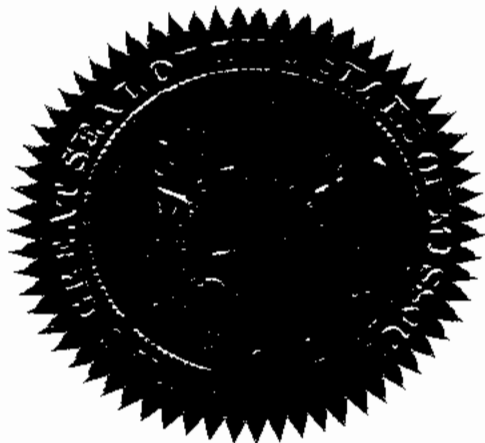
WHEREAS, all supervisors are responsible for accurately communicating performance standards and results to all employees they supervise; and

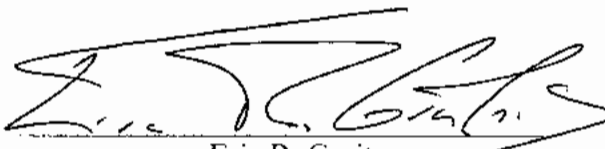
WHEREAS, an effective system of performance evaluations must facilitate frequent and productive dialogue between supervisors and staff and must provide rewards, recognition, and professional development for employees to use their talents effectively to serve Missourians; and

WHEREAS, the current system of performance evaluations has failed to facilitate frequent and productive dialogue between supervisors and staff and failed to provide rewards, recognition, and professional development for employees to use their talents effectively to serve Missourians.

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 rescind Executive Order 07-21 and terminate all authority granted thereunder.

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 4th day of January, 2018.




Eric R. Greitens
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 symbolology 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 5—DEPARTMENT OF ELEMENTARY
AND SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 300—Office of Special Education**

PROPOSED RESCISSION

5 CSR 20-300.140 Extraordinary Cost Fund. This rule provided administrative procedures to public school districts to seek reimbursement for extraordinary cost, if any, associated with serving students with disabilities, as defined by the 1997 Amendments to Individuals with Disabilities Education Act (IDEA). This rule set forth a plan for distributing funds to public school districts which educate students whose service costs exceed five (5) times the district's current expenditure per eligible pupil.

PURPOSE: This rule is being rescinded due to the establishment of the High Need Fund pursuant to the Individuals with Disabilities

Education Act, 34 CFR Section 300.704.

AUTHORITY: section 162.975(1), RSMo Supp. 1999. This rule previously filed as 5 CSR 70-742.170. Original rule filed Aug. 8, 1997, effective March 30, 1998. Amended: Filed July 28, 2000, effective Feb. 28, 2001. Moved to 5 CSR 20-300.140, effective Aug. 16, 2011. Rescinded: Filed Jan. 10, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Elementary and Secondary Education, Attn: Stephen Barr, Assistant Commissioner, Office of Special Education, PO Box 480, Jefferson City, MO 65102-0480 or email specialeducation@dese.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RULE

7 CSR 10-8.005 Scope of Rules

PURPOSE: This rule sets forth the scope of this chapter and Missouri Department of Transportation's (MoDOT) implementation of the Disadvantaged Business Enterprise Program (DBE) requirements of Title 49 Code of Federal Regulations part 26 in United States Department of Transportation-assisted programs and contracts.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Incorporates Federal Regulations. The Missouri Highways and Transportation Commission (commission) incorporates by reference into this rule and Title 7, *Code of State Regulations* (CSR) 10-8.011 through 7 CSR 10-8.151 the regulations for the Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs as set forth in Title 49, *Code of Federal Regulations* (CFR), sections 26.1 through 26.109, including all Appendices referenced therein. This rule incorporates these sections of the CFR as published by the United States Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401 on November 3, 2014. This rule does not incorporate any subsequent amendments or additions to the CFR. These rules shall be in effect for all commission-let projects for which the commission receives funding through:/.

(A) Highways. Federal-aid highway funds authorized under Titles I (other than Part B) and V of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Public Law (P.L.) 102-240, 105 Stat. 1914, or Titles I, III, and Safe, Accountable, Flexible, Efficient

Transportation Equity Act: A Legacy for Users (SAFETEA-LU); The Moving Ahead for Progress in the 21st Century Act (MAP 21), P.L. 112-141; and Fixing America's Surface Transportation (FAST) Act, P.L. 114-94.

(B) Transit. Federal transit funds authorized by Titles I, III, V and VI of ISTEA, P.L. 102-240 or by federal transit laws in Title 49, U.S. Code, or Titles I, III, and V of the SAFETEA-LU//; and The Moving Ahead for Progress in the 21st Century Act (MAP 21), P.L. 112-141.

(C) Airports. Airport funds authorized by 49 U.S.C. 47101, *et seq.*

(D) To the extent that any individual, entity, or firm is governed by the Disadvantaged Business Enterprise (DBE) Program regulations in this chapter, that individual, entity, or firm is also governed and bound by the corresponding United States Department of Transportation (USDOT) DBE program regulations at 49 CFR part 26. Clarifications of 49 CFR part 26 are incorporated by reference in the USDOT Questions and Answers on the DBE program as published on February 11, 2016 at <https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise/official-questions-and-answers-qas-disadvantaged>. This rule does not incorporate any subsequent amendments or additions.

(E) This rule incorporates by reference the Missouri Department of Transportation (MoDOT) Mentor/Protégé Program (MPP) as revised by MoDOT on June 17, 2014. The MPP shall be made a part of this rule as published by MoDOT, 105 West Capitol Avenue, PO Box 270, Jefferson City, MO 65102 and as it appears on MoDOT's website located at www.modot.mo.gov/External_Civil_Rights/Mentor/Protégé_program. This rule does not incorporate any subsequent amendments or additions.

(2) Breach for Noncompliance. MoDOT will advise each contractor, through contract specifications on USDOT-funded contracts, that failure to carry out these requirements shall constitute a breach of contract and may result in termination of the contract, or any such remedy that MoDOT deems appropriate. MoDOT will require all contractor employees and contractor agents on USDOT-funded contracts to adhere to the provisions of 49 CFR part 26.

(3) Administration. The commission has adopted the federal DBE program regulations for MoDOT, which executive branch department of state government is subordinate to and controlled by the commission through commission's appointee, the MoDOT director, who is MoDOT's chief executive officer. The commission delegates the day-to-day administration of the DBE program to the External Civil Rights Director, who has been designated as MoDOT's DBE liaison officer in compliance with 49 CFR section 26.25.

AUTHORITY: sections 226.020, 226.150, and 226.900-226.910, RSMo 2016; Title 49 Code of Federal Regulations part 26; Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 105-178, 112 Stat. 107, 113; Map-21, The Moving Ahead for Progress in the 21st Century Act, Public Law 112-141; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Original rule filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rule 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 rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.011 Definitions. This rule defined terms applicable to the Disadvantaged Business Enterprise (DBE) Program established by the Missouri Department of Transportation (MoDOT) in this chapter, in accordance with Title 49 Code of Federal Regulations part 26, section 1101(b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113, and in accordance with MoDOT's approved DBE Program submittals to the U.S. Department of Transportation (USDOT).

PURPOSE: This rule is being rescinded and readopted to harmonize state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RULE

7 CSR 10-8.011 Definitions

PURPOSE: This rule harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

(1) The Missouri Highways and Transportation Commission (commission) adopts the definitions contained in 49 Code of Federal Regulations Section 26.5 except as such words and phrases are given meaning and definition below. The following words and phrases have the meaning and definition stated below, exclusively for the purpose of administering and regulating the Disadvantaged Business Enterprise (DBE) Program established by the commission in this chapter:

(A) “Commission” means the Missouri Highways and Transportation Commission, a state commission within the executive branch of state government created by statute and vested with authority or the administration of the state highway system by Article IV, Section 29, *Missouri Constitution* and section 226.020 of the Revised Statutes of the State of Missouri (RSMo);

(B) “Contractor” means a person or company which receives a contract directly from the commission or another United States Department of Transportation (USDOT) recipient in a USDOT-assisted highway, transit or airport program;

(C) “CSR” means the *Code of State Regulations* for the state of Missouri, published by the secretary of state of Missouri;

(D) “CUF” means commercially useful function;

(E) “DBE” means a disadvantaged business enterprise;

(F) “Department” means the Missouri Department of Transportation or “MoDOT,” a constitutional state department answerable and subordinate to the commission within the executive branch of Missouri government, unless the context and usage of the term clearly indicates that it is referring to the USDOT;

(G) “FTA” means the Federal Transit Administration;

(H) “FHWA” means the Federal Highway Administration;

(I) “Firm” means DBE. Furthermore, the firm and any fictitious name used by the firm must, to the extent required by Missouri law, be properly registered to do business in Missouri with the Missouri Secretary of State and the Missouri Department of Revenue before that firm may perform work or sell materials or supplies in Missouri as a contractor, subcontractor, regular dealer, or as a DBE firm recognized by MoDOT;

(J) “USDOT” refers to the U.S. Department of Transportation, including the Secretary of transportation, the Office of the Secretary, the Federal Highway Administration, the Federal Transit Administration and the Federal Aviation Administration, or any one of these administrative units of the United States Department of Transportation.

AUTHORITY: sections 226.020, 226.150, and 226.900-226.910, RSMo 2016; Title 49 Code of Federal Regulations part 26; Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 105-178, 112 Stat. 107, 113; Moving Ahead for Progress in the 21st Century Act, Public Law 112-141; and MoDOT’s approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded and Readopted: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rule 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 rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.021 General Information. This rule provided general information regarding Missouri Department of Transportation’s implementation of the Disadvantaged Business Enterprise (DBE) Program requirements of Title 49 *Code of Federal Regulations* Part 26 in United States Department of Transportation-assisted programs and contracts.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT’s approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RESCISSION

7 CSR 10-8.031 Who Is Governed and Bound by the USDOT and MoDOT DBE Program Regulations. This rule described which individuals, entities and firms are governed and bound by the DBE Program regulations in this chapter, the USDOT DBE Program regulations at 49 CFR part 26, and the USDOT-approved Missouri Department of Transportation DBE Program submissions.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT’s approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RESCISSION

7 CSR 10-8.041 Effective Date of the DBE Program Under 49 CFR Part 26. This rule described, under federal and state law, when the different components of the USDOT and Missouri Department of Transportation DBE Program became effective in Missouri.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; Section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RESCISSION

7 CSR 10-8.051 Procedures and Policies for Initially Certifying

and Recertifying Disadvantaged Business Enterprise Firms. This rule described the procedures and policies which Missouri Department of Transportation uses to certify firms as DBEs under federal law.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RESCISSION

7 CSR 10-8.061 Missouri Unified Certification Program. This rule described Missouri's Unified Certification Program (UCP) for USDOT DBE certification when that program had been established by MoDOT with other USDOT recipients in Missouri; and until then, stated that no such UCP program currently exists in Missouri.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RULE

7 CSR 10-8.061 Missouri Unified Certification Program

PURPOSE: This rule describes Missouri's Unified Certification Program (UCP) for the United States Department of Transportation Disadvantaged Business Enterprise certifications.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Unified Certification Program (UCP). United States Department of Transportation (USDOT) included in Title 49 of the *Code of Federal Regulations* (CFR) part 26 a provision for a "one-stop" certification process for all Disadvantaged Business Enterprises (DBEs) that is required to be implemented by agencies that are recipients of federal funds from the USDOT.

(2) Missouri Regional Certification Committee (MRCC). The Missouri Regional Certification Committee is the UCP for the state of Missouri. The five (5) agencies that directly receive USDOT funds and currently operate a USDOT approved DBE program are: 1) Missouri Department of Transportation (MoDOT); 2) City of St. Louis, Missouri; 3) Bi-State Development/Metro; 4) Kansas City Area Transportation Authority (KCATA); and 5) the City of Kansas City, Missouri. These entities shall be referred to as the "Direct Partners," and are the members of the MRCC.

(3) Unified Certification Agreement. All Direct Partners agreed to the procedures, processes, and requirements set out in the Unified Certification Agreement, Policies, and Procedures. This process allows for DBE certification by one Direct Partner to be honored by all other Direct Partners. It also allows for the review of a determination of DBE ineligibility by the MRCC Direct Partners who were not involved in the decision to remove DBE eligibility. The Missouri Highways and Transportation Commission (commission) incorporates by reference and makes a part of this rule the MRCC's Unified Certification Agreement, Policies and Procedures as published by the MRCC whose address is Missouri Department of Transportation, External Civil Rights Division, 105 West Capitol Avenue, Jefferson City, MO 65102, and effective June 15, 2011. This rule does not incorporate any subsequent amendments or additions to this publication.

All final decisions to remove a DBE's eligibility will be made by the MRCC.

(4) Certifications, Eligibility, and Hearings. MoDOT may request a removal of a DBE's eligibility, and such a removal shall be determined by the MRCC. All initial certification denials by MoDOT are administratively appealable to the USDOT. Any hearing conducted on a DBE's eligibility or a complaint filed against a DBE shall be conducted by the MRCC and the MRCC shall issue the decision. Such decision by the MRCC is administratively appealable to the USDOT pursuant to 49 CFR section 26.89.

(5) NAICS Codes. The types of work a DBE firm can perform (whether on initial certification or when a new type of work is added) should be described in terms of six- (6-) digit North American Industry Classification System (NAICS) codes. The MRCC will make the final determination after an informal, independent, administrative review hearing after a MRCC member requests that a DBE be denied a NAICS code expansion or has a NAICS code removed.

(6) NAICS Code Descriptions. A correct NAICS code is one that describes, as specifically as possible, the principal goods or services which the firm would provide to the USDOT recipients. The initial determination of NAICS codes will be determined by the member agency of the MRCC in receipt of the DBE firm application and occurs simultaneously with the initial determination of DBE eligibility. The Bureau of Census website (www.census.gov/naics) provides additional information about the details of NAICS codes. The DBE firm has the primary responsibility to provide the detailed company information the member agency of the MRCC needs to make an appropriate NAICS code determination.

(7) NAICS Code Descriptions Not Adequate. DBE firms shall rely on, and not depart from, the plain meaning of the NAICS code descriptions in determining the scope of a firm's certification. However, in situations in which a DBE firm believes that the NAICS codes on record for the firm do not adequately describe the scope of the work the firm can perform, DBE firms should use the following guidance:

(A) If a DBE firm believes that there is not a NAICS code that fully or clearly describes the type(s) of work in which it is seeking to be certified as a DBE for a commission project, the firm may request that MoDOT, in the firm's certification documentation, supplement the assigned NAICS code(s) with a clear, specific, and detailed narrative description of the type of work in which the firm seeks certification. A vague, general, or confusing description is not sufficient for this purpose, and MoDOT will not rely on such a description in determining whether a firm's desires to obtain DBE certification will be given that specific NAICS code, and, as a result, whether it's participation may be counted toward the DBE goals established for the project.

(B) The MRCC is not precluded from changing a NAICS code determination or description if there is a factual basis in the record resulting from the informal, independent, administrative hearing authorized in this rule for doing so.

(8) NAICS Code Expansion Denial or Removal. If MoDOT initially denies or removes a NAICS code expansion request, the DBE firm has fifteen (15) days from the date of receipt of the denial of a NAICS code expansion or removal of a NAICS code to request an informal, independent, administrative review hearing before the MRCC in the same manner as a hearing under 49 CFR section 26.87. The DBE firm must exhaust all administrative remedies with the MRCC prior to appealing a decision denying or removing of a NAICS code expansion to the USDOT. In the case of a removal of NAICS code, the DBE maintains its NAICS code unless and until a final decision of the MRCC removes such code. If the DBE firm chooses to appeal to the MRCC, it will retain its rights to any future appeals to the USDOT. In the event the DBE firm chooses to not appeal this decision to the MRCC, the DBE firm then waives its rights to appeal to the USDOT and any judicial review. If the DBE firm fails to make a timely request for an informal, independent,

administrative review by MRCC within fifteen (15) days from the date of receipt of the denial of the NAICS code expansion by MoDOT, MoDOT's decision regarding the DBE's NAICS code expansion will be final.

AUTHORITY: sections 226.020, 226.150, and 226.900-226.910, RSMo 2016; Title 49 Code of Federal Regulations part 26; Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 105-178, 112 Stat. 107, 113; Map-21, The Moving Ahead for Progress in the 21st Century Act, Public Law 112-141; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded and Readopted: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rule 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 rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.071 DBE Program Reporting and Disclosure Requirements for Currently Certified DBE Firms. This rule described the various affidavits and other documents each currently certified DBE firm must file with Missouri Department of Transportation to remain certified, and the legal implications for a DBE firm which fails to timely file the required affidavit or other documents.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.081 Ineligibility Complaints. This rule discussed the procedures for, and confidentiality governing, the filing of a DBE firm ineligibility complaint in accordance with 49 CFR sections 26.87(a) and 26.109(b).

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101 (b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.091 MoDOT Procedures and Hearings to Remove a Firm's DBE Eligibility. This rule complied with the requirements of 49 CFR sections 26.67, 26.87 and 26.89, by specifying the grounds for which Missouri Department of Transportation may institute proceedings to remove a firm's DBE certification and eligibility, and the hearing or other procedures involved.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides

guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 *Code of Federal Regulations* part 26; section 1101 (b) of the *Transportation Equity Act for the 21st Century (TEA-21)*, Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.101 The Effect of a USDOT Certification Appeal. This rule advised of the legal effect of a USDOT DBE certification appeal upon Missouri Department of Transportation, and upon the other parties involved.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 *Code of Federal Regulations* part 26; section 1101 (b) of the *Transportation Equity Act for the 21st Century (TEA-21)*, Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.111 Prompt Payment, Record Keeping and Audit Requirements. This rule set forth the DBE Program requirements for the prompt payment of contractors, subcontractors and suppliers, plus related record keeping and audit requirements, on federally-assisted contracts awarded by MoDOT or any other Missouri recipient receiving USDOT funding through MoDOT.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 *Code of Federal Regulations* part 26; section 1101 (b) of the *Transportation Equity Act for the 21st Century (TEA-21)*, Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.121 MoDOT DBE Program Annual Goals and Contract Goals. This rule described how MoDOT will set its annual DBE Program goal, and its individual contract goals on USDOT-assisted contract work.

PURPOSE: This rule is being rescinded and readopted to harmonize state rules and federal regulations on setting DBE program goals and contract goals on federal-aid highway projects by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 *Code of Federal Regulations* part 26; section 1101 (b) of the *Transportation Equity Act for the 21st Century (TEA-21)*, Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed

May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RULE

7 CSR 10-8.121 MoDOT DBE Program Goals, Contract Goals

PURPOSE: This rule harmonizes state rules and federal regulations on setting DBE program goals and contract goals on federal-aid highway projects by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Overall Program Goal.

(A) Amount of Goal. Missouri Department of Transportation (MoDOT) may use an interim goal-setting mechanism while it updates its availability calculations to set its Disadvantaged Business Enterprise (DBE) goals based upon the most legally defensible methodology. MoDOT may consult with economic and statistical experts to assist in adopting a goal-setting methodology that best meets the constitutional requirements of narrow tailoring in setting MoDOT's overall DBE goal.

(B) Goal-Setting Process.

1. MoDOT will submit its overall DBE Program goal to the United States Department of Transportation (USDOT) on August 1 at three (3) year intervals, based on a schedule established by the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or Federal Aviation Administration (FAA), as applicable. Before establishing the overall goal, MoDOT will consult with minority, female, and general contractor groups, community organizations, and other officials or organizations. These groups include any organization or individuals necessary to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and MoDOT's efforts to establish a level playing field for the participation of DBE firms in USDOT assisted contracts pertaining to highway, transit, and airport financial assistance programs. MoDOT will publish the proposed overall goal in general circulation,

minority, and female focused publications, trade association publications, and the MoDOT website. MoDOT will publish a notice of its goal-setting process by June 1 of any year an overall goal is being set, at three (3) year intervals, in order to allow thirty (30) days for inspection and public comment.

2. Following this consultation, MoDOT will publish a notice of the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the headquarters office for thirty (30) days following the date of the notice. MoDOT and the USDOT will accept comments on the goals for forty-five (45) days from the date of the notice. MoDOT will plan to issue the notice by June 1 of any year an overall goal is being set, at three (3) year intervals. The notice will include addresses to which comments may be sent and addresses, including office and website addresses where the proposal may be reviewed. MoDOT will begin using the overall goal on October 1 of any year an overall goal is being set, at (3) year intervals, unless other instructions have been received from USDOT.

3. MoDOT will include a summary of information and comments received during this public participation process and MoDOT's responses in the overall goal submission to the USDOT.

(C) Race- and Gender-Neutral Means.

1. MoDOT will strive to meet the maximum feasible portion of the overall DBE Program goal by race- and gender-neutral means of facilitating DBE participation in DOT assisted contracts pertaining to highway, transit, and airport financial assistance programs. Race- and gender-neutral participation involves affirmative action to assist all small business contractors and subcontractors.

2. MoDOT will adjust the estimated breakout of race- and gender-neutral and race- and gender-conscious participation to reflect actual DBE participation and will track and report race- and gender-neutral and race-conscious participation separately. For reporting purposes, race- and gender-neutral DBE participation includes, but is not necessarily limited to, the following:

A. DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures;

B. DBE participation through a subcontract that does not carry a DBE goal;

C. DBE participation on a prime contract exceeding the contract DBE goal.

(D) In order to comply with Title 49 CFR section 26.39, the department amends its current DBE program to create the following Small Business Enterprise (SBE) program for USDOT assisted projects:

1. The SBE program will not require SBE goal setting on MoDOT's USDOT assisted projects; however, certified SBEs will be encouraged to participate and certified SBE participation will be tracked, monitored, and reported; and

2. The Small Business Program "Declaration of Certification" form will be utilized by MoDOT as a member of the Missouri Unified Certification Program, also known as the Missouri Regional Certification Committee (MRCC). The "Declaration of Certification" is the document to be utilized by MoDOT to verify interested small businesses' eligibility under Small Business Administration (SBA) regulations, contained in 13 CFR sections 121.101-201 as found in 15 USC 634(b) and incorporated herein by reference, to participate in the SBE Program, 409 3rd Street, SW., Washington, DC 20416, June 2, 2017. This rule does not incorporate any subsequent amendments or additions.

(2) Project Goals on USDOT-Assisted Contract Work.

(A) MoDOT will use contract DBE goals to meet any portion of the overall DBE goal. MoDOT does not have an expectation of being able to meet the goal using only race- and gender-neutral means. MoDOT will establish contract DBE goals only on those USDOT-assisted contracts with subcontracting possibilities.

(B) The External Civil Rights Division is responsible for setting all DBE goals on MoDOT-let federal aid projects. The division is also responsible for review and concurrence on all off-state highway

system, aviation, transit, enhancement, consultant, and any other sub-recipient federal aid projects.

(C) The DBE project goal is set by reviewing the type of project, elements of work to be performed, time frame, geographical location, history of DBE and non-DBE usage, and available DBE firms. The goal will be expressed as a percentage of the total amount of funds on a USDOT-assisted contract.

(D) MoDOT will work to ensure that its DBE Program continues to be narrowly tailored to overcome the effects of discrimination, and MoDOT will adjust its use of contract DBE goals accordingly, as directed in 49 CFR section 26.51. MoDOT welcomes all public comments regarding any contract DBE goal or its contract DBE goal-setting processes. These comments should be made in writing and sent to MoDOT's External Civil Rights Division at any time.

AUTHORITY: sections 226.020, 226.150, and 226.900-226.910, RSMo 2016; Title 49 Code of Federal Regulations part 26; Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 105-178, 112 Stat. 107, 113; Moving Ahead for Progress in the 21st Century Act, Public Law 112-141; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded and Readopted: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rule 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 rule with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RESCISSION

7 CSR 10-8.131 DBE Participation Credit Toward Project or Contract Goals. This rule described how DBE firm participation credit will be awarded by Missouri Department of Transportation toward a USDOT-assisted contract DBE participation goal.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101(b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

aggregate.

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission**

Chapter 8—Disadvantaged Business Enterprise Program

PROPOSED RESCISSION

7 CSR 10-8.141 USDOT-Assisted DBE Contract Awards and Good Faith Efforts. This rule set forth the MoDOT requirements and processes for determining if a bidder has made a good faith effort to achieve a DBE contract goal in a USDOT-assisted contract.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101(b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.151 Performance of a Commercially Useful Function by a DBE Firm. This rule described when a DBE firm performs a commercially useful function, and how MoDOT and USDOT enforce that requirement in the DBE Program.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101(b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise Program**

PROPOSED RESCISSION

7 CSR 10-8.161 Confidentiality of DBE Program Financial and Other Information. This rule complied with the USDOT requirements of 49 CFR Part 26 on the confidentiality of financial and other confidential information submitted to Missouri Department of Transportation in and for the DBE Program.

PURPOSE: This rule is being rescinded and will be replaced with a new rule that harmonizes state rules and federal regulations by incorporating the federal regulations on the DBE Program and provides guidance on the federal regulation and further clarifies state rules.

AUTHORITY: section 226.150, RSMo 1994; Title 49 Code of Federal Regulations part 26; section 1101(b) of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 113; and MoDOT's approved DBE Program submittals to the U.S. Department of Transportation. Emergency rule filed May 10, 2000, effective May 20, 2000, expired Nov. 6, 2000. Original rule filed May 10, 2000, effective Nov. 30, 2000. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Highways and Transportation Commission, Pamela J.

Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. 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 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 3—Alcohol and Drug Abuse Programs**

PROPOSED RESCISSION

9 CSR 30-3.022 Transition to Enhanced Standards of Care. This rule described procedures for programs currently certified under 9 CSR 30-3.010 through 9 CSR 30-3.610 to transition to enhanced standards of care.

PURPOSE: This rule is being rescinded because all programs now meet the requirements and temporary waivers are no longer granted.

AUTHORITY: sections 630.050, 630.655 and 631.010, RSMo 2000. Original rule filed Feb. 28, 2001 effective Oct. 30, 2001. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 45—Division of Developmental Disabilities
Chapter 6—Advisory Councils**

PROPOSED RESCISSION

9 CSR 45-6.010 Guidelines for Membership on Regional Developmental Disabilities Advisory Councils. This rule established nomination and membership requirements for regional developmental disabilities advisory councils. This rule also described the role of the Missouri Planning Council and its staff in the nomination process and in the recording of membership information.

PURPOSE: This rule is being rescinded because funding for these councils was discontinued in 2013.

AUTHORITY: section 633.040, RSMo (1994). This rule was originally filed as 9 CSR 10-1.030. Original rule filed July 1, 1988, effective Nov. 25, 1988. Amended: Filed May 25, 1995, effective Dec. 30, 1995. Rescinded: Filed Jan. 12, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 2—Air Quality Standards and Air Pollution
Control Rules Specific to the Kansas City Metropolitan
Area**

PROPOSED RESCISSION

10 CSR 10-2.310 Control of Emissions From the Application of Automotive Underbody Deadeners. This rule restricted emissions of volatile organic compounds from the application of automotive underbody deadeners. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This regulation restricts emissions of volatile organic compounds from the application of automotive underbody deadeners. This rule is proposed for rescission because there is no longer any source subject to this state regulation making it obsolete. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is the public hearing testimony for this rulemaking, the periodic rule requirement, 536.175, RSMo, and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 1986. Original rule filed July 1, 1987, effective Nov. 23, 1987. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 2—Air Quality Standards and Air Pollution
Control Rules Specific to the Kansas City Metropolitan
Area**

PROPOSED RESCISSION

10 CSR 10-2.360 Control of Emissions From Bakery Ovens. This rule restricted the emission of volatile organic compounds from bakery ovens at large commercial bakeries. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This regulation restricts the emission of volatile organic compounds from bakery ovens at large commercial bakeries. This rule is proposed for rescission because there is no longer any source subject to this state regulation making it obsolete. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is the public hearing testimony for this rulemaking, the periodic rule requirement, 536.175, RSMo, and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 1994. Original rule filed May 15, 1995, effective Dec. 30, 1995. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 3—Air Pollution Control Rules Specific to the
Outstate Missouri Area**

PROPOSED RESCISSION

10 CSR 10-3.160 Restriction of Emission of Fluorides From Diammonium Phosphate Fertilizer Production. This rule established the maximum allowable rate of total fluoride emissions from any diammonium phosphate fertilizer production facility in the outstate Missouri area. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental

Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule established the maximum allowable rate of total fluoride emissions from any diammonium phosphate fertilizer production facility in the outstate Missouri area. This rule is proposed for rescission because it is no longer necessary. The only facility in Missouri that produced diammonium phosphate fertilizer was dismantled in 2004. Any new diammonium phosphate fertilizer producing facilities would be subject to the federal New Source Performance Standard in 40 CFR 60, Subpart V. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is the public hearing testimony for this rulemaking, the periodic rule review requirement, 536.175, RSMo, and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 1986. Original rule filed Feb. 27, 1978, effective Dec. 11, 1978. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

PROPOSED RESCISSION

10 CSR 10-5.120 Information on Sales of Fuels to be Provided and Maintained. This rule provided that information pertaining to the sale of coal or residual fuel oil shall be maintained and provided upon request. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule provides that information pertaining to the sale of coal or residual fuel oil shall be maintained and provided upon request. This rule is proposed for rescission because it is obsolete due to the Clean Air Act requirements and other state air regulations that control emissions from burning coal and residual fuel oil. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is the public hearing testimony for this rulemaking, the periodic rule requirement, 536.175, RSMo, and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 1994. Original rule filed March 14, 1967, effective March 24, 1967. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

PROPOSED RESCISSION

10 CSR 10-5.130 Certain Coals to be Washed. This rule provided that specified coals shall be cleaned by washing prior to their sale or use. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule provides that specified coals shall be cleaned by washing prior to their sale or use. This rule is proposed for rescission because it is obsolete due to Clean Air Act requirements and other state air regulations that control emissions of sulfur dioxide (SO₂) and particulate matter (PM). The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is the public hearing testimony for this rulemaking and the periodic rule requirement, 536.175, RSMo.

AUTHORITY: section 643.050, RSMo Supp. 2011. Original rule filed March 14, 1967, effective March 24, 1967. Amended: Filed Sept.

16, 2011, effective May 30, 2012. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area**

PROPOSED RESCISSION

10 CSR 10-5.450 Control of VOC Emissions from Traffic Coatings. This rule limited volatile organic compound content of traffic coatings. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule limited the volatile organic compound content of traffic coatings. Volatile organic compounds are precursors to ozone, which pose health and environmental concerns. The purpose of this rulemaking is to rescind a state rule that is duplicative of a federal rule and, therefore, no longer necessary. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is 536.175, RSMo and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 1994. Original rule filed Oct. 7, 1994, effective May 28, 1995. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri.

Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

PROPOSED RESCISSION

10 CSR 10-6.100 Alternate Emission Limits. This rule allowed installations in ozone nonattainment areas to propose alternate means of achieving reductions of volatile organic compounds emissions to those prescribed in rules establishing volatile organic compounds limits. If the commission adopts this rule action, the department does not intend to submit this rule rescission to the U.S. Environmental Protection Agency because the rule is administrative and the rule has never been approved as part of the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule allowed installations in ozone nonattainment areas to propose alternate means of achieving reductions of volatile organic compounds emissions to those prescribed in rules establishing volatile organic compounds limits. The purpose of this rulemaking is to rescind an obsolete air rule. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is a comment email from the U.S. Environmental Protection Agency dated August 1, 2002, the public hearing testimony, and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed June 14, 1982, effective Dec. 11, 1982. Amended: Filed Nov. 14, 2002, effective July 30, 2003. Amended: Filed Oct. 15, 2008, effective July 30, 2009. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

PROPOSED RESCISSION

10 CSR 10-6.350 Emission Limitations and Emissions Trading of Oxides of Nitrogen. This rule reduced emissions of nitrogen oxides (NO_x) and established a NO_x emissions trading program for the State of Missouri. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule reduced the emissions of nitrogen oxides (NO_x) and establish a NO_x emissions trading program for the state of Missouri. The purpose of this rulemaking is to rescind an obsolete rule that has been superseded by the federal Cross State Air Pollution Rule (CSAPR). The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is 536.175, RSMo and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed Feb. 15, 2000, effective Sept. 30, 2000. Amended: Filed Dec. 4, 2002, effective Aug. 30, 2003. Amended: Filed Oct. 2, 2006, effective May 30, 2007. Amended: Filed Oct. 24, 2008, effective July 30, 2009. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

PROPOSED RESCISSION

10 CSR 10-6.360 Control of NO_x Emissions From Electric Generating Units and Non-Electric Generating Boilers. This rule

reduced emissions of nitrogen oxides (NO_x) and established an emission budget for large electric generating units and non-electric generating boilers. If the commission adopts this rule action, the department intends to submit this rule rescission to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule reduced emissions of oxides of nitrogen (NO_x) to ensure compliance with the federal NO_x control plan to reduce the transport of air pollutants and established an emission budget for large electric generating units and non-electric generating boilers. The purpose of this rulemaking is to rescind an obsolete rule that has been superseded by the federal Cross State Air Pollution Rule (CSAPR). The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is 536.175, RSMo and Executive Order 17-03 Red Tape Reduction Review and related comments.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed Feb. 14, 2005, effective Oct. 30, 2005. Amended: Filed Oct. 2, 2006, effective May 30, 2007. Amended: Filed Oct. 24, 2008, effective July 30, 2009. Rescinded: Filed Jan. 4, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 29, 2018. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 5, 2018. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 1—Organization**

PROPOSED RESCISSION

10 CSR 25-1.010 Organization. This rule provided general information about the Hazardous Waste Management Commission, the department's hazardous waste program, Missouri's hazardous waste management law, and other information.

PURPOSE: This rule is being rescinded because the department is adopting a single, department-wide rule that will provide the information required by section 536.023, RSMo.

AUTHORITY: sections 260.365 and 260.370 and 260.400, RSMo 2000. Original rule filed Sept. 7, 1978, effective Feb. 16, 1979. For intervening history, please consult the Code of State Regulations.

Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.010 Applicability. This rule substantially restated statutory language establishing the applicability of the regulations at 10 CSR 25-17.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.900 and 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste

Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.020 Definitions. This rule defined certain terms used within 10 CSR 25-17.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.900 and 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.030 Registration and Surcharges. This rule implemented the fee and registration program applicable to dry-cleaning facility and supplier of chemicals to these facilities.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.905, 260.935 and 260.940, RSMo Supp.

2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.040 Reporting and Record Keeping. This rule required owners of dry-cleaning facilities to keep records and provide those to the department upon request.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.905, RSMo Supp. 2005 and 260.955, RSMo 2000. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste

Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.050 Reporting of Releases and Existing Contamination. This rule required owners of dry-cleaning facilities to report to the department releases of chemicals.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017. The department has other statutory authority to respond to releases from these types of facilities and require clean-up.

AUTHORITY: sections 260.905, RSMo Supp. 2005 and 260.910, RSMo 2000. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.060 Site Prioritization and Completion. This rule established a prioritization framework for the department to utilize for determining which dry-cleaning sites required more immediate attention.

PURPOSE: This rule is being rescinded because the enabling statute

expired on August 28, 2017. The department has other statutory authority to respond to releases from these types of facilities and require clean-up.

AUTHORITY: section 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.070 Closure of Facilities. This rule required owners of dry-cleaning to remove cleaning chemicals from the facility if operations ceased.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017. The department has other statutory authority to respond to releases from these types of facilities and require clean-up.

AUTHORITY: section 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the

Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.080 Site Characterization and Corrective Action. This rule required owners of dry-cleaning facilities to utilize certain methodologies for the investigation and clean-up of sites.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017. The department has other statutory authority to respond to releases from these types of facilities and require clean-up.

AUTHORITY: section 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.090 Application Procedures. This rule established application submittal requirements for dry-cleaning facilities seeking coverage by the fund.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: section 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.100 Participation and Eligibility for Funding. This rule established eligibility requirements for facilities seeking coverage by the fund.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.905 and 260.925, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.110 Eligible Costs. This rule established the costs eligible for coverage by the fund.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.905 and 260.925, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.120 Payment of Deductible and Limits on Payments. This rule restated existing statutory provisions about the limits on payments from the fund.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.905 and 260.925, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.130 Suspension of Collection of Surcharges; Reinstatement. This rule restates statutory provisions about the maximum amount of revenue that can exist within the fund.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.905 and 260.945, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the

Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.140 General Reimbursement Procedures. This rule established the reimbursement procedures for the fund.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: section 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.150 Claims. This rule established claims procedures for owners of dry-cleaning facilities to follow in order to ensure coverage by the fund.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017.

AUTHORITY: section 260.905, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.160 Notification of Abandoned Sites. This rule required owners of abandoned dry-cleaning facilities to notify the department by 2009.

PURPOSE: This rule is being rescinded because it is obsolete and because the enabling statute expired on August 28, 2017.

AUTHORITY: sections 260.905 and 260.925, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or

email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 17—Dry-Cleaning Environmental Response
Trust Fund**

PROPOSED RESCISSION

10 CSR 25-17.170 Violations of Dry Cleaning Remediation Laws. This rule restated statutory provisions establishing what constitutes a violation of the law and the penalties the department may seek to have imposed through a lawsuit.

PURPOSE: This rule is being rescinded because the enabling statute expired on August 28, 2017. The department has other statutory authority to respond to releases from these types of facilities and require clean-up.

AUTHORITY: sections 260.905 and 260.910, RSMo Supp. 2005. Original rule filed Oct. 3, 2005, effective May 30, 2006. Rescinded: Filed Jan. 3, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 26—Petroleum and Hazardous Substance
Storage Tanks
Chapter 1—Underground and Aboveground Storage
Tanks—Organization**

PROPOSED RESCISSION

10 CSR 26-1.010 Organization. This rule provided general information about the Hazardous Waste Management Commission, the department's hazardous waste program, Missouri's hazardous waste

management law, and other information.

PURPOSE: This rule is being rescinded because the department is adopting a single, department-wide rule that will provide the information required by section 536.023, RSMo.

AUTHORITY: section 536.021, RSMo Supp. 2010. Original rule filed April 15, 2011, effective Dec. 30, 2011. Rescinded: Filed Jan. 11, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Missouri Hazardous Waste Management Commission will hold a public hearing on this rule action and others beginning at 10:00 a.m. on March 22, 2018, at the Elm Street Conference Center, 1730 East Elm Street, Jefferson City, Missouri. Any interested person will have the opportunity to testify. Advance notice is not required. However, anyone who wants to make arrangements to testify may do so prior to the hearing by contacting the secretary of the Hazardous Waste Management Commission at (573) 751-2747.

Any person may submit written comments on this rule action. Interested persons, whether or not heard, may submit a written or email statement of their views until midnight on March 29, 2018. Written comments shall be sent to the director of the Hazardous Waste Program at PO Box 176, Jefferson City, MO 65102-0176. To be accepted, written comments must be postmarked by midnight on March 29, 2018. Email comments shall be sent to tim.eiken@dnr.mo.gov. Please direct all inquiries to the Rules Coordinator of the Hazardous Waste Program, at 1730 E. Elm, Jefferson City, MO 65102, telephone (573) 751-3176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 1—Organization**

PROPOSED RESCISSION

10 CSR 40-1.010 Organization and Method of Operation. This rule provided general information about the Land Reclamation Commission (now the Missouri Mining Commission).

PURPOSE: This rule is being rescinded because the department is adopting a single, department-wide rule that will provide the information required by section 536.023, RSMo.

AUTHORITY: section 444.530, RSMo 1994. Original rule filed June 14, 1976, effective Nov. 15, 1976. Amended: Filed Sept. 15, 1994, effective April 30, 1995. Rescinded: Filed Jan. 10, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. 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 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.010 Definitions. This rule stated definitions for old law coal mining.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: sections 444.510 and 444.535, RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.020 General Obligations for Permits, Maps, Signs and Markers. This rule stated the requirements for permits, maps, signs and markers.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: sections 444.535 and 444.550, RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21,

2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.030 Restoration of Affected Land to Equivalent Prior Use. This rule stated requirements for restoring land affected by mining to the equivalent use prior to mining.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535.1(2), RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 8, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, LaCharrette Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.040 Backfilling and Grading Requirements. This rule stated the backfilling and grading requirements.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535.1(3), RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition

to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.050 Topsoil Handling. This rule stated the requirements for handling topsoil.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535.1(4), RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.060 Protection of the Hydrologic System by Water Quality Standards and Effluent Limitations. This rule stated the requirements to be achieved to maintain water quality standards and effluent limitations.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535.1(5), RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.070 Dams Constructed of or Impounding Waste Material. This rule stated requirements for constructing dams with or for waste material.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535.1(6), RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.080 Use of Explosives. This rule stated requirements for the use of explosives.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535, RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Amended: Filed July 15, 1980, effective Nov. 13, 1980. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.090 Revegetation Requirements. This rule stated requirements for revegetation of affected land.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535.1(8), RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Amended: Filed June 3, 1985, effective Oct. 28, 1985. Amended: Filed April 2, 1986, effective July 26, 1986. Amended: Filed Aug. 4, 1987, effective Nov. 23, 1987. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.100 Steep-Slope Mining Requirements. This rule stated requirements for mining on steep-slopes.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: section 444.535.2., RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 2—Land Reclamation Performance
Requirements for Coal Strip Mining**

PROPOSED RESCISSION

10 CSR 40-2.110 Prime Farmlands Performance Requirements. This rule stated requirements for reconstruction of prime farmland affected by mining.

PURPOSE: This rule is being rescinded as it has been superceded by 10 CSR 40-3 through 8.

AUTHORITY: sections 444.535.1(1) and 444.810, RSMo 1986. Original rule filed July 13, 1978, effective Jan. 13, 1979. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 10, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 9:00 a.m. on March 21, 2018, at the Department of Natural Resources' Lewis and Clark State Office Building, Nightingale Creek Conference Room, 1101 Riverside Drive, Jefferson City, MO 65102.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations**

PROPOSED RESCISSION

10 CSR 40-10.060 Inspection Authority and Right of Entry. This

rule restated the statutory authority of the department to access property to determine compliance with the Land Reclamation Act.

PURPOSE: The director is rescinding this rule because it is duplicative of statute. Requiring operators to consult both statute and regulation is a burden without any corresponding environmental benefit.

AUTHORITY: sections 444.767, 444.772 and 444.784, RSMo Supp. 2004. Original rule filed Aug. 2, 1991, effective Feb. 6, 1992. Amended: Filed April 1, 2004, effective May 30, 2005. Rescinded: Filed Jan. 10, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. 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 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations**

PROPOSED RESCISSION

10 CSR 40-10.090 Annual Reclamation Status Report. This rule required operators to submit annual reports about the status of their permitted mining activity and amount of reclamation completed.

PURPOSE: This rule is being rescinded because it restates statutory authority. Requiring operators to consult both statute and regulation is a burden without any corresponding environmental benefit.

AUTHORITY: sections 444.760–444.789, RSMo Supp. 1990. Original rule filed Aug. 2, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 10, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. 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 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 1—Organization**

PROPOSED RESCISSION

10 CSR 45-1.010 General Organization. This rule described the overall organizational structure of the department's implementation

of the Metallic Minerals Waste Management Act.

PURPOSE: This rule is being rescinded because the department is adopting a single, department-wide rule that will provide the information required by section 536.023, RSMo.

AUTHORITY: sections 444.352–444.380, RSMo 1994 and Supp. 1999 and 536.023(3), RSMo Supp. 1999. Original rule filed Oct. 2, 1990, effective April 29, 1991. Amended: Filed Jan. 19, 2000, effective Sept. 30, 2000. Rescinded: Filed Jan. 10, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Missouri Department of Natural Resources, Land Reclamation Program, PO Box 176, Jefferson City, MO 65102-0176. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 10—Division of Finance and Administrative
Services
Chapter 1—Financial Services**

PROPOSED RESCISSION

13 CSR 10-1.015 Direct Deposit of Payments. This rule described the procedures for the direct deposit of Department of Social Services payments.

PURPOSE: This rule is being rescinded because it is not a mandatory requirement.

AUTHORITY: section 660.010, RSMo Supp. 2014. Original rule filed April 22, 2015, effective Oct. 30, 2015. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 35—Children’s Division
Chapter 32—Child Care**

PROPOSED RESCISSION

13 CSR 35-32.040 Hand-Up Pilot Program. This rule established the Hand-Up Pilot Program, which was designed to allow persons

currently receiving child care benefits and who experience an increase in income that causes them to exceed the allowed monthly income guidelines for full child care benefits to continue receiving child care while sharing in the cost.

PURPOSE: This rule is being rescinded because by section 208.053, RSMo, the program’s sunset clause went into effect on August 28, 2017.

AUTHORITY: section 208.053, RSMo Supp. 2012. Original rule filed May 1, 2013, effective Nov. 30, 2013. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: The proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 2—Income Maintenance**

PROPOSED RESCISSION

13 CSR 40-2.220 Families Deemed to be Receiving AFDC for Purposes of Title XIX. This rule established which families were deemed to be receiving Aid to Families with Dependent Children for purposes of Title XIX.

PURPOSE: The Family Support Division, Income Maintenance Section, is rescinding this rule because Aid to Families with Dependent Children is no longer tied to Title XIX due to passage of the Affordable Care Act.

AUTHORITY: section 207.020, RSMo 1986. Emergency rule filed Oct. 3, 1984, effective Oct. 13, 1984, expired Jan. 11, 1985. Original rule filed Oct. 15, 1984, effective Jan. 12, 1985. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 2—Income Maintenance**

PROPOSED RESCISSION

13 CSR 40-2.280 FUTURES Program. This rule provided for the implementation of the FUTURES program.

PURPOSE: This rule is being rescinded since the FUTURES program has been replaced with Missouri Work Assistance (MWA) Program, which has its own rules.

AUTHORITY: section 207.020, RSMo 1994. Original rule filed May 2, 1990, effective Sept. 28, 1990. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 2—Income Maintenance**

PROPOSED RESCISSION

13 CSR 40-2.290 Compensation for Legal Representation of General Relief Recipient in Successful Supplemental Security Income Appeal. This rule provided directions for attorneys who are filing claims for compensation after the successful representation of General Relief recipients in SSI benefits claims.

PURPOSE: This rule is being rescinded because the General Relief program has been defunded since 2005.

AUTHORITY: section 207.020, RSMo 1986. Emergency rule filed Nov. 1, 1990, effective Nov. 11, 1990, expired March 11, 1991. Original rule: Filed Nov. 1, 1990, effective April 29, 1991. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 59—Criminal Record Reviews**

PROPOSED RESCISSION

13 CSR 40-59.020 Definitions. This rule established the definitions for the chapter of criminal record reviews.

PURPOSE: This rule is being rescinded because it is duplicative of 13 CSR 35-60.010.

AUTHORITY: sections 207.020 and 210.486, RSMo 1986. Original rule filed March 22, 1990, effective June 28, 1990. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: The proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 59—Criminal Record Reviews**

PROPOSED RESCISSION

13 CSR 40-59.030 Criminal and Child Abuse/Neglect Central Registry Checks for Foster, Adoptive and Relative Care Providers. This rule established the application for background screening and investigation of all foster, adoptive, and relative care providers prior to being granted licensure/relicensure.

PURPOSE: This rule is being rescinded as it is duplicative of 13 CSR 35-60.010.

AUTHORITY: sections 207.020 and 210.486, RSMo 1986. Original rule filed March 22, 1990, effective June 28, 1990. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: The proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program

PROPOSED RESCISSION

13 CSR 70-10.050 Pediatric Nursing Care Plan. This rule established a methodology for determination of per-diem rates for pediatric long-term care facilities.

PURPOSE: This rule is being rescinded as there are no longer any providers that qualify for reimbursement under this regulation.

AUTHORITY: sections 208.153, 208.159 and 208.201, RSMo 2000. Original rule filed Sept. 26, 1989, effective Feb. 11, 1990. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 93—Medicaid Clinic Program

PROPOSED RESCISSION

13 CSR 70-93.010 Reimbursement for Medicaid Children's Clinic Services. This rule established the regulatory basis for Title XIX Medicaid payment for children's clinic services.

PURPOSE: The MO HealthNet Division is rescinding this rule because there are no longer any providers that qualify for reimbursement under this rule.

AUTHORITY: section 208.201, RSMo Supp. 1987. Emergency rule filed Jan. 15, 1993, effective, Feb. 2, 1993, expired June 1, 1993. Emergency rule filed June 11, 1993, effective June 21, 1993, expired Oct. 18, 1993. Original rule filed March 2, 1993, effective Aug. 9, 1993. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 93—Medicaid Clinic Program

PROPOSED RESCISSION

13 CSR 70-93.020 Reimbursement for Medicaid Family Health Clinic Program. This rule established the regulatory basis for Medicaid (Title XIX) payment for family health clinic program services. This rule required primary and prenatal clinics that were owned and operated by the Department of Social Services on June 30, 1994, to operate as an independent clinic provider on a not-for-profit status to be eligible for reimbursement under the Medicaid Family Health Clinic Program.

PURPOSE: The MO HealthNet Division is rescinding this rule because there are no longer any providers that qualify for reimbursement under the rule.

AUTHORITY: section 208.201, RSMo 1994. Emergency rule filed Oct. 31, 1995, effective Nov. 10, 1995, expired April 28, 1996. Original rule filed June 30, 1995, effective Jan. 30, 1996. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 110—Division of Youth Services
Chapter 2—Classification Services and Residential Care

PROPOSED RESCISSION

13 CSR 110-2.110 Responsibilities of Facility Managers. This rule defined the responsibilities of the facility managers and established guidelines for certain reports required by the division.

PURPOSE: This rule is being rescinded because these issues are adequately addressed in both statute and division policy, making this rule unnecessary.

AUTHORITY: section 219.036, RSMo 1994. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Feb. 10, 2000, effective Aug. 30, 2000. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking,

PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 110—Division of Youth Services
Chapter 4—Interstate Compact on Juveniles**

PROPOSED RESCISSION

13 CSR 110-4.010 Operational Procedures of the Interstate Compact on Juveniles. The purpose of this rule was to outline the procedures to be followed in implementing the operation of the Interstate Compact on Juveniles (section 210.570, RSMo (1986)).

PURPOSE: This rule is being rescinded as it is unnecessary since 210.570, RSMo sets out the text of the Interstate Compact on Juveniles and the Interstate Commission has promulgated rules that are therefore binding on the State of Missouri. Under 210.570, RSMo these rules have the force and effect of statutory law.

AUTHORITY: sections 210.570 and 219.036, RSMo 1986. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 110—Division of Youth Services
Chapter 6—Juvenile Crime Bill**

PROPOSED RESCISSION

13 CSR 110-6.010 Juvenile Crime Bill Provisions and Procedures. The purpose of this rule was to identify relevant areas which were affected by the 1995 Juvenile Crime Bill (HB 174).

PURPOSE: The content of this regulation has historical value but it is unnecessary to have a regulation as it can be preserved in a different manner.

AUTHORITY: sections 211.068, 211.071, 211.073, 211.141, 211.171, 211.181, 211.321 and 219.021, RSMo Supp. 1999 and 219.036, RSMo 1994. Original rule filed Feb. 10, 2000, effective Aug. 30, 2000. Rescinded: Filed Jan. 16, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 15—Division of Senior and Disability Services
Chapter 3—Service Credit Program (Older Volunteer Service Bank)**

PROPOSED RESCISSION

19 CSR 15-3.010 Definitions. This rule defined terms used relating to Service Credits and the Older Volunteer Service Bank Program.

PURPOSE: This rule is being rescinded as Older Volunteer Service Bank (OVSB) no longer exists.

AUTHORITY: sections 208.300–208.305, RSMo Supp. 1987. This rule previously filed as 13 CSR 15-3.010. Original rule filed Sept. 15, 1988, effective Jan. 27, 1989. Moved to 19 CSR 15-3.010, effective Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Celesta Hartgraves, Division of Senior and Disability Services, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 15—Division of Senior and Disability Services
Chapter 3—Service Credit Program (Older Volunteer Service Bank)**

PROPOSED RESCISSION

19 CSR 15-3.020 Sponsoring Agencies. This rule set forth the information which must be submitted by an agency in order to be approved by the Division of Aging to be a sponsoring agency in the OVSB program and to delineate the roles and responsibilities of an agency.

PURPOSE: This rule is being rescinded as Older Volunteer Service Bank (OVSB) no longer exists.

AUTHORITY: sections 208.300–208.305, RSMo Supp. 1987. This rule previously filed as 13 CSR 15-3.020. Original rule filed Sept. 15, 1988, effective Jan. 27, 1989. Moved to 19 CSR 15-3.020, effective Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

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

aggregate.

PRIVATE COST: This proposed rescission 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 rescission with Celesta Hartgraves, Division of Senior and Disability Services, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

**Division 15—Division of Senior and Disability Services
Chapter 3—Service Credit Program (Older Volunteer
Service Bank)**

PROPOSED RESCISSION

19 CSR 15-3.030 Volunteers. This rule set forth the requirements to be a volunteer eligible to receive service credits or to donate credit to a beneficiary, the training requirements and the code of ethics.

PURPOSE: This rule is being rescinded as Older Volunteer Service Bank (OVSB) no longer exists.

AUTHORITY: sections 208.300–208.305, RSMo Supp. 1987. This rule previously filed as 13 CSR 15-3.030. Original rule filed Sept. 15, 1988, effective Jan. 27, 1989. Moved to 19 CSR 19-3.030, effective Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Celesta Hartgraves, Division of Senior and Disability Services, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

**Division 15—Division of Senior and Disability Services
Chapter 3—Service Credit Program (Older Volunteer
Service Bank)**

PROPOSED RESCISSION

19 CSR 15-3.040 Service Credits. This rule set forth the criteria for receipt of service credits and the amount of credits to be awarded for different types of service.

PURPOSE: This rule is being rescinded as Older Volunteer Service Bank (OVSB) no longer exists.

AUTHORITY: sections 208.300–208.305, RSMo Supp. 1987. This rule previously filed as 13 CSR 15-3.040. Original rule filed Sept. 15, 1988, effective Jan. 27, 1989. Moved to 19 CSR 15-3.040, effective Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Celesta Hartgraves, Division of Senior and Disability Services, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

**Division 15—Division of Senior and Disability Services
Chapter 3—Service Credit Program (Older Volunteer
Service Bank)**

PROPOSED RESCISSION

19 CSR 15-3.050 Redemption of Credits. This rule set forth the procedure to be followed by an individual who has service credits banked with the division and who, because of a need for service for him/herself or a family member, wants to draw on the credits.

PURPOSE: This rule is being rescinded as Older Volunteer Service Bank (OVSB) no longer exists.

AUTHORITY: sections 208.300–208.305, RSMo Supp. 1987. This rule previously filed as 13 CSR 15-3.050. Original rule filed Sept. 15, 1988, effective Jan. 27, 1989. Moved to 19 CSR 15-3.050, effective Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Celesta Hartgraves, Division of Senior and Disability Services, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

**Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act**

PROPOSED RESCISSION

19 CSR 15-4.030 Governor's Advisory Council on Aging. This rule designated the Governor's Advisory Council on Aging as an advisory group to the Division of Aging and established bylaws under which it will operate.

PURPOSE: This rule is being rescinded due to an Executive Order that eliminated the Governor's Advisory Council on Aging.

AUTHORITY: section 660.050, RSMo 1986. This rule was previously filed as 13 CSR 15-6.030 and 13 CSR 15-4.030. Original rule filed Jan. 6, 1986, effective April 30, 1986. Moved to 19 CSR 15-4.030, effective Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Celesta Hartgraves, Division of Senior and Disability Services, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

PROPOSED RESCISSION

19 CSR 15-4.310 Corporate Eldercare. This rule established mandatory guidelines for area agencies on aging with respect to the development and implementation of the corporate eldercare program.

PURPOSE: This rule is being rescinded because the program no longer exists.

AUTHORITY: section 660.050, RSMo Supp. 1999. This rule previously filed as 13 CSR 15-4.310. Original rule filed June 16, 1992, effective Jan. 15, 1993. Amended: Filed Aug. 28, 2000, effective March 30, 2001. Moved to 19 CSR 15-4.310, effective Aug. 28, 2001. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with Celesta Hartgraves, Division of Senior and Disability Services, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 70—Lead Abatement and Assessment Licensure, Training Accreditation

PROPOSED RESCISSION

19 CSR 30-70.200 Application Process and Requirements for the Licensure of Risk Assessors Who Possessed a Valid Missouri Lead Inspector License on August 28, 1998. This rule provided the

requirements for a temporary risk assessor license.

PURPOSE: This rule is being rescinded as it is outdated and no longer applicable.

AUTHORITY: sections 701.301 and 701.312, RSMo Supp. 1998. Emergency rule filed Aug. 19, 1999, effective Aug. 30, 1999, expired Feb. 25, 2000. Original rule filed Aug. 19, 1999, effective Feb. 29, 2000. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 40—Division of Maternal, Child and Family Health
Chapter 10—Forensic Examinations for Sexual Assault

PROPOSED RESCISSION

19 CSR 40-10.010 Payments for Sexual Assault Forensic Examinations. The Department of Health and Senior Services made payments to appropriate medical providers to cover the charges of the forensic examination of a person who may be a victim of a sexual offense. This rule established criteria by which forensic examination charges were paid.

PURPOSE: This rule is being rescinded because the Sexual Assault Forensic Examination payment program was transferred to the Department of Public Safety (DPS) per Executive Order 08-04. The DPS wrote its own rules which are now in effect under 11 CSR 30-12.010. Therefore, the DHSS rule is no longer needed.

AUTHORITY: section 191.225, RSMo Supp. 2007. Emergency rule filed Sept. 6, 2007, effective Sept. 16, 2007, terminated Nov. 3, 2007. Emergency rule filed Oct. 24, 2007, effective Nov. 3, 2007, expired March 13, 2008. Original rule filed Nov. 1, 2007, effective May 30, 2008. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 50—Division of Injury Prevention, Head Injury Rehabilitation and Local Health Services
Chapter 3—Legal Expense Fund Coverage

PROPOSED RESCISSION

19 CSR 50-3.010 Volunteer Health Care Workers in a School. This rule established the requirements for implementing legal expense fund coverage for volunteer health care workers in a school setting.

PURPOSE: The department is rescinding this rule because current provisions of section 105.711, RSMo, do not authorize the department to promulgate rules relating to legal expense fund coverage for volunteer health care workers in a school setting.

AUTHORITY: section 105.711, RSMo Supp. 1993. Original rule filed May 2, 1994, effective Oct. 30, 1994. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 50—Division of Injury Prevention, Head Injury Rehabilitation and Local Health Services
Chapter 10—Missouri Rehabilitation Center

PROPOSED RESCISSION

19 CSR 50-10.010 Standard Means Test for Patients. This rule provided a standard means test for patients of the Missouri Rehabilitation Center.

PURPOSE: This rule is being rescinded because the Missouri Rehabilitation Center was transferred to the curators of the University of Missouri in 1996 in accordance with sections 172.850 through 172.859, RSMo. The University of Missouri closed the Missouri Rehabilitation Center October 31, 2014.

AUTHORITY: section 192.005.2., RSMo 1986. Original rule filed Oct. 3, 1986, effective Dec. 26, 1986. Amended: Filed Nov. 26, 1991, effective April 9, 1992. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 50—Division of Injury Prevention, Head Injury Rehabilitation and Local Health Services
Chapter 10—Missouri Rehabilitation Center

PROPOSED RESCISSION

19 CSR 50-10.020 Patient Rights Regarding Health Care Decisions. This rule established the policy and procedures to be followed by Missouri Rehabilitation Center to assure the rights of patients to participate in and direct health care decisions affecting them.

PURPOSE: This rule is being rescinded because the Missouri Rehabilitation Center was transferred to the curators of the University of Missouri in 1996 in accordance with sections 172.850 through 172.859, RSMo. The University of Missouri closed the Missouri Rehabilitation Center October 31, 2014.

AUTHORITY: section 192.005.2., RSMo 1986. Original rule filed Jan. 15, 1993, effective July 8, 1993. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Missouri Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors

PROPOSED RESCISSION

19 CSR 90-1.010 Definitions. This rule established the definitions that applied to 19 CSR 90-1.010 to 19 CSR 90-1.090 (eligible seniors) for implementation and administration of the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27,

2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

PROPOSED RESCISSION

19 CSR 90-1.020 Eligibility and Application Process. This rule established eligibility and the application process for eligible seniors for the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

PROPOSED RESCISSION

19 CSR 90-1.030 General Payment Provisions. This rule established the general payment provisions for eligible seniors for the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

PROPOSED RESCISSION

19 CSR 90-1.040 Claimant's Responsibilities. This rule set forth the claimant's responsibilities as a participant in the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

PROPOSED RESCISSION

19 CSR 90-1.050 Process for Reenrollment into the Program.

This rule established the process for reenrollment into the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

PROPOSED RESCISSION

19 CSR 90-1.060 Authorized Agent. This rule set forth individuals who are eligible to act as an authorized agent for the purpose of submitting an application on behalf of an eligible senior.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

PROPOSED RESCISSION

19 CSR 90-1.070 Program Identification Card. This rule set forth the requirements for the possession and use of the program identification card by the eligible senior or his or her authorized agent.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

PROPOSED RESCISSION

19 CSR 90-1.080 Termination from the Program. This rule enumerated the reasons that an eligible senior will be terminated from participation in the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community

and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors

PROPOSED RESCISSION

19 CSR 90-1.090 Appeal Process. This rule set forth the process to appeal from the denial of or termination from participation in the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies

PROPOSED RESCISSION

19 CSR 90-2.010 Definitions. This rule established the definitions that applied to 19 CSR 90-2.010 to 19 CSR 90-2.050 (participating pharmacies) for implementation and administration of the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies

PROPOSED RESCISSION

19 CSR 90-2.020 Eligibility and Application Process. This rule established eligibility and the application process for participating pharmacies for the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies

PROPOSED RESCISSION

19 CSR 90-2.030 Responsibilities of Enrolled Participating Pharmacies. This rule set forth the responsibilities of the participating pharmacy in the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002.

Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies**

PROPOSED RESCISSION

19 CSR 90-2.040 Termination or Suspension from the Program.
This rule enumerated the reasons that a participating pharmacy will be terminated or suspended from participation in the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections 208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies**

PROPOSED RESCISSION

19 CSR 90-2.050 Appeal Process. This rule set forth the process to appeal from the denial of, termination from, or suspension from participation in the Missouri Senior Rx Program.

PURPOSE: The department is rescinding this rule because sections

208.550 to 208.574, RSMo, which authorized the Missouri Senior Rx Program were repealed by SB 539 (93rd General Assembly, 1st Regular Session (2005)).

AUTHORITY: section 208.553.3(5), RSMo Supp. 2001. Emergency rule filed Jan. 16, 2002, effective March 1, 2002, expired Aug. 27, 2002. Original rule filed Jan. 16, 2002, effective Aug. 30, 2002. Rescinded: Filed Jan. 5, 2018.

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

PRIVATE COST: This proposed rescission 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 rescission with the Department of Health and Senior Services, Division of Community and Public Health, Kerri Tesreau, Acting Division Director, PO Box 570, Jefferson City, MO 65102-0570. 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.

This section will contain the final text of the rules proposed 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*.

The 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 120—Family Trust Company**

ORDER OF RULEMAKING

By the authority vested in the secretary of state under section 362.1116, RSMo Supp. 2017, the secretary adopts a rule as follows:

15 CSR 30-120.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1318). 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: The secretary of state received two (2) comments on the proposed rule. Because of these comments, changes were made to this rule.

COMMENT #1: Charles A. Redd, with Stinson Leonard Street LLP, noted that this rule introduces the definition of a “holding company,” which is then used in the Application to Register as a Family Trust Company. The Application to Register as a Family Trust Company requires additional information for any holding company that will be subscribing to ten percent (10%) or more of the stock or membership interests. Mr. Redd suggested that to collect and provide this information is unnecessary and time-consuming, and that the Missouri Family Trust Company Act does not require the secretary to collect information about holding companies.

RESPONSE AND EXPLANATION OF CHANGE: The proposed

modification is appropriate and secretary will delete the definition of “holding company.”

COMMENT #2: Charles A. Redd, with Stinson Leonard Street LLP, commented that this rule also introduces the definition of a “third-party service provider.” Under 15 CSR 30-120.050, a family trust company would be required to maintain a list identifying all third-party service providers and the services they provide as part of the records kept at the family trust company’s principal place of business in Missouri. Mr. Redd contends that the Missouri Family Trust Company Act does not require the secretary to mandate family trust companies to maintain such lists, and that requiring a family trust company to maintain such lists is unnecessary and time-consuming.

RESPONSE AND EXPLANATION OF CHANGE: The proposed modification is appropriate and secretary will delete the definition of “third-party service provider.”

15 CSR 30-120.010 Definitions

(1) As used in this chapter or in the forms prescribed by this chapter, the words defined in section 362.1015, RSMo, shall have the same meaning, and the following terms and phrases (whether or not capitalized) shall have the meanings stated below unless the context clearly indicates otherwise:

(D) “Company” means any corporation, association, partnership, limited liability company, business trust, sole proprietorship, joint venture, or charitable organization or foundation, or other similar organization or business entity; and

(E) “Owns” or “controls” means owns, controls, or has power to vote twenty-five percent (25%) or more of any class of voting securities or membership interests of a company or family trust company or foreign family trust company; or controls in any manner the election of a majority of the directors, or managers or other similar governing body of a company or family trust company or foreign family trust company; owns, controls, or has power to vote ten percent (10%) or more of any class of voting securities or membership interests of a company or family trust company or foreign family trust company and exercises a controlling influence over the management or policies of the company or family trust company or foreign family trust company; or as determined by the secretary.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 120—Family Trust Company**

ORDER OF RULEMAKING

By the authority vested in the secretary of state under section 362.1116, RSMo Supp. 2017, the secretary adopts a rule as follows:

15 CSR 30-120.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1318–1319). 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: The secretary received eighteen (18) comments on the proposed rule. Because of these comments, changes were made to this rule.

COMMENT #1: Charles A. Redd, with Stinson Leonard Street LLP, recommended that the first sentence of section (1) be changed to “An applicant seeking to register as...”

RESPONSE: Under section 362.1015, RSMo, the term “family trust company” is defined. The proposed change is unnecessary. No changes have been made to the rule as a result of this comment.

COMMENT #2: Charles A. Redd, with Stinson Leonard Street LLP, commented that the language used in the rule should be consistent with the statute and other rules, including the language used to describe records and fees.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. In section (1), “application fee” will be changed to “filing fee” and in subsection (2)(D) and section (4), “corporate” will be changed to “company.” The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #3: Charles A. Redd, with Stinson Leonard Street LLP, commented that section (4) incorrectly referenced Exhibit G.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted and the reference will be corrected.

COMMENT #4: Charles A. Redd, with Stinson Leonard Street LLP, commented that a large portion of the information required by the secretary to be submitted with the Application to Register as a Family Trust Company is not required by the Missouri Family Trust Company Act (e.g., numbers 8, 9, 13, 14, and 16 and exhibits A, B, D, E, F, and G), and that the extent of information required is oppressive.

RESPONSE AND EXPLANATION OF CHANGE: Under section 362.1030.2, RSMo, no family trust company shall conduct business in Missouri unless such family trust company pays a filing fee and registers with the secretary in a format prescribed by the secretary. Under section 362.1085, RSMo, the secretary may establish by rule the requirements and records necessary to demonstrate conformity with sections 362.1010 to 362.1117, RSMo, by a family trust company. Under section 362.1110, RSMo, a family trust company shall keep at its principal place of business or principal place of operations: full and complete records of the names and residences of all its shareholders or members; the number of shares or membership units held by each, as applicable; and the ownership percentage of each shareholder or member. Under section 362.1035.2, RSMo, a family trust company is required to maintain applicable state and local business licenses, charters, and permits; and a deposit account with a state-chartered or national financial institution that has a principal or branch office in Missouri. Under 362.1050, RSMo, a family trust company must maintain its fiduciary books and records separate and distinct from other records of the company and shall segregate all assets held in any fiduciary capacity from other assets of the company. The secretary reviewed the Application to Register as a Family Trust Company and determined that the amount of information requested could be reduced. The secretary removed the information requested from number 9, Exhibit B, and Exhibit E. The Application to Register as a Family Trust Company will be amended to reflect these changes and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #5: Charles A. Redd, with Stinson Leonard Street LLP, commented that number 8, Family Members, of the Application to Register as a Family Trust Company includes incorrect statutory references for “natural persons” and “entities.”

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted and the references will be corrected. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #6: Charles A. Redd, with Stinson Leonard Street LLP, inquired about whether the family members to be listed in the

Application to Register as a Family Trust Company are all family members or just those to be served by the family trust company?

RESPONSE: Under section 362.1015, RSMo, the term “family member” is defined, the Application to Register as a Family Trust Company requests information about those family members to be served by the family trust company at the time of application. No changes have been made to the rule as a result of this comment.

COMMENT #7: Charles A. Redd, with Stinson Leonard Street LLP, commented that the Missouri Family Trust Company Act does not require family members to be listed in the Application to Register as a Family Trust Company, and that some of the information requested may be unavailable when the Application to Register as a Family Trust Company is submitted.

RESPONSE: Under section 362.1030.2, RSMo, no family trust company shall conduct business in Missouri unless such family trust company pays a filing fee and registers with the secretary in a format prescribed by the secretary. Under section 362.1085, RSMo, the secretary may establish by rule the requirements and records necessary to demonstrate conformity with sections 362.1010 to 362.1117, RSMo, by a family trust company. Under section 362.1015, RSMo, the terms “family trust company” and “family member” are defined. No changes have been made to the rule as a result of this comment.

COMMENT #8: Charles A. Redd, with Stinson Leonard Street LLP, stated that with some families the Genealogical Chart could be very difficult to assemble, and it is not required by the Missouri Family Trust Company Act.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The secretary will remove the requirement of filing a Genealogical Chart in the Application to Register as a Family Trust Company. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #9: Charles A. Redd, with Stinson Leonard Street LLP, commented that number 10, Organizational Instrument, of the Application to Register as a Family Trust Company should be expanded to include the information required by section 362.1030.3, RSMo, and Chapter 347 or 351, as applicable.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #10: Charles A. Redd, with Stinson Leonard Street LLP, suggested that the number threshold (at least three (3)) be indicated in number 12, Directors or Managers, of the Application to Register as a Family Trust Company.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #11: Charles A. Redd, with Stinson Leonard Street LLP, commented that number 12, Directors or Managers, of the Application to Register as a Family Trust Company states that “Missouri resident” is defined in 15 CSR 30-120.010, but “Missouri resident” is not therein defined.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted and the reference will be removed. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #12: Charles A. Redd, with Stinson Leonard Street LLP, suggested that number 14, Applicable State and Local Business Licenses, Charters, and Permits, of the Application to Register as a Family Trust Company is unnecessary and not required by the Missouri Family Trust Company Act.

RESPONSE: Under section 362.1035.2(3), RSMo, a family trust company shall maintain all applicable state and local business licenses, charters, and permits. No changes have been made to the rule as a result of this comment.

COMMENT #13: Charles A. Redd, with Stinson Leonard Street LLP, suggested that at least some of the information requested in number 15, Capital Account, of the Application to Register as a Family Trust Company will likely be unavailable before the family trust company exists.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted and the authorized representative will certify that the family trust company will not be organized or operated with a capital account of less than two hundred fifty thousand dollars (\$250,000), and that the assets forming the minimum capital account will consist of cash, United States Treasury obligations, or any combination thereof. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #14: Charles A. Redd, with Stinson Leonard Street LLP, suggested that numbers 3 and 4 of Exhibit E Capital Account, of the Application to Register as a Family Trust Company are unnecessary, and not required by the Missouri Family Trust Company Act.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The secretary will remove the requirements in the Application to Register as a Family Trust Company. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #15: Charles A. Redd, with Stinson Leonard Street LLP, commented that number 16, Statement Regarding Maintenance of Corporate and Fiduciary Records, of the Application to Register as a Family Trust Company incorrectly referenced Exhibit G.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted and the reference will be corrected. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #16: Charles A. Redd, with Stinson Leonard Street LLP, suggested that number 17, List of Stockholders or Members, of the Application to Register as a Family Trust Company and Exhibit F be amended because there can't be any stockholders or members until after the family trust company has come into existence, which, will be after the Application to Register as a Family Trust Company has been submitted.

RESPONSE AND EXPLANATION OF CHANGE: Under section 362.1110, RSMo, a family trust company shall keep at its principal place of business or principal place of operations: full and complete records of the names and residences of all its shareholders or members; the number of shares or membership units held by each, as applicable; and the ownership percentage of each shareholder or member. The information requested has been changed to proposed stockholders and members. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #17: The staff of the secretary of state suggested that the requirement that a statement be included on the last page of the organizational instrument for completion by the secretary or secre-

tary's designee be removed from number 10, Organizational Instrument, of the Application to Register as a Family Trust Company.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #18: The staff of the secretary of state commented that number 17, List of All Stockholders or Members, of the Application to Register as a Family Trust Company incorrectly referenced Exhibit F.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted and the reference will be corrected. The Application to Register as a Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

15 CSR 30-120.020 Application to Register as a Family Trust Company

(1) A family trust company seeking to register under section 362.1030, RSMo, must pay a nonrefundable five thousand dollar (\$5,000) filing fee for deposit into the Family Trust Company Fund accompanied by a completed registration application on Form FTC-01, "Application to Register as a Family Trust Company," revised 12/2017, which is incorporated by reference in this rule and published by the secretary, 600 W. Main Street, PO Box 1276, Jefferson City, MO 65102, and available at <https://www.sos.mo.gov>. This rule does not incorporate any subsequent amendments or additions.

(2) The application must contain all information required by the form and the following exhibits:

- (A) Exhibit A Family Members;
- (B) Exhibit B Organizational Instrument;
- (C) Exhibit C Bylaws or Operating Agreement;
- (D) Exhibit D Statement Regarding Maintenance of Company and Fiduciary Records; and
- (E) Exhibit E List of Proposed Stockholders or Members.

(4) The statement provided in application Exhibit D, Statement Regarding Maintenance of Company and Fiduciary Records, must describe in detail how the proposed family trust company will maintain accurate company and fiduciary services records. The statement must identify by name any automated accounting system software or third-party accounting service provider to be used for company and fiduciary accounting. Any fiduciary accounting system should provide fiduciary accounting separate from company accounts as provided in section 362.1050, RSMo. If accounting and bookkeeping functions are to be performed off the premises of the proposed family trust company's principal place of business, name the servicing agent, and describe any affiliation by way of ownership, directorship, or common employment of personnel which the proposed family trust company may have with the servicing agent.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 120—Family Trust Company

ORDER OF RULEMAKING

By the authority vested in the secretary of state under section 362.1116, RSMo Supp. 2017, the secretary adopts a rule as follows:

15 CSR 30-120.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed

rule was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1319). 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: The secretary of state received three (3) comments on the proposed rule. Because of these comments, changes were made to this rule.

COMMENT #1: Charles A. Redd, with Stinson Leonard Street LLP, commented that the language used to describe the fee should be consistent with the statute and other rules.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. In section (1), “application fee” will be changed to “filing fee.” The Application to Register as a Foreign Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #2: Charles A. Redd, with Stinson Leonard Street LLP, commented that the introductory language regarding “Authorized Representative” in the Application to Register as a Foreign Family Trust Company uses the phrase “if the proposed foreign family trust company will be organized as...;” however, a foreign family trust company will already have been organized under the laws of the jurisdiction in which it then already exists at the time the application is filed.

RESPONSE AND EXPLANATION OF CHANGE: The proposed modification is appropriate, and the Application to Register as a Foreign Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #3: Charles A. Redd, with Stinson Leonard Street LLP, commented that the Application to Register as a Foreign Family Trust Company uses the term “principal jurisdiction,” without defining such term, instead of “jurisdiction of incorporation or organization” (which is the phrase used in the Missouri Family Trust Company Act (section 362.1030.5, RSMo.)). Mr. Redd suggested that the language in the application should be consistent with corresponding language in the Act.

RESPONSE AND EXPLANATION OF CHANGE: The proposed modification is appropriate, and the Application to Register as a Foreign Family Trust Company will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

15 CSR 30-120.030 Application to Register as a Foreign Family Trust Company

(1) An applicant seeking to operate in this state as a foreign family trust company under section 362.1030.4, RSMo, must pay a nonrefundable five thousand dollar (\$5,000) filing fee for deposit into the Family Trust Company Fund accompanied by a completed registration application on Form FTC-02, “Application to Register as a Foreign Family Trust Company,” revised 12/2017, which is incorporated by reference in this rule and published by the secretary, 600 W. Main Street, PO Box 1276, Jefferson City, MO 65102, and available at <https://www.sos.mo.gov>. This rule does not incorporate any subsequent amendments or additions.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 120—Family Trust Company

ORDER OF RULEMAKING

By the authority vested in the secretary of state under sections 362.1055 and 362.1116, RSMo Supp. 2017, the secretary adopts a rule as follows:

15 CSR 30-120.040 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1320). 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: The secretary of state received nine (9) comments on the proposed rule. Because of these comments, changes were made to this rule.

COMMENT #1: Charles A. Redd, with Stinson Leonard Street LLP, commented that the language used to describe the fee should be “annual registration” fee instead of “application” fee.

RESPONSE AND EXPLANATION OF CHANGE: To be consistent with the statute and the other rules, the language will be changed to “annual filing” fee.

COMMENT #2: Charles A. Redd, with Stinson Leonard Street LLP, suggested that the Annual Registration Report use the term “family trust company that is not a foreign family trust” company instead of “family trust company.”

RESPONSE: Under section 362.1015, RSMo, the terms “family trust company” and “foreign family trust company” are defined terms. No changes have been made to the rule as a result of this comment.

COMMENT #3: Charles A. Redd, with Stinson Leonard Street LLP, suggested that the Annual Registration Report requests information that is unnecessary, time-consuming, and beyond what is required by section 362.1055, RSMo.

RESPONSE AND EXPLANATION OF CHANGE: The secretary reviewed the Annual Registration Report and determined that for most questions a company could check a box if no changes had occurred since the end of the prior calendar year. The secretary also amended the Annual Registration Report to reduce the amount of information requested consistent with amendments made to the Application to Register as a Family Trust Company. The Annual Registration Report will be amended to reflect these changes and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #4: Charles A. Redd, with Stinson Leonard Street LLP, noted that number 7 of the Annual Registration Report asks if there has been a change in the designated relative and, if so, to explain. Section 362.1055.2, RSMo, requires that the annual registration of a family trust company that is not a foreign family trust company to list the name of the designated relative. Mr. Redd contends that unless or until the identity of the designated relative changes, the annual registration report will never have divulged who the designated relative is.

RESPONSE: The Application to Register as a Family Trust Company requires information regarding the designated relative, and the Annual Registration Report requires the family trust company to update the family trust company’s designated relative if there has been a change since the end of the prior calendar year. No changes have been made to the rule as a result of this comment.

COMMENT #5: Charles A. Redd, with Stinson Leonard Street LLP, noted that number 8 of the Annual Registration Report uses the term “principal jurisdiction” without defining such term, instead of “jurisdiction of incorporation or organization.”

RESPONSE AND EXPLANATION OF CHANGE: The change

proposed will be adopted. The Annual Registration Report will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #6: Charles A. Redd, with Stinson Leonard Street LLP, noted that the Certification in the Annual Registration Report incorrectly uses the term “applicant” instead of “family trust company,” “foreign family trust company,” or “company,” as context requires. RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The Annual Registration Report will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #7: The staff of the secretary of state suggested deleting the word “applicant’s” and the phrase “the applicant has provided” from the General Instructions section of the Annual Registration Report.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The Annual Registration Report will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #8: The staff of the secretary of state suggested changing the title of number 1 of the Annual Registration Report from “Applicant Information” to “Company Information.”

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The Annual Registration Report will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

COMMENT #9: The staff of the secretary of state suggested deleting the word “applicant’s” from the title of number 4 of the Annual Registration Report.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted. The Annual Registration Report will be amended to reflect this change and the revision number will be changed from revised 08/2017 to revised 12/2017.

15 CSR 30-120.040 Annual Registration Report

(1) Within sixty (60) days after the end of each calendar year, annual registration reports for family trust companies and foreign family trust companies must be filed with the secretary on Form FTC-03, “Annual Registration Report,” revised 12/2017, which is incorporated by reference in this rule and published by the secretary, 600 W. Main Street, PO Box 1276, Jefferson City, MO 65102, and available at <https://www.sos.mo.gov>. This rule does not incorporate any subsequent amendments or additions.

(2) The annual registration report must be accompanied by a nonrefundable annual filing fee in the amount of one thousand dollars (\$1,000) for a family trust company and one thousand dollars \$1,000 for a foreign family trust company.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 120—Family Trust Company

ORDER OF RULEMAKING

By the authority vested in the secretary of state under sections 362.1085.5 and 362.1116, RSMo Supp. 2017, the secretary adopts a rule as follows:

15 CSR 30-120.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed

rule was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1320–1321). 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: The secretary of state received seven (7) comments on the proposed rule. Because of these comments, changes were made to this rule.

COMMENT #1: Charles A. Redd, with Stinson Leonard Street LLP, asked if the information required to be maintained under section (2) was only required to be maintained by a family trust company that is not a foreign family trust company.

RESPONSE: The information required to be maintained by a family trust company is listed under section (2), and the information required to be maintained by a foreign family trust company is listed under section (4). Context indicates that as used in section (2) the term family trust company does not include a foreign family trust company. No changes have been made to the rule as a result of this comment.

COMMENT #2: Charles A. Redd, with Stinson Leonard Street LLP, requested that the secretary consider whether a timeline beyond which certain information needs to be retained could be established.

RESPONSE AND EXPLANATION OF CHANGE: Section 362.1110.2, RSMo, requires the secretary retain records for at least ten (10) years. Sections (2) and (4) will be amended to state that each family trust company and foreign family trust company shall retain the records for at least ten (10) years.

COMMENT #3: Charles A. Redd, with Stinson Leonard Street LLP, requested clarification on whether the term “corporate investments” used in subsection (2)(B) meant all investments owned by the family trust company in its corporate or LLC capacity other than its capital account.

RESPONSE AND EXPLANATION OF CHANGE: The term will be changed to “company investments” and includes all investments owned by the family trust company in its corporate or LLC capacity.

COMMENT #4: Charles A. Redd, with Stinson Leonard Street LLP, suggested that the phrase: “The results of and all information pertaining to” be added to subsection (2)(G).

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted.

COMMENT #5: Charles A. Redd, with Stinson Leonard Street LLP, suggested that section (4) be revised to require foreign family trust companies to maintain the names and addresses of all stockholders or members of the trust company and the number of shares of stock or membership units held by each, as well as the ownership percentages of each stockholder or member as required under section 362.1110, RSMo.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted.

COMMENT #6: Charles A. Redd, with Stinson Leonard Street LLP, commented that with some families the Genealogical Chart could be very difficult to assemble, and it is not required by the Missouri Family Trust Company Act.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted, and a current genealogical chart or table that includes and identifies all family members will be deleted from section (2).

COMMENT #7: Charles A. Redd, with Stinson Leonard Street LLP, commented that under the rule a family trust company would be required to maintain a list identifying all third-party service providers and the services they provide as part of the records kept at the family

trust company's principal place of business in Missouri. Mr. Redd contends that the Missouri Family Trust Company Act does not require the secretary to mandate family trust companies to maintain such lists, and that requiring a family trust company to maintain such lists is unnecessary and time-consuming.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted, and a list identifying all third-party service providers and the services provided will be deleted from sections (2) and (4).

15 CSR 30-120.050 Records

(2) The records and accounts maintained shall be retained for at least ten (10) years and shall include the following:

(A) Account information and statements relating to the minimum capital account requirements of section 362.1035.1, RSMo;

(B) Account information and statements relating to any company investments not included under subsection (2)(A), above;

(C) All records and accounting related to the trust company's service in a fiduciary capacity, segregated as required under section 362.1050, RSMo;

(D) General ledgers;

(E) Balance sheet and income statements;

(F) Operating accounts;

(G) The results of and all information pertaining to any examinations prepared under section 362.1085, RSMo;

(H) Records of real and personal property owned or leased by the family trust company;

(I) All applicable state and local business licenses, charters, or permits;

(J) The names and residence addresses of all stockholders or members of the trust company and the number of shares of stock or membership units held by each, as well as the ownership percentage of each stockholder or member;

(K) The organizational instrument (articles of organization or articles of incorporation pursuant to section 362.1040, RSMo), including all amendments and restatements;

(L) The bylaws or operating agreement, including all amendments;

(M) Organizational chart or charts;

(N) A current list of all family members which states how each family member qualifies as a family member as defined in section 362.1015, RSMo;

(O) All personnel records;

(P) A list identifying all affiliates;

(Q) Copies of all registration and annual registration reports and exhibits submitted to the secretary;

(R) The addresses of any branch offices; and

(S) All other books of account and other records that relate to the company's operations in the form in which they are ordinarily maintained in the course of the company's business.

(4) Each foreign family trust company shall maintain and retain for at least ten (10) years, at its principal place of operations physically located in this state, the records below pertaining to its operations and business conducted in Missouri:

(A) All records and accounting related to the trust company's service in a fiduciary capacity;

(B) Records of real and personal property owned or leased by the foreign family trust company;

(C) All applicable state and local business licenses, charters, or permits;

(D) The names and residence addresses of all stockholders or members of the trust company and the number of shares of stock or membership units held by each, as well as the ownership percentage of each stockholder or member;

(E) Organization chart or charts;

(F) All personnel records;

(G) The addresses of any branch offices; and

(H) All other books of account and other records that relate to the

company's operations in the form in which they are ordinarily maintained in the course of the company's business.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 120—Family Trust Company

ORDER OF RULEMAKING

By the authority vested in the secretary of state under sections 362.1085 and 362.1116, RSMo Supp. 2017, the secretary adopts a rule as follows:

15 CSR 30-120.060 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1321). 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: The secretary of state received one (1) comment on the proposed rule. Because of this comment, changes were made to this rule.

COMMENT #1: Charles A. Redd, with Stinson Leonard Street LLP, suggested that section (3) be revised to conform with section 362.1085.4, RSMo, which states that mailing of such payment must be postmarked within thirty (30) days after receipt of notice.

RESPONSE AND EXPLANATION OF CHANGE: The change proposed will be adopted.

15 CSR 30-120.060 Examination

(3) The secretary will provide a written notice to the family trust company or foreign family trust company stating the costs due as a result of an examination conducted in accordance with section 362.1085.4, RSMo. The company must remit payment for the cost of the examination within thirty (30) days after the receipt of notice stating that such costs are due.

Title 15—ELECTED OFFICIALS Division 30—Secretary of State Chapter 120—Family Trust Company

ORDER OF RULEMAKING

By the authority vested in the secretary of state under section 362.1116, RSMo Supp. 2017, the secretary adopts a rule as follows:

15 CSR 30-120.070 Application Process and Forms is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1321-1322). 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 16—RETIREMENT SYSTEMS Division 50—The County Employees' Retirement Fund Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2016, the board

amends a rule as follows:

16 CSR 50-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1591-1592). 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.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2016, the board amends a rule as follows:

16 CSR 50-2.030 Eligibility and Participation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1592). 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.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 40—Comprehensive Emergency Medical Services Systems Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and Senior Services under sections 190.165 and 190.185, RSMo 2016, the department amends a rule as follows:

19 CSR 30-40.365 Reasons and Methods the Department Can Use to Take Administrative Licensure Actions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1322). 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.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 40—Comprehensive Emergency Medical Services Systems Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and

Senior Services under sections 190.185 and 192.006, RSMo 2016, and section 190.241, RSMo Supp. 2017, the department amends a rule as follows:

19 CSR 30-40.720 Stroke Center Designation Application and Review is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2017 (42 MoReg 1322-1327). 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: The Department of Health and Senior Services received one (1) comment.

COMMENT #1: Sarah Willson, with the Missouri Hospital Association, requests the department investigate further about the appropriate titles for the programs offered by DNV-GL and Healthcare Facilities Accreditation Program to make sure that the titles are consistent with the titles of the programs offered by the Joint Commission.

RESPONSE: The department ensured that the titles of the programs offered by DNV-GL and Healthcare Facilities Accreditation Program are the same as the titles of the programs offered by the Joint Commission before filing the proposed amendment. No change was made as a result of this comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.630, RSMo 2016, the committee amends a rule as follows:

20 CSR 2263-2.050 Application for Licensure as a Social Worker is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1592-1595). 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.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.630, RSMo 2016, the committee adopts a rule as follows:

20 CSR 2263-2.051 Reexamination is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1596–1598). 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 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.615, 337.627, and 337.630, RSMo 2016, the committee amends a rule as follows:

20 CSR 2263-2.060 Licensure by Reciprocity is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1599–1601). 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.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo 2016, the committee amends a rule as follows:

20 CSR 2263-2.082 Continuing Education is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1602). 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.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.612, 337.618, 337.627, 337.630, and

337.662, RSMo 2016, the committee amends a rule as follows:

20 CSR 2263-2.085 Restoration of License is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1602–1605). 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.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 3—Ethical Standards/Disciplinary Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under sections 337.600, 337.615, 337.627, and 337.630, RSMo 2016, the committee amends a rule as follows:

20 CSR 2263-3.040 Client Relationships is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1606). 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.

Missouri Department of Revenue

Run Date : 1/8/2018 8:05:17 AM

Taxation Division

E10130

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
2 POINT CONSTRUCTION CO LLC	7252 W FRONTAGE RD		SHAWNEE	KS	66203-4638
4MC CORPORATION	8040 JORDAN RD		OAKLEY	IL	62501-6999
A & B PROCESS SYSTEMS CORP	PO BOX 86		STRATFORD	WI	54484-0086
A & K CONSTRUCTION SERVICES INC	100 CALLOWAY CT		PADUCAH	KY	42001-9035
A EPSTEIN & SONS INTERNATIONAL INC	600 W FULTON ST STE 800		CHICAGO	IL	60661-1254
A I INTERNATIONAL INC	8055A NATIONAL TPKE		LOUISVILLE	KY	40214-5201
A LUSKER MASONRY LLC	452 S 210TH ST		FRONTENAC	KS	66763-8407
A ROCK CONSTRUCTION CO INC	316 IONE ST		GREENWOOD	MS	38930-3712
A&A CONCRETE CONSTRUCTION INC	17839 157TH ST		BASEHOR	KS	66007-7378
A+ COMMUNICATIONS & SECURITY LLC	5609 NE 22ND ST		DES MOINES	IA	50313-2531
AAPCO SOUTHEAST	506 WEBB RD		CONCORD	NC	28025-9072
ABAT BUILDERS INC	10700 W HIGGINS RD STE 350		ROSEMONT	IL	60018-3723
ABFALTER BROTHERS CONCRETE LLC	15546 CLEVELAND ST NW		ELK RIVER	MN	55330-6219

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
ABSOLUTE CONSTRUCTION INC	954 KENNEDY AVE		SCHERERVILLE	IN	46375-7100
ACADEMY ROOFING & SHEET METAL OF THE MIDWEST INC	6361 NE 14TH ST		DES MOINES	IA	50313-1212
ACCEL ALARM SYSTEMS INC	PO BOX 696		SCOTTSBORO	AL	35768-0696
ACCESS RIGGING LLC	514 ANCLOTE RD		TARPON SPGS	FL	34689-6701
ACCESSIBILITY REMODELING LLC	6025 METCALF LN # 320		SHAWNEE MSN	KS	66202-2339
ACE AIR CONDITIONING INC	2985 ENTERPRISE RD STE A		DEBARY	FL	32713-2710
ACE REFRIGERATION OF IOWA INC	6440 6TH ST SW		CEDAR RAPIDS	IA	52404-4733
ACE/AVANT CONCRETE CONSTRUCTION CO INC	PO BOX 14006		ARCHDALE	NC	27263-7006
ACME ELECTRIC COMPANY OF IOWA	PO BOX 247		CEDAR RAPIDS	IA	52406-0247
ACRONYM MEDIA INC	350 5TH AVE STE 6500		NEW YORK	NY	10118-6500
ADVANCE ELECTRIC INC	353 N INDIANA AVE		WICHITA	KS	67214-4034
ADVANCED CABLING SYSTEMS LLC	4950 NORTHSHORE LN		N LITTLE ROCK	AR	72118-5321
ADVANCED DEVELOPMENT INC	2426 ADVANCED BUS CTR DR		COLUMBUS	OH	43228-9042
ADVANCED EROSION SOLUTIONS LLC	15257 S KEELER ST		OLATHE	KS	66062-2714
ADVANCED MONITORING SERVICES INC	PO BOX 8686		FAYETTEVILLE	AR	72703-0011
ADVANTAGE STEEL & CONSTRUCTION LLC	2300 S NOAH DR		SAXONBURG	PA	16056-9775
AE MFG INC	PO BOX 9457		TULSA	OK	74157-0457

Missouri Department of Revenue

Run Date : 1/8/2018 8:05:17 AM

Taxation Division

E10130

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
AES MECHANICAL SERVICES GROUP INC	PO BOX 780115		TALLASSEE	AL	36078-0014
AH BECK FOUNDATION CO INC	5123 BLANCO RD		SAN ANTONIO	TX	78216-7098
AHRS CONSTRUCTION INC	533 RAILROAD ST		BERN	KS	66408-8006
AIC INSULATION COMPANY INC	19925 W 161ST ST STE B		OLATHE	KS	66062-2788
AIR-CURE INCORPORATED	8501 EVERGREEN BLVD NW		MINNEAPOLIS	MN	55433-6035
AIRTECH ENVIRONMENTAL SERVICE INC	1371 BRUMMEL AVE		ELK GROVE VLG	IL	60007-2108
ALAN UTZ & ASSOCIATES INC	PO BOX 131857		TYLER	TX	75713-1857
ALBERTINE COMPANY LLC	2176 WEST ST STE 207		GERMANTOWN	TN	38138-3859
ALBSMEYER ELECTRIC INC	1899 N 53RD LN		PLAINVILLE	IL	62365-2003
ALL PURPOSE ERECTORS INC	1112 STARLIFTER DR		LEBANON	IL	62254-2724
ALL SERVICE CONTRACTING CORP	2024 E DAMON AVE		DECATUR	IL	62526-4749
ALL STAR ELECTRIC NA LLC	PO BOX 450879		GROVE	OK	74345-0879
ALL TRADES HISTORICAL RESTORATION LLC	252 3RD ST N		ST PETERSBURG	FL	33701-3819
ALLENTECH INC	6350 HEDGEWOOD DR UNIT 100		ALLENTOWN	PA	18106-9257
ALLIANCE GLAZING TECHNOLOGIES, INC.	646 FORESTWOOD DR		ROMEDEVILLE	IL	60446-1378
ALLIANCE RETAIL CONSTRUCTION INC	6000 CLARK CENTER AVE		SARASOTA	FL	34238-2716
ALPHA MECHANICAL SERVICE INC	7200 DISTRIBUTION DR		LOUISVILLE	KY	40258-2827

Run Date : 1/8/2018 8:05:17 AM

EI0130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
AMC INSPECTION & LOCATORS	PO BOX 592		BEEBE	AR	72012-0592
AMERICAN BRIDGE COMPANY	1000 AMERICAN BRIDGE WAY		CORAOPOLIS	PA	15108-1266
AMERICAN COATINGS	612 W IRIS DR		NASHVILLE	TN	37204-3121
AMERICAN GLASS INC	4600 W 21ST ST		TULSA	OK	74107-3455
AMERICAN LIFT & SIGN SERVICE COMPANY	6958 N 97TH CIR		OMAHA	NE	68122-1060
AMERICAN PRESERVATION BUILDERS LLC	8111 ROCKSIDE RD STE 101		CLEVELAND	OH	44125-6130
AMERICAN REMODELING CONTRACTORS INC	776 N WEST ST		WICHITA	KS	67203-1235
AMERICAN ROOFING	2500 S 2ND ST		LEAVENWORTH	KS	66048-4542
AMERICAN ROOFING & METAL CO INC	800 WYOMING ST		SAN ANTONIO	TX	78203-1296
AMERICAN SEALANTS INC	2483 RIVERSIDE PKWY		GRAND JCT	CO	81505-1319
AMERICAN WELDING AND GAS INC	4900 FALLS OF NEUSE RD STE 150		RALEIGH	NC	27609-5490
AMERIPHYSICS LLC	9111 CROSS PARK DR STE D200		KNOXVILLE	TN	37923-4521
AMES CONSTRUCTION INC	14420 COUNTY ROAD 5		BURNSVILLE	MN	55306-6997
AMS STAFFING INC	385 CEDAR AVE		HIGHLAND PARK	IL	60035-4139
ANCHOR SIGN INC	PO BOX 22737		CHARLESTON	SC	29413-2737
ANTEX ROOFING COMPANY INC	1360 HUGH RD		HOUSTON	TX	77067-1598
ANTIGO CONSTRUCTION INC	PO BOX 12		ANTIGO	WI	54409-0012
AOI CORPORATION	8801 S 137TH CIR		OMAHA	NE	68138-3455

Missouri Department of Revenue

Taxation Division

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
AP PROFESSIONALS OF PHOENIX LLC	350 LINDEN OAKS		ROCHESTER	NY	14625-2807
APACHE INDUSTRIAL UNITED INC	PO BOX 670369		HOUSTON	TX	77267-0369
APPLIED POLYMERICS INC	131 SAINT JAMES WAY		MOUNT AIRY	NC	27030-6068
ARACREBS1 LLC	PO BOX 1670		SPRINGDALE	AR	72765-1670
ARCHER WESTERN CONTRACTORS LLC	PAYROLL 929 W ADAMS ST		CHICAGO	IL	60607
ARCHWALL LLC	PO BOX 38		STRAWBERRY PT	IA	52076-0038
ARCO DESIGN BUILD MIDWEST INC	900 N ROCK HILL RD		SAINT LOUIS	MO	63119-1315
ARDENT SERVICES	170 NEW CAMELLIA BLVD		COVINGTON	LA	70433-7819
ARISTEO INSTALLATION, LLC	12811 FARMINGTON RD		LIVONIA	MI	48150-1607
ARMI CONTRACTORS INC	1860 E PUMP STATION RD		FAYETTEVILLE	AR	72701-7294
ARNDT ENTERPRISES INC	2579 195TH ST		DE WITT	IA	52742-9114
ARNOLDS CUSTOM SEEDING LLC	4626 WCR 66		KEENESBURG	CO	80643
ARROW SIGNS & OUTDOOR ADVERTISING INC	4545 N ALBY STREET		ALTON	IL	62002
ASA CARLTON INC	5224 PALMERO CT # 1		BUFORD	GA	30518-5868
ASPHALT STONE COMPANY	PO BOX 1060		JACKSONVILLE	IL	62651-1060
ASSOCIATED FIRE PROTECTION	4905 S 97TH ST		OMAHA	NE	68127-2202
ATLANTIC FIXTURE INSTALLATIONS INC	1615 ROBIN CIR STE H		FOREST HILL	MD	21050-3058
ATWELL LLC	2 TOWNE SQ STE 700		SOUTHFIELD	MI	48076-3737
ATWOOD ELECTRIC INC	PO BOX 311		SIGOURNEY	IA	52591-0311

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Taxation Division

Missouri Department of Revenue

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
AUBREY SILVEY ENTERPRISES INC	371 HAMP JONES RD		CARROLLTON	GA	30117-9492
AUDIO VISUAL INNOVATIONS INC	6301 BENJAMIN RD STE 101		TAMPA	FL	33634-5115
AUMAN BROTHERS INC	6540B PEACHTREE INDUSTRIAL BLVD		PEACHTREE CORNERS	GA	30071-1245
AYARS & AYARS INC	2436 N 48TH ST		LINCOLN	NE	68504-3627
B & M WEST CONSTRUCTION OF TEXAS LP	2571 HWY 60		BARTOW	FL	33830-8872
B & S STEEL CO., LLC	1604 S AVE		MORNING SUN	IA	52640-9698
B + T GROUP HOLDINGS INC	1717 S BOULDER AVE STE 300		TULSA	OK	74119-4843
B D WELCH CONSTRUCTION LLC	120 INDUSTRIAL STATION RD		STEELE	AL	35987-0017
B&E ELECTRICAL INC	1843 ROYLE RD		SUMMERVILLE	SC	29486-1779
BA PANEL SYSTEMS LLC	3487B HIGHWAY D		WEST BEND	WI	53090-8621
BABCOCK SDV LLC	33819 21ST RD		ARKANSAS CITY	KS	67005-5456
BAILEY CONSTRUCTION AND CONSULTING LLC	2200 N RODNEY PARHAM RD STE 206		LITTLE ROCK	AR	72212-4155
BAJA CONSTRUCTION CO INC	223 FOSTER ST		MARTINEZ	CA	94553-1029
BARRIER TECHNOLOGIES LLC	7700 WEDD ST STE 200		OVERLAND PARK	KS	66204-2237
BARTON ELECTRIC CONTRACTING INC	247 STATE ROUTE 160		TRENTON	IL	62293-4667
BATON ROUGE SIGN & GRAPICS LLC	6627 N FOSTER DR		BATON ROUGE	LA	70811-6164
BAUER DESIGN BUILD LLC	14030 21ST AVE N		PLYMOUTH	MN	55447-4686

Run Date : 1/8/2018 8:05:17 AM

EI0130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
BAY INSULATION CONTRACTING INC	PO BOX 9229		GREEN BAY	WI	54308-9229
BAZIN SAWING & DRILLING LLC	30790 SWITZER RD		LOUISBURG	KS	66053-5903
BCI NATIONAL	3158 S MAIN ST		SALT LAKE CTY	UT	84115-3750
BEL O COOLING & HEATING INC	90 WHITEHALL DR		O FALLON	IL	62269-2670
BERBERICH TRAHAN & CO PA	3630 SW BURLINGAME RD		TOPEKA	KS	66611-2092
BERD ELECTRIC LLC	PO BOX 7308		SAINTE CLOUD	MN	56302-7308
BERG PAINTING LLC	118 PEAVEY CIR		CHASKA	MN	55318-2347
BEST BUILDERS OF ILLINOIS	717 N CLINTON ST		LITCHFIELD	IL	62056-1024
BEST PLUMBING & HEATING	421 N SECTION LINE RD		SCAMMON	KS	66773-6201
BETTIS ASPHALT & CONSTRUCTION INC	PO BOX 1694		TOPEKA	KS	66601-1694
BG ZYCRON STAFFING	5850 GRANITE PKWY STE 730		PLANO	TX	75024-0035
BIERMAN CONTRACTING INC	PO BOX 1887		COLUMBUS	NE	68602-1887
BIGGE CRANE AND RIGGING CO	10700 BIGGE ST		SAN LEANDRO	CA	94577-1032
BIRDAIR INC	65 LAWRENCE BELL DR STE 100		AMHERST	NY	14221-7094
BKM CONSTRUCTION LLC	501 S 5TH ST		LEAVENWORTH	KS	66048-2610
BLAHNIK CONSTRUCTION COMPANY	150 50TH AVENUE DR SW		CEDAR RAPIDS	IA	52404-5038
BLANKENSHIP CONSTRUCTION CO	1824 IL ROUTE 140		MULBERRY GRV	IL	62262-3303
BLD SERVICES LLC	2424 TYLER ST		KENNER	LA	70062-4845

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
BLUE SKY CONSTRUCTION OF IDAHO LLC	17501 NORTHSIDE BLVD		NAMPA	ID	83687-8247
BLUE STREAK CABLE & TELECOMMUNICATIONS LLC	8200 NW 41ST ST STE 318		DORAL	FL	33166-6206
BLUESTONE LLC	220 N SMITH ST STE 420		PALATINE	IL	60067-2477
BLUEWATER CONSTRUCTORS INC	PO BOX 55482		HOUSTON	TX	77255-5482
BLUSKY RESTORATION CONTRACTORS INC	9767 E EASTER AVE		CENTENNIAL	CO	80112-3747
BOB BERGKAMP CONSTRUCTION CO INC	3709 S WEST ST		WICHITA	KS	67217-3898
BOB FLORENCE CONTRACTOR INC	PO BOX 5258		TOPEKA	KS	66605-0258
BOB MYER BUILDERS INC	6748 WALMER ST		OVERLAND PARK	KS	66204-1461
BODINE ELECTRIC OF DECATUR	PO BOX 976		DECATUR	IL	62525-1810
BORTON CONSTRUCTION INC	2 COPELAND AVE STE 201		LA CROSSE	WI	54603-3419
BORTON LC	PO BOX 2108		HUTCHINSON	KS	67504-2108
BOUMA CONSTRUCTION INC	4101 ROGER B CHAFFEE MEM DR SE		GRAND RAPIDS	MI	49548-3443
BR INDUSTRIAL OPERATIONS LLC	2600 CITIPLACE CT		BATON ROUGE	LA	70808-2711
BRADSHAW CONSTRUCTION CORPORATION MARYLAND	175 W LIBERTY RD		ELDERSBURG	MD	21784-9381
BRANCH BUILDING GROUP LLC	813 COLUMBIA AVE STE B		FRANKLIN	TN	37064-8222
BRANTLEY CONSTRUCTION LLC	7227 W 162ND TER		STILWELL	KS	66085-8238

Run Date : 1/8/2018 8:05:17 AM

EI0130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
BRAYMAN CONSTRUCTION CORPORATION	1000 JOHN ROEBLING WAY		SAXONBURG	PA	16056-9778
BREWSTER COMPANIES INC	6321 E MAIN ST		MARYVILLE	IL	62062-2014
BRIGHT IDEAS SIGNS & MORE	11050 QUIVIRA RD		OVERLAND PARK	KS	66210-1211
BRINK CONSTRUCTORS INC	2950 N PLAZA DR		RAPID CITY	SD	57702-9323
BRINK READY MIX	4400 N 24TH ST		QUINCY	IL	62305-7775
BRITT AASEBY CONSTRUCTION INC	3025 HARBOR LN N STE 410		PLYMOUTH	MN	55447-5142
BROCK SERVICES LLC	PO BOX 306		BEAUMONT	TX	77704-0306
BROOKS DIRECTIONAL DRILLING LLC	24531 102ND DR		BURDEN	KS	67019-9202
BROWN & ROOT INDUSTRIAL SERVICES LLC	601 JEFFERSON ST		HOUSTON	TX	77002-7900
BROWN TANK LLC	6995 55TH ST N STE A		SAINT PAUL	MN	55128-1726
BRUCE TRUCKING AND EXCAVATING INC	4401 STATE ROUTE 162		GRANITE CITY	IL	62040-6412
BRUMIT SERVICES INC	616 PAULA DR APT B		WATERLOO	IL	62298-1881
BRUNNERS QUALITY DECKS	9111 W 131ST PL		OVERLAND PARK	KS	66213-4602
BRYAN-OHLMEIER CONST INC	911 N PEARL ST		PAOLA	KS	66071-1139
BUFFALO GAP INSTRUMENTATION & ELECTRICAL COMPANY I	2532 AYMOND ST		EUNICE	LA	70535-6843
BUILD IT RIGHT LLC	PO BOX 372		BELEN	NM	87002-0372
BUILDING CONTROLS AND INTEGRATION INC	341 MEADOWBROOK CIR		GARDNER	KS	66030-1115
BUILDING CRAFTS INC	2 ROSEWOOD DR		WILDER	KY	41076-9007

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Taxation Division

Missouri Department of Revenue

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
BULLDOG DRILLING INC	5742 GRANDVIEW TER		WATERLOO	IL	62298-3402
BUSH TURF INC	6800 78TH AVE W		MILAN	IL	61264-4146
BYUS CONSTRUCTION INC	16602 CRAWFORD AVE		MARKHAM	IL	60428-5378
C & A SCALE SERVICE, INC.	25300 OLD LINCOLN HWY		HONEY CREEK	IA	51542-4236
C & C DEMOLITION	1226 ILLINOIS ST		DES MOINES	IA	50314-3106
C D L ELECTRIC COMPANY INC	1308 N WALNUT ST		PITTSBURG	KS	66762-3034
CADY AQUASTORE	920 W PRAIRIE DR STE G		SYCAMORE	IL	60178-3123
CAHILL CONSTRUCTION INC	5233 BETHEL CENTER MALL		COLUMBUS	OH	43220-2085
CAM OF ILLINOIS LLC	PO BOX 87129		SOUTH ROXANA	IL	62087-7129
CANNON UTILITY SERVICES LLC	1320 E STATE ROUTE 15		BELLEVILLE	IL	62220-4803
CANYON PLUMBING INC	PO BOX 295		ASH FLAT	AR	72513-0295
CAPEHART & CAPEHART BUILDERS INC	PO BOX 846		SALLISAW	OK	74955-0846
CAPITAL INSULATION INC	2714 NW TOPEKA BLVD STE 106		TOPEKA	KS	66617-1148
CAPITOL CONSTRUCTION SERVICES OF INDIANA INC	11051 VILLAGE SQUARE LN		FISHERS	IN	46038-4552
CARDINAL INTERNATIONAL GROOVING & GRINDING LLC	PO BOX 450		CONSHOHOCKEN	PA	19428-0450
CARPOT STRUCTURES CORPORATION	1825 METAMORA RD		OXFORD	MI	48371-2419
CAS CONSTRUCTORS LLC	3500 SW FAIRLAWN RD STE 200		TOPEKA	KS	66614-3979
CASE FOUNDATION COMPANY	PO BOX 40		ROSELLE	IL	60172

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
CASEY INDUSTRIAL INC	1400 W 122ND AVE STE 200		WESTMINSTER	CO	80234-3440
CASH DEPOT LTD	1740 COFRIN DR STE 2		GREEN BAY	WI	54302-2086
CB INDUSTRIES INC	17250 NEW LENOX RD		JOLIET	IL	60433-9758
CB RECOVERY GROUP INC	1821 WALDEN OFFICE SQ STE 395		SCHAUMBURG	IL	60173-4285
CBS CONSTRUCTORS	PO BOX 995		MC COOK	NE	69001-0995
CEC HOLDINGS INC	12500 AURORA AVE N		SEATTLE	WA	98133-1518
CELLSITE SOLUTIONS LLC	1720 I AVE NE		CEDAR RAPIDS	IA	52402-5205
CEMROCK LANDSCAPES INC	4790 S JULIAN AVE		TUCSON	AZ	85714-2123
CENTERLINE SOLUTIONS LLC	16035 TABLE MOUNTAIN PKWY		GOLDEN	CO	80403-1642
CENTRAL SUBSURFACE CONTRACTING OF ILLINOIS INC	30599 NATALIE LN		GIRARD	IL	62640-7172
CENTRIC SECURITY & AUTOMATION INC	103 LANTER CT		COLLINSVILLE	IL	62234-6124
CENTURY FIRE PROTECTION LLC	2450 MEADOWBROOK PKWY		DULUTH	GA	30096-4635
CERAM ENVIRONMENTAL INC	7304 W 130TH ST STE 140		OVERLAND PARK	KS	66213-2644
CHALLENGER CONSTRUCTION CORPORATION	PO BOX 216		GIRARD	KS	66743-0216
CHARLES C BRANDT & COMPANY INC	1505 N SHERMAN DR		INDIANAPOLIS	IN	46201-1517
CHARLES F EVANS CO INC	PO BOX 228		ELMIRA	NY	14902-0228
CHATTANOOGA BOILER & TANK CO INC	PO BOX 110		CHATTANOOGA	TN	37401-0110

Run Date : 1/8/2018 8:05:17 AM

Taxation Division

E10130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
CHERNE CONTRACTING CORPORATION	3555 FARNAM ST		OMAHA	NE	68131-3311
CHEROKEE ENTERPRISES INC	14474 COMMERCE WAY		MIAMI LAKES	FL	33016-1508
CILLESSEN & SONS INC	PO BOX 9		KECHI	KS	67067-0009
CIRCLE C PAVING AND CONSTRUCTION LLC	PO BOX 361		GODDARD	KS	67052-0361
CJ DRILLING INC	19N041 GALLIGAN RD		DUNDEE	IL	60118-9536
CLASSIC INDUSTRIAL SERVICES INC	456 HIGHLANDIA DR		BATON ROUGE	LA	70810-5906
CLASSIC PROTECTIVE COATINGS INC	N 7670 STATE HWY 25		MENOMONIE	WI	54751
CLEANWRAP INC	1560 W 500 N		SALT LAKE CTY	UT	84116-2515
CLEAVERS FARM SUPPLY INC	2103 S SANTA FE AVE		CHANUTE	KS	66720-3201
CLIMATE PROS INC	55 N BRANDON DR		GLENDALE HTS	IL	60139-2024
CLOVER TOOL COMPANY INC	PO BOX 820809		HOUSTON	TX	77282-0809
CLYDE BERGEMANN POWER GROUP AMERICAS	4015 PRESIDENTIAL PKWY		ATLANTA	GA	30340-3707
CMC ELECTRIC INC	PO BOX 37		COLLINSVILLE	IL	62234-0037
CMG CONSTRUCTION	PO BOX 80252		BILLINGS	MT	59108-0252
COASTAL AUTOMATIC FIRE PROTECTION LLC	3590 ROCKY HILL DEDEAUX RD		KILN	MS	39556-6021
COASTAL ENVIRONMENTAL GROUP INC	7 POLICE PLZ		POTOSI	MO	63664-1877
COLCON INDUSTRIES CORPORATION	PO BOX 647		SULLIVAN	IL	61951-0647

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
COLUMBIA CONSTRUCTION INC	PO BOX 445		SPRING HILL	KS	66083-0445
COMBUSTION SERVICES INC	PO BOX 112		ALTAMONT	KS	67330-0112
COMFORT SYSTEMS USA ARKANSAS INC	PO BOX 16620		LITTLE ROCK	AR	72231-6620
COMMERCE CONSTRUCTION INC	695 N 40TH ST		SPRINGDALE	AR	72762-0602
COMMUNICATION ADVISERS INC	1330 FRONTIER LN		MANHATTAN	KS	66503-2537
COMMUNICATION DATA LINK LLC	1305 SW 37TH ST		GRIMES	IA	50111-5064
COMPLETE LAUNDRY EQUIPMENT LLC	PO BOX 251		AUSTIN	AR	72007-0251
CONCO SERVICES CORPORATION	135 SYLVAN ST		VERONA	PA	15147-1032
CONCORD TANK CORPORATION	PO BOX 5207		CONCORD	NC	28027-1503
CONCRETE EXPRESSIONS LLC	291 E GLENN MILLER DR		CLARINDA	IA	51632-2736
CONCRETE SYSTEMS COMPANY LLC	121 EDWARDS DR		JACKSON	TN	38301-7716
CONLEY SITEWORK & UTILITIES INC	PO BOX 250		LINWOOD	KS	66052-0250
CONNECTED TECHNOLOGIES LLC	PO BOX 1983		ATHENS	GA	30603-1983
CONSTRUCTION DESIGNWORKS LLC	21961 W 83RD ST		SHAWNEE	KS	66227-3133
CONSTRUCTION ENTERPRISES INC	2179 EDWARD CURD LN STE 100		FRANKLIN	TN	37067-5789
CONTEGRA SERVICES LLC	22 GTWAY COMM CTR W 110		EDWARDSVILLE	IL	62025

Run Date : 1/8/2018 8:05:17 AM

EI0130

Show Secretary of State Cover: Yes

Taxation Division

Missouri Department of Revenue

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
CONTINENTAL POOLS INC	805 E WARREN ST		GARDNER	KS	66030-1619
COOPER RAIL SERVICE INC	PO BOX 199		HUNTINGBURG	IN	47542-0199
COOPERS STEEL FABRICATORS	PO BOX 149		SHELBYVILLE	TN	37162-0149
CORNERSTONE CONSTRUCTION MANAGEMENT INC	3231 CENTRAL AVE NE		MINNEAPOLIS	MN	55418-2125
CORNERSTONE FCE SERVICES LLC	8811 TEEL PKWY UNIT 6074		FRISCO	TX	75035-4258
CORNERSTONE TOWER SERVICE INC	PO BOX 5222		GRAND ISLAND	NE	68802-5222
CORVAL CONSTRUCTORS INC	1633 EUSTIS ST		SAINT PAUL	MN	55108-1219
COULTER GLASS INC	13711 E 66TH ST N		OWASSO	OK	74055-7141
COUNTRY CARPET INC	14969 WATERMAN CROSSING		MAPLE HILL	KS	66507
COUNTRY CERAMIC LLC	14969 WATERMAN CROSSING RD		MAPLE HILL	KS	66507-8862
COUNTY CONTRACTORS INC	PO BOX 3522		QUINCY	IL	62305-3522
COWIN & CO INC MINING ENGINEERS AND CONTRACTORS	PO BOX 19009		BIRMINGHAM	AL	35219-9009
CRAIGS RESTORATION & REPAIR LLC	1029 VAIL AVE		DURANT	IA	52747-9545
CRAMER AND ASSOCIATES INC	3100 SW BROOKSIDE DR		GRIMES	IA	50111-4977
CROOKHAM CONSTRUCTION LLC	PO BOX 339		TONGANOXIE	KS	66086-0339
CROWN CORR INC	7100 W 21ST AVE		GARY	IN	46406-2499

Missouri Department of Revenue

Run Date : 1/8/2018 8:05:17 AM

Taxation Division

E10130

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
CTS CONSTRUCTION INC	6661 CORPORATE DR		BLUE ASH	OH	45242-2112
CUNNINGHAM	847 FOX RUN LN		OSKALOOSA	IA	52577-4162
CUSTOM POOL LLC	32 HOWARD DR		BELLEVILLE	IL	62223-4016
CUSTOM TREE CARE INC	PO BOX 67593		TOPEKA	KS	66667-0593
CWPMO INC	1682 LANGLEY AVE		IRVINE	CA	92614-5620
D & D INDUSTRIAL CONTRACTING INC	101 MULLEN DR		WALTON	KY	41094-9607
D & L EXCAVATING INC	1958 HIGHWAY 104		LIBERTY	IL	62347-2141
D E I ELECTRICAL CONTRACTORS INC	10645 COUNTY ROAD 50		COLOGNE	MN	55322-9303
D MCGINNIS INDUSTRIES INC	7 INDUSTRIAL PARK		CAHOKIA	IL	62206-1077
DADE CONSTRUCTION LLC	PO BOX 4090		KANSAS CITY	KS	66104-0090
DAMATO BUILDERS + ADVISORS LLC	40 CONNECTICUT AVE		NORWICH	CT	06360-1502
DAN R DALTON INC	PO BOX 14139		SPOKANE VLY	WA	99214-0139
DANIEL UTILITY CONSTRUCTION INC	9715 COLONEL GLENN RD		LITTLE ROCK	AR	72204-8129
DAVID SCHMITT	390 SELBY ST		SAN FRANCISCO	CA	94124-1114
DAVIS CONSTRUCTION	2143 NE HIGHWAY 7		COLUMBUS	KS	66725-2093
DAW TECH	90 E FORT UNION BLVD STE 100		MIDVALE	UT	84047-1566
DB HEALTHCARE INC	5 GERMANO WAY		ANDOVER	MA	01810-4540
DBS GROUP LLC	2700 NATIONAL DR STE 101		ONALASKA	WI	54650-6709
DCG PETERSON BROTHERS COMPANY	PO BOX 349		SIOUX RAPIDS	IA	50585-0349

Run Date : 1/8/2018 8:05:17 AM

EI0130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
DEAN SNYDER CONSTRUCTION CO	PO BOX 181		CLEAR LAKE	IA	50428-0181
DECKER ELECTRIC INC	4500 W HARRY ST		WICHITA	KS	67209-2736
DEGRAFF CONSTRUCTION LLC	3584 AUSTIN DR		JOPLIN	MO	64804
DEJAGER CONSTRUCTION INC	75 60TH ST SW		WYOMING	MI	49548-5771
DELTA CONCRETE AND INDUSTRIAL CONTRACTING INC	51825 GRATIOT AVE		CHESTERFIELD	MI	48051-2014
DENISON DRYWALL CONTRACTING INC	PO BOX 453		DENISON	IA	51442-0453
DETROIT PIPING GROUP MECHANICAL CONTRACTORS INC	38291 SCHOOLCRAFT RD STE 105		LIVONIA	MI	48150-1150
DF CHASE INC	3001 ARMORY DR STE 200		NASHVILLE	TN	37204-3711
DF OSBORNE CONSTRUCTION INC	3310 SW HARRISON ST STE 3		TOPEKA	KS	66611-2252
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST		QUINCY	IL	62301-1435
DIAMOND SURFACE INC	21025 COMMERCE BLVD STE 900		ROGERS	MN	55374-4697
DIECKER-TERRY MASONRY INC	11327 EIFF RD		MARISSA	IL	62257-1409
DIG AMERICA UTILITY CONTRACTING INC	25135 22ND AVE		SAINT CLOUD	MN	56301-9189
DIMENSION CONSTRUCTION INC	3776 NEW GETWELL RD		MEMPHIS	TN	38118-6014
DIVERSIFIED COMMERCIAL BUILDERS INC	3691 KENNESAW S INDUSTRIAL DR NW		KENNESAW	GA	30144-6513

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
DIVERSIFIED TRACK WORKS LLC	402 N SPRING		ATKINSON	IL	61235-7754
DL SMITH ELECTRICAL CONSTRUCTION INC	1405 SW 41ST ST		TOPEKA	KS	66609-1295
DOME CORPORATION OF NORTH AMERICA	5450 EAST RD		SAGINAW	MI	48601-9748
DON JULIAN BUILDERS INC	15521 W 110TH ST		LENEXA	KS	66219-1317
DONCO ELECTRICAL CONSTRUCTION LLC	PO BOX 158		EDWARDSVILLE	IL	62025-0158
DORMARK CONSTRUCTION CO	PO BOX 530		GRIMES	IA	50111-0530
DOSTER CONSTRUCTION COMPANY INC	2100 INTERNATIONAL PARK DR		BIRMINGHAM	AL	35243-4209
DOTSON ELECTRIC COMPANY INC	551 CAL BATSEL RD		BOWLING GREEN	KY	42104-8520
DRC EMERGENCY SERVICES LLC	6258 MARSHALL FOCH ST		NEW ORLEANS	LA	70124-3816
DS ELECTRIC LLC	5336 KNOX ST		MERRIAM	KS	66203-2066
DTLS INCORPORATED	PO BOX 1615		BERNALILLO	NM	87004-1615
DUANE HOUKOM INC	PO BOX 1206		FRIENDSWOOD	TX	77549-1206
DUERSON INC	601 1ST AVE N		ALTOONA	IA	50009-1431
DUFFY CONSTRUCTION COMPANY INC	7211 W 98TH TER STE 110		OVERLAND PARK	KS	66212-2257
DUN TRANSPORTATION & STRINGING INC	304 REYNOLDS LN		SHERMAN	TX	75092-6839
DUNK FIRE & SECURITY INC	3446 WAGON WHEEL RD		SPRINGDALE	AR	72762-0115
DUSTROL INC	PO BOX 308		TOWANDA	KS	67144-0308

Run Date : 1/8/2018 8:05:17 AM

E10130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
E80 PLUS CONSTRUCTORS LLC	7120 PATTON RD		DEFOREST	WI	53532-1836
EBERHART SIGN & LIGHTING CO	104 1ST AVE		EDWARDSVILLE	IL	62025-2574
EBM CONSTRUCTION INC	1014 SHERWOOD RD		NORFOLK	NE	68701-9060
ECKINGER CONSTRUCTION COMPANY	2340 SHEPLER CHURCH AVE SW		CANTON	OH	44706-3093
EDNA LUMBER CO INC	PO BOX 820		EDNA	TX	77957-0820
EJM PIPE SERVICE INC	14461 LAKE DR NE		COLUMBUS	MN	55025-8600
ELECTRICO INC	7706 WAGNER RD		MILLSTADT	IL	62260-2910
ELECTRICOMM INC	PO BOX 8324		TOPEKA	KS	66608-0324
ELLINGSON DRAINAGE INC	PO BOX 68		WEST CONCORD	MN	55985-0068
ELLIOTT ELECTRICAL INC	117 S RICHARDS ST		BENTON	AR	72015-4239
ELLSWORTH ELECTRIC INC	4425 N HIGHWAY 81		DUNCAN	OK	73533-8950
EMBREE CONSTRUCTION GROUP INC OF TEXAS	4747 WILLIAMS DR		GEORGETOWN	TX	78633-3799
EMCO CHEMICAL DISTRIBUTORS INC	8601 95TH ST		PLEASANT PR	WI	53158-2205
EMPIRE CONSTRUCTION GROUP LLC	9128 W 91ST TER		OVERLAND PARK	KS	66212-3901
EMPIRE CONTRACTORS INC	PO BOX 6327		EVANSVILLE	IN	47719-0327
ENGINEERED STRUCTURES INC	3330 E LOUISE DR STE 300		MERIDIAN	ID	83642-5123
ENGINEERING AMERICA INC	1822 BUERKLE RD		SAINT PAUL	MN	55110-5245
ENHANCED SITE SOLUTIONS LLC	1418 ELMHURST RD		ELK GROVE VLG	IL	60007-6417
ENVIROCON INC	PO BOX 16655		MISSOULA	MT	59808-6655

Run Date : 1/8/2018 8:05:17 AM

Missouri Department of Revenue

E10130

Taxation Division

Show Secretary of State Cover: Yes

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
ENVIRONMENTAL FABRICS INC	85 PASCON CT		GASTON	SC	29053-8507
EPC SERVICES COMPANY	3521 GABEL RD		BILLINGS	MT	59102-7310
ERV SMITH SERVICES INC	1225 TRUJAX BLVD		EAU CLAIRE	WI	54703-1468
ESA SOUTH INC	1681 SUCCESS DR		CANTONMENT	FL	32533-5103
ESSI LLC	1400 W SHADY GROVE RD		GRAND PRAIRIE	TX	75050-7117
EVEREST CONTRACTING LLC	502 E MAIN ST		MADISON	IN	47250-3647
EXCEL ENERGY GROUP INC	PO BOX 1281		RUSSELLVILLE	AR	72811-1281
EXCELL CONSTRUCTION SERVICES LLC	2432 BOXANKLE RD		FORSYTH	GA	31029-4428
F & M CONTRACTORS INC	PO BOX 149		CLAYTON	OH	45315-0149
F L CRANE & SONS INC	PO BOX 428		FULTON	MS	38843-0428
FARABEE MECHANICAL INC	PO BOX 1748		HICKMAN	NE	68372-1748
FAUGHN ELECTRIC INC	5980 OLD MAYFIELD RD		PADUCAH	KY	42003-9296
FAYETTEVILLE PLUMBING & HEATING CO INC	PO BOX 8910		FAYETTEVILLE	AR	72703-0016
FC DADSON SIB LLC	N1043 CRAFTSMEN DR STE 2		GREENVILLE	WI	54942-8082
FEDERAL STEEL & ERECTION CO	PO BOX 238		EAST ALTON	IL	62024-0238
FHG INC	7015 TUTOR ST		MINT HILL	NC	28227-4421
FIBER TECHNOLOGIES SOLUTIONS LLC	3190 HIGHWAY 78		LOGANVILLE	GA	30052-3727
FIRE & SECURITY SOLUTIONS GROUP INC	11240 STRANG LINE RD		LENEXA	KS	66215-4039

Run Date : 1/8/2018 8:05:17 AM

EI0130

Show Secretary of State Cover: Yes

Missouri Department of Revenue

Taxation Division

Construction Transient Employer Listing

Contractor Name	Street Address	Street Address 2	City	State	Zip Code
FIRELAKE CONSTRUCTION INC	14217 W 95TH ST		LENEXA	KS	66215-5208
FIRELINE SPRINKLER CORPORATION	5036 W CLAIREMONT DR		APPLETON	WI	54913-6505
FISH & ASSOCIATES INC	3148 DEMING WAY STE 160		MIDDLETON	WI	53562-1486
FLINT ENERGY SERVICES INC	PO BOX 283		SAINT LOUIS	MO	63166-0283
FLOORSHIELD INC	PO BOX 91105		ALBUQUERQUE	NM	87199-1105
FLORIDA INSTITUTE OF TECHNOLOGY INC	150 W UNIVERSITY BLVD		MELBOURNE	FL	32901-6975
FORD AUDIO VIDEO SYSTEMS LLC	4800 W I 40 SERVICE RD		OKLAHOMA CITY	OK	73128-1208
FORTESSA HOSTING	PO BOX 1734		LAGUNA BEACH	CA	92652-1734
FOSTER ROOFING INC	3357 WAGON WHEEL RD		SPRINGDALE	AR	72762-0106
FOUNDATION SERVICE CORP	PO BOX 120		HUDSON	IA	50643-0120
FOUNDATION SPECIALTIES INC	PO BOX 505		LOWELL	AR	72745-0505
FOUR STAR CONSTRUCTION INC	PO BOX 3037		SUPERIOR	WI	54880-0458
FRAZIER ROOFING & SHEET METAL CO INC	PO BOX 545		DYERSBURG	TN	38025-0545
FREEDOM CONCRETE LLC	PO BOX 731		DE SOTO	KS	66018-0731
FRENZELIT INC	18050 TRANQUILITY RD		PURCELLVILLE	VA	20132-9031
FRONTZ DRILING INC	2031 MILLERSBURG RD		WOOSTER	OH	44691-9460
FSG FACILITY SOLUTIONS GROUP INC	4401 W GATE BLVD STE 310		AUSTIN	TX	78745-1494