SALUS POPULI SUPREMA LEX ESTO

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

John R. Ashcroft
Secretary of State

MISSOURI REGISTER
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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the Missouri Register. Orders of Rulemaking appearing in the Missouri Register will be published in the Code of State Regulations and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year’s schedule, please check out the website at www.sos.mo.gov/adrules/pubsched.
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RULES
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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 symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

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

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

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

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

Proposed Amendment Text Reminder:

Boldface text indicates new matter.
Bracketed text indicates matter being deleted.

Title 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 the 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.


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/!

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. 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.


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.
Proposed Rules

(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 USDOT, 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.


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 10-8.021 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.


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
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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.

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.


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.


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.

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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.


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,
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.


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.

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.


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.

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
Proposed Rules


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.


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 10-8.112 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
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.

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.

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 contract 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.

   (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
PROPOSED RULES

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.


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 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 10-8.131 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.


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 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.


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.
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. 


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.


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.


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.


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 apcrulespnn@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 10-3.360 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.


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 apcrulespnn@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 10-3.360 Control of Emissions 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 regulation restricts the emission of volatile organic compounds from diammonium phosphate fertilizer production facilities. 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.


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 apcrulespnn@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.


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 65017-0176.

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 the 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, the periodic rule requirement, 536.175, RSMo.


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 (NOx) and established a NOx 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 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.


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.

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.


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.


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.

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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.

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.


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


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.

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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.


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.

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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.


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.

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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.


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.

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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.


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.

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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.


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.

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


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.

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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.


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.

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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
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.


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.

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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.


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. 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.


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.


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,
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 superseded by 10 CSR 40-3 through 8.


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, 101 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 superseded by 10 CSR 40-3 through 8.


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, 101 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 superseded by 10 CSR 40-3 through 8.


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.

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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 superseded by 10 CSR 40-3 through 8.


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

**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.


**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.

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**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.


**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.

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**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.


**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.

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**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.
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 superseded by 10 CSR 40-3 through 8.


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.

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.


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.


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.


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.


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 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.


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 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.
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.


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.

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.


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 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.


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 6502-1527, 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 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.


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 6502-1527, 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 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.


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,
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.


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 Program. 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 Older Volunteer Service Bank (OVSB) no longer exists.


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.
aggregates.

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.


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.


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.
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.


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 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.


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.


**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 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.


**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.


**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)).

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)).


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)).


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)).


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)).


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)).


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)).


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)).


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)).


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)).


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)).


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 changes, comments 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 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.
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 section 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 secretary’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
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.

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 accounts 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, 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 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
Taxation Division

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."

<table>
<thead>
<tr>
<th>Contractor Name</th>
<th>Street Address</th>
<th>Street Address 2</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
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<td>A &amp; B PROCESS SYSTEMS CORP</td>
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<td>WI</td>
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<td>AEPSTEIN &amp; SONS INTERNATIONAL INC</td>
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<td>ACE AIR CONDITIONING INC</td>
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<td>ACRONYM MEDIA INC</td>
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<td>AES MECHANICAL SERVICES GROUP INC</td>
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<td>AH BECK FOUNDATION CO INC</td>
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## Missouri Department of Revenue
### Taxation Division

### Construction Transient Employer Listing

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## Missouri Department of Revenue
### Taxation Division

**Construction Transient Employer Listing**

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## Construction Transient Employer Listing

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### Missouri Department of Revenue
#### Taxation Division

**Construction Transient Employer Listing**

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<td>5036 W CLAIREMONT DR</td>
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<td>APPLETON</td>
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<td>54913-6505</td>
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<tr>
<td>FISH &amp; ASSOCIATES INC</td>
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<td></td>
<td>MIDDLETOWN</td>
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<td>FLINT ENERGY SERVICES INC</td>
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<td></td>
<td>SAINT LOUIS</td>
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<td>FLOORSHIELD INC</td>
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<td>ALBUQUERQUE</td>
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<td>FLORIDA INSTITUTE OF TECHNOLOGY INC</td>
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<td>FL</td>
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<td>FOUNDATION SERVICE CORP</td>
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<td>FOUNDATION SPECIALTIES INC</td>
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<td>SUPERIOR</td>
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<td>FRAZIER ROOFING &amp; SHEET METAL CO INC</td>
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<td>DE SOTO</td>
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<td>FSG FACILITY SOLUTIONS GROUP INC</td>
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<td></td>
<td>AUSTIN</td>
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