Previous Section

solutions. In a proposed 2005 guidance document EPA described a process for evaluating whether, and under what conditions, certain peak wet weather flow diversions should be approved or denied in a National Pollutant Discharge Elimination System permit. This policy will allow facilities to evaluate technology alternatives and individual communities may evaluate their current capacities, estimate the level and frequency of peak wet weather flows, evaluate various treatment options, assess community funding capabilities, and identify those situations in which these are not feasible alternative to secondary treatment. EPA's guidance suggests the use 2 percent of median household income as one assessment factor in conjunction with measures of the system's debt, socioeconomic conditions of the area, and financial management conditions. For the purpose of providing the most conservative cost estimates please refer to the **Worksheet** above. The costs presented are based on increasing the current sewer rates up to rates that reflect 2 percent of median household income.

Engineering Options and Case Studies: Removal of the Intermittent Discharges of Partially Treated Wastewater During Peak Wet-Weather Events –

Nearly every Missouri wastewater utility is unique with different factors affecting each. Some have significant topographic changes while others are flat. Some collection systems are well above the groundwater table while others must operate with portions submerged. During storm events I/I can cause high peaks flows which are difficult to measure or reduce. A review of the State's water permit data indicates that there are 53 communities with secondary outfalls that will have to be eliminated under this proposed rule. Each community is unique with different existing treatment technologies, collection system designs, collection system conditions, maintenance practices, technical capabilities, wastewater treatment plant capacities, real estate concerns, socio-economic status, and public perceptions. These are all factors that will influence the choices of engineering solutions. Some communities will have to do very little because they seldom discharge from their secondary outfall. Other systems have been designed to discharge when certain design rainfall rates are reached. And some communities have significant I/I rates that result in discharges even during minor rainfall events.

Because costs cannot be specifically determined for each community, a literature and Internet survey was conducted to determine the representative costs associated with various potential engineering options. It is unlikely that any community will have to implement every engineering solution, but most communities will likely have to implement more than one of these options.

Collection System Study –

Significant flows during wet-weather events occur because of I/I. Inflow is the improper connection of sources into the sewer system. These include street storm drains connected to the sewer, rooftop leaders and house gutters connected to the system, sump pumps, overflow of storm drains, or even streams or springs that are connected to the sewer system. Infiltration occurs when groundwater leaks into the system. A reasonable target for reducing I/I is 30 percent, depending on the community. Up to 10 percent may result in

correction of infiltration problems, and up to 20 percent from correcting inflows. Each community will be different. One indicator of I/I is the ratio of dry-weather or base system flows to those experienced during significant wet-weather events.

Discharge monitoring report data was available for 51 of the 53 Missouri communities affected by this rule change. One measure of the severity of I/I problems is the ratio of the maximum wet-weather flow recorded to the average flow. For the practice of plant design this ratio is referred to as the peaking factor. This ratio for primary outfalls at the affected Missouri communities ranged from a minimum of 1.1 to a maximum of 34.0. The average ratio was 6.8. Peaking factors above 2.5 are considered excessive.

Frequency Distribution of the peaking ratios –									
	Frequency								
Ratio of Maximum to Average Flow from Primary Discharge (Peaking Factor)	0-2	2-4	4-6	6-8	8-10	10-12	12-14	14-16	>16
Number of Facilities	3	10	25	3	1	2	1	2	4

The table above shows that there are numerous communities that have peaking factors that are above 2.5. Ratios greater than 2.5 indicate that I/I problems in the collection system need to be actively addressed, and that investment in I/I reductions are likely to be cost effective particularly in those systems with very high peak flows.

Individual communities will have to expend resources to evaluate the extent of their I/I problem, and the potential causes. This is done through a study of flows and conditions of the collection system. Some communities may be best served by conducting a rigorous flow modeling exercise. Others may be able to successfully approach the problem through simple and less costly field observations. Some systems may have to be mapped because records do not exist. The extent and causes of I/I may be assessed by direct flow monitoring, review of rainfall records, manhole inspections, visual pipe inspections, the use of smoke testing, sewer pipe cleaning and closed circuit television inspections, dyed-water testing, and even building inspections where improper connections are identified. The department is aware of local Missouri contracts to conduct sewer main camera inspections and cleanouts for $1.50 per linear foot.

Case studies for Miami, Oklahoma and Fort Scott, Kansas are instructive. In 1986 Miami conducted an I/I study for their entire system at an overall cost of $248,000. Miami's population at that time was 13,300, and the collection system consisted of approximately 430,000 feet of sewer. Their system included several pumping stations, and two treatment facilities. The oldest parts of the system predated 1950. A similar case study was reviewed for Fort Scott, Kansas. In 1986 Fort Scott undertook a similar effort at a cost of $103,000. Fort Scott had a population of 9,000 and their collection system was approximately 260,000 linear feet.

These cost figures, corrected for inflation to 2009 using the consumer price index and normalized and averaged for the two communities, were $0.93 per linear foot or $28.48 per person. The estimated population of the 53 Missouri communities affected by this rule is 818,221. Extending these costs from the case studies to the 53 Missouri communities places the cost for flow study at $23.3M.

Collection System Remedies –

Correcting I/I problems can require a wide array of engineering solutions. Possible projects include the replacement of failed cleanout caps, leaking lateral lines, the repair of sewer mains and manholes, and the proper rerouting of inflows from sump pumps, area drains, storm sewer drains, and down spouts. The range of collection system repairs and their effectiveness is very broad. Once a section of a collection system has been identified as needing repair, there are a wide variety of construction activities that are available. Sewer pipe repair methods can be broadly classified into two types, trenchless and less-trench. Examples of trenchless methods include cured-in place piles, fold and formed pipes, pipes constructed using directional drilling, and fill and drain technologies. In the less-trench methods, some excavation is required. These excavations are used to introduce new pipe into the system and to reactivate lateral connections. Some require pits and auger holes, while other need sloping trenches leading into the old pipe. Often spot repairs can be made that involve the application of chemical grouts or epoxy-based resins to fill cracks and repair certain spots. The costs for each individual community will be highly dependent upon the nature and extent of the needed repairs. A literature and Internet search indicates that there is a tremendous amount of variability of the costs for these rehabilitation projects. The cost to rehabilitate an eight-inch sewer main ranges from about $20 to $80 per linear foot. The department is aware of local Missouri contracts to repair sewer mains using cured in place technology at a cost of $23 per linear foot. The rehabilitation of larger mains costs considerably more, and may range from three to five times the costs of eight-inch pipe. Reframing and installing new gaskets on manhole covers ranges from about $1,000 to $1,500. The costs associated with sewer rehabilitation will vary significantly depending on the condition of the individual community's collection system and the extent of the problem.

An example community may have 80 miles of pipe serving 4,000 connections. If ten percent of the collection system piping needs to be rehabilitated at a cost of $30 per foot, the resulting cost would be $1.27M For this example, the same community may have 50 manholes in need of rehabilitation at a cost of approximately $1,000 per manhole or $50,000. In addition, there are a number of spot repairs and sewer cleanout leaks that may be warranted, adding another $50,000. Assuming the contracting and project administration costs add an additional 10 percent, the entire sewer rehabilitation cost for this example community is projected to be $1.50M.

Collection System Storage –

In some limited circumstances, certain communities may choose to construct wastewater storage capacity within the collection system. This can be done by the construction of either tunnels or large cast-in-place storage reservoirs. The costs for tunnel construction projects vary considerably and are very dependent upon local geology. A project in Charleston, South Carolina in which 18,100 feet of 48-inch diameter tunnel was constructed at a cost $39.8M.

There are other storage options within the collection system, such as holding tanks at lift stations. Again, the costs for these projects are highly variable depending upon capacity, real-estate costs, and materials and equipment costs. The department expects few communities will choose this engineering option.

Peak Flow Storage at the Wastewater Treatment Plant –

To eliminate secondary outfalls during wet-weather events some communities may choose to either construct new waste retention ponds or expand existing ponds to normalize peak flow events. A rule of thumb for the construction cost of a waste storage pond is $0.10 per cubic foot. As an example, a pond designed to the nominal dimensions of 150 by 200 feet with an eight foot depth holds approximately 1.34 million gallons. Assuming the city would not have to acquire real estate, the construction costs for this example waste storage pond would be estimated at approximately $18,000. Mechanical costs (pumping and piping) may also have to be added. Because of site limitations other communities may have to construct concrete basins. The cost to add storage would vary from community to community, but it is assumed that many communities would be served by an expansion of their storage capacity.

High Rate Treatment –

The high flows experienced during wet-weather events can exceed a wastewater plant's biological treatment capacity, and effluent quality can quickly deteriorate. Communities may choose to construct or expand their high-rate clarification systems, so long as they produce an effluent that is equivalent to secondary treatment (<30 mg/l of total BOD). One example of a proven technology is biologically enhanced clarification. In comparison to traditional domestic wastewater treatment plants, high-rate clarification systems have a short start-up time, smaller footprints, and considerably lower costs. The cost of these type of facilities range from $0.35 to $0.55 per million gallon per day of capacity, with is considerably less expensive than construction of conventional domestic plant capacity. Before high rate treatment is a feasible option, EPA may require a formal "no feasible alternatives analysis." This comprehensive analysis would involve an evaluation of the current collection and treatment system, an evaluation of peak flow frequency and severity, predictions about expected flows and conditions in the future, evaluation of various storage and treatment options, and an analysis of the ability of the local community to fund the various alternatives. A "no feasible alternatives analysis" study may cost as much as $200,000 per community.

Expansion of Wastewater Treatment Plant Capacity –

Some communities may find that a comprehensive I/I program coupled with additional wet-weather storage will not be sufficient to eliminate the need to expand the capacity of their treatment plant. The design of a new or expanded wastewater treatment plant will vary from community to community depending on capacity needs, design effluent limits that will be protective of water uses, the current condition and design of existing wastewater treatment units, and the economic conditions of the community. The published costs for wastewater treatment cover a very large range as well. The costs of labor and materials vary with geography. In addition to

these variables, economies of scale also play a role with the per gallon cost being much lower for very large plants than for smaller ones. Published costs range from approximately $1 to as much as $15 per gallon. For instance, an example community may determine that construction of an additional 2.4 MGD plant is necessary at a cost of $4.25/ gallon, for a total construction expense of $9.4M.

Summary of Engineering Options –

All communities will be subject to costs associated with determining the most prudent path to eliminate intermittent we-weather secondary outfalls. Most communities will be well served by the implementation of a rigorous program to reduce I/I. All communities would also be well-served to determine if it would be fruitful to pursue policies or local ordinances to address I/I from private sewers. While storage within the collection system may prove beneficial to some communities, most will find that additional peak flow storage at the treatment plant will be warranted, and many communities are expected to have to expand their existing wastewater treatment capacities. Some communities may have to undergo an analysis to show that there is no feasible alternative to discharges during certain storm events. This analysis will evaluate alternatives and show that those alternatives are not affordable. EPA is developing guidance on how this analysis is to be done.

The costs for each community will certainly be different, and can only be determined through rigorous and detailed system evaluations. The **Worksheet** presents a cost estimate method that is based on increasing the current sewer rates up to rates that reflect 2 percent of median household income. This estimate serves as an upper bound and a rigorous analysis of the engineering solutions by each community will likely show that the actual costs will be somewhat less than those shown in the **Worksheet**.

FISCAL NOTE

PRIVATE COST

I. RULE NUMBER

Rule Number and Name	*10 CSR 20-7.015 Effluent Regulations*
Type of Rulemaking	*Proposed Rule Amendment*

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Privately Owned Treatment Works	The cost of compliance is $955,557.

III. WORKSHEET

PRIVATE FISCAL IMPACT	FY 2010 (4 Mo.)	FY 2011	FY 2012	FY 2013	FY 2014
Privately Owned Treatment Works					
566 Facilities will collect and analyze 30 samples per season (approx. 1 sample per wk) @ $50 per sample = $849,000. Operating permits are issued with 5-year terms, and the new monitoring requirements will only be incorporated into permits as they are renewed. During the first full recreational season it is approximately one-fifth of the facilities will have permits up for renewal. • **FY 2010** costs are estimated as: $849,000 * **(1/5)** * (3/7) = **$72,771**. Only three-sevenths of the first season falls within FY2010. • **FY 2011**, an additional one-fifth of the facilities will have monitoring incorporated into their permit: $849,000 * (3%) = $874,470 * **(2/5) = $349,788.** • **FY 2012**, an additional one-fifth of the facilities will have monitoring incorporated into their permit: $874,470 *(3%) = $900,704 * **(3/5) = $540,423.** • **FY 2013** costs are estimated as: $900,704 * (3%) = $927,725 * **(4/5) = $742,180.** • **FY 2014**, an additional one-fifth of the facilities will have monitoring incorporated into their permit: $927,725 * (3%) = $955,557 * **(5/5) = $955,557.** **3% added for inflation for FY 2011 through FY 2014** **FY 2010 through FY 2012 reflects multi-year aggregate** **The Season for this required sampling is April through October** **FY2010 30 samples collected, April through June** **FY2011 30 samples * $50 per sample * 3% per full season (April though October)** **FY2012 30 samples * $50 per sample *3% per full season (April though October)**	$72,771	$349,788	$540,423	$742,180	$955,557

IV. Assumptions

The duration of the proposed rule is indefinite. There is no sun-set clause. Costs imposed by the proposed rule are shown on an annual basis. It is assumed that additional years will be consistent with the assumptions used to calculate the annual costs identified in this fiscal note. The above estimates are based on current dollar values, except that a 3% inflation rate was applied. The rule is assumed to be effective June 30, 2010.

Sampling and analysis is to be conducted once per week during the recreation season (April 1 to October 3) which is 30 weeks. Compliance with the water quality standard is to be determined by calculating the geometric mean of all samples collected in an individual month. The total number of facilities implementing this requirement (566) is estimated based on data collected from the department's Water Quality Information System and is based on facilities are expected to be required to conduct bacteria monitoring upon renewal of their permits.

This proposed amendment will cost private entities an estimated $955,557 in the aggregate to collect and analyze effluent for *escherichia coli*. It is anticipated that these costs be ongoing over the life of the rule and will vary with inflation.

This requirement will be implemented gradually as facilities submit operating permits renewals. The number of facilities to submit each year may vary. The costs summarized in the Worksheet are presented as multi-year aggregates for the 566 private wastewater treatment facilities. This multi-year aggregate reflects the cyclical nature of the 5-year renewal cycle for operating permits and reflects the continuous/seasonal monitoring process requirements for *e. coli*.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
Division 2120—State Board of Embalmers and Funeral Directors
Chapter 2—General Rules

PROPOSED AMENDMENT

20 CSR 2120-2.100 Fees. The board is proposing to add subsections (1)(U) through (GG) and amends section (3).

PURPOSE: The State Board of Embalmers and Funeral Directors is statutorily obligated to enforce and administer the provisions of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo. Pursuant to section 333.111, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo. Therefore the board is proposing to adopt new fees associated with the implementation of Senate Bill 1, 95th General Assembly, First Regular Session 2009.

(1) The following fees hereby are established by the State Board of Embalmers and Funeral Directors:

(U) Provider License Application Fee (if no Funeral Establishment license)	**$200**
(V) Provider License Application Fee (if also Funeral Establishment license)	**$100**
(W) Provider Biennial Renewal Fee	**$ ****
(X) Seller License Application Fee	**$ 75**
(Y) Seller Biennial Renewal Fee	**$ ****
(Z) Seller Agent Registration Fee	**$ 50**
(AA) Seller Agent Biennial Registration Renewal Fee	**$ ****
(BB) Seller Annual Report Fee	**$ ****
(CC) Seller Annual Report Late Fee	**$ ****
(DD) Seller Agent Law Examination Fee	**$ ****
(EE) Seller per Contract Annual Reporting Fee (for contracts executed on or after August 28, 2009)	**$ 36**
(FF) Amended Provider Application Fee	**$ 25**
(GG) Amended Seller Application Fee	**$ 25**

****This fee is not yet determined by the board.**

(3) The provisions of this rule *[hereby]* are *[declared]* severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction *[or by the Administrative Hearing Commission]*, the remaining provisions of this rule shall remain in full force, unless otherwise determined by a court of competent jurisdiction *[or by the Administrative Hearing Commission]*.

AUTHORITY: section 333.111.1, RSMo 2000 ***and section 333.340, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009****. This rule originally filed as 4 CSR 120-2.100. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 11, 1981. Original rule filed June 30, 1981, effective Oct. 12, 1981. For intervening history, please consult the* ***Code of State Regulations****. Emergency amendment filed Sept. 24, 2009, effective Oct. 4, 2009, expires April 1, 2010. Amended: Filed Sept. 24, 2009.*

PUBLIC COST: This proposed amendment will increase revenue for state agencies or political subdivisions by approximately seven hundred twelve thousand two hundred fifty dollars ($712,250) annually beginning in Fiscal Year 2010 for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will cost private entities approximately seven hundred thirteen thousand two hundred thirty-five dollars and sixty cents ($713,235.60) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at embalm@pr.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.*

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration
Division 2120 - State Board of Embalmers and Funeral Directors
Chapter 2 - General Rules
Proposed Rule - 20 CSR 2120-2.100 Fees
Prepared September 1, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Increase in Revenue	
State Board of Embalmers and Funeral Directors	Total Increase in Annual Revenue Beginning in FY09	$712,250

III. WORKSHEET

The State Board of Embalmers and Funeral Directors is statutorily obligated to enforce and administer the provisions of Chapter 333, RSMo and section 436.400 through 436.520, RSMo. Pursuant to Section 333.111, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 333 and sections 436.400 through 436.520, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 333, RSMo and sections 436.400 through 436.520, RSMo. The board estimates the projections calcuated in the Private Entity Fiscal Note for this rule will be the amount of revenue collected for this rule.

IV. ASSUMPTION

1. It is anticipated that the estimated revenue will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration
Division 2120 - State Board of Embalmers and Funeral Directors
Chapter 2 - General Rules
Proposed Rule - 20 CSR 2120-2.100 Fees
Prepared September 1, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

FY10 - FY11

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
10	Provider (No Establishment License) (Application Fee @ $200.00)	$2,000.00
690	Provider (Establishment License) (Application Fee @ $100.00)	$69,000.00
350	Seller License (Application Fee @ $75.00)	$26,250.00
50	Preneed Agent (Registration Fee @ $50.00)	$2,500.00
17,000	Seller Per Contract (Annual Reporting Fee @ $36.00)	$612,000.00
10	Provider (Amended Application Fee @ $25.00)	$250.00
10	Seller (Amended Application Fee @ $25.00)	$250.00
1,120	Applications (Postage @ $.44)	$492.80
1,120	Applications (Postage @ $.44)	$492.80
	Estimated Annual Cost of Compliance with the Amendment for the Life of the Rule	**$713,235.60**

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The estimated number of applicants is based on FY08-FY09 actual licensee counts and the fiscal note for SB 1 in 2009.
2. These numbers may decrease due to added restrictions on the profession, which may cause some people to opt out of selling preneed in the future.
3. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
Division 2120—State Board of Embalmers and Funeral Directors
Chapter 3—Preneed

PROPOSED RULE

20 CSR 2120-3.105 Filing of Annual Reports

PURPOSE: This rule prescribes the board's process for the filing of annual reports under the revised sections of Chapters 333 and 436, RSMo.

(1) For sellers:

(A) For the annual report due on October 31, 2009, sellers registered with the board prior to August 28, 2009, in lieu of filing the annual report required by section 436.460, RSMo, may file an annual report, on the form provided by the board, containing all the information required by section 436.021.2, RSMo 2000. This report shall report all preneed contracts executed since the reporting period the seller reported in its report due on October 31, 2008, through August 27, 2009. This annual report shall be accompanied by a fee of two dollars ($2) per preneed contract sold for the reporting period; and

(B) For the annual report due on October 31, 2010, sellers shall report all contracts executed from August 28, 2009, through August 31, 2010. Thereafter, the annual report shall report all contracts sold between September 1 of the year preceding the annual report through August 31 of the reporting year. Each annual report filed for reporting years ending October 31, 2010, and thereafter shall also be accompanied by the annual fee as established in 20 CSR 2120-2.100.

(2) For providers:

(A) For the annual report due as set out below, providers shall file an annual report as provided by section 333.315.3(4), RSMo, covering the reporting period as set out below:

1. For report due October 31, 2009, the reporting period shall be from the date of the provider's last annual report though August 27, 2009. No annual fee shall be required for this reporting period;

2. For report due October 31, 2010, the reporting period shall be August 28, 2009, through August 31, 2010, and accompanied by the renewal fee in 20 CSR 2120-2.100; and

3. For reports due successive years, reporting period shall be September 1 through August 31 and shall be accompanied by the renewal fee established in 20 CSR 2120-2.100.

AUTHORITY: sections 333.315, 333.320, 333.340, 436.460, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Sept. 24, 2009, effective Oct. 4, 2009, expires April 1, 2010. Original rule filed Sept. 24, 2009.

PUBLIC COST: This proposed rule will increase revenue for state agencies or political subdivisions by approximately thirty-four thousand dollars ($34,000) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities approximately thirty-four thousand four hundred twenty-two dollars and eighty-four cents ($34,422.84) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at embalm@pr.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.*

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions, and Professional Registration
Division 2245 - Real Estate Appraisers Commission
Chapter 5 - Fees
Proposed Amendment - 20 CSR 2245-5.020 Application, Certificate and License Fees
Prepared August 5, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimate Increase in Revenue	
State Board of Embalmers and Funeral Directors	Total Annual Revenue in FY10	$34,000

III. WORKSHEET

The State Board of Embalmers and Funeral Directors is statutorily obligated to enforce and administer the provisions of Chapter 333, RSMo and section 436.005 through 436.520, RSMo. Pursuant to Section 333.111, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 333 and sections 436.005 through 436.520, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 333, RSMo and sections 436.005 through 436.520, RSMo. The board estimates the projections calcuated in the Private Entity Fiscal Note for this rule will be the amount of revenue collected for this rule.

IV. ASSUMPTION

1. It is anticipated that the estimated revenue will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration
Division 2120 - State Board of Embalmers and Funeral Directors
Chapter 3 - Preneed
Proposed Rule - 20 CSR 2120-3.105 Filing of Annual Reports
Prepared September 1, 2009 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
349	Preneed Sellers (Postage @ $0.44)	$153.56
612	Preneed Providers (Postage @ $0.44)	$269.28
349	Preneed Seller (Annual Report Fee @ $2.00 per contract fee) Estimated 17,000 contracts	$34,000.00
	Estimated Annual Cost of Compliance for FY10	**$34,422.84**

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The estimated number of preneed sellers and providers are based on FY08 actual license counts. The number of estimated contracts sold in the state of Missouri is based on the actual number of contracts sold in FY08; with the collapse of National PreArranged Services (NPS) being taken into account.
2. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.