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SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



ROBIN CARNAHAN  
SECRETARY OF STATE

MISSOURI  
REGISTER

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**SECRETARY OF STATE**

**ROBIN CARNAHAN**

Administrative Rules Division

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

DIRECTOR

WAYLENE W. HILES

•

EDITORS

CURTIS W. TREAT

SALLY L. REID

ASSOCIATE EDITOR

DELANE JACQUIN

•

PUBLICATION TECHNICIAN

JACQUELINE D. WHITE

•

SPECIALIST

MICHAEL C. RISBERG

•

ADMINISTRATIVE ASSISTANT

ALISHA DUDENHOEFFER

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

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## HOW TO CITE RULES AND RSMo

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

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

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

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

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

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

**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2263—State Committee for Social Workers  
Chapter 1—General Rules**

**EMERGENCY RULE**

**20 CSR 2263-1.040 School Social Worker Examinations Approved by the Committee**

*PURPOSE:* This rule establishes the school social worker examination(s) approved by the committee for the school social work program verification and acknowledgment of completion to be issued by Missouri colleges and universities and by the committee as authorized in section 173.1400 of Senate Bill 563 (2012).

*EMERGENCY STATEMENT:* On June 5, 2012, Senate Bill 563 was signed into law authorizing Missouri colleges and universities to issue, on behalf of the state, a document of school social work program verification and acknowledgment of completion (document) to individuals meeting specified criteria regarding social work in schools. While section 173.1400 of S.B. 563 requires the Department of Higher Education to develop the form of the document, the State Committee for Social Workers is required to approve the examination that may be utilized to qualify for the document. Section 337.647 of S.B. 563 allows individuals meeting somewhat different criteria to

obtain a similar document issued by the committee. Immediate adoption of this rule will enable Missouri colleges and universities and the committee to issue the document prior to and during the 2012-2013 academic year to those individuals who qualify through the examination process. This document is utilized by such individuals for recognition and employment in Missouri and other states as school social workers. As there was no previously approved exam for school social workers and section 173.1400 of S.B. 563 went into effect immediately upon being signed by the governor, it was necessary to meet and draft an emergency rule approving an examination in order to comply with the new legislation and its emergency clause.

Accordingly, on June 21, 2012, a subcommittee, appointed by the committee, consisting of some members of the board, representatives from interested universities, associations, and school social workers met and discussed options for examination(s) that would satisfy the requirements of sections 173.1400 and 337.647, of S.B. 563. Following that meeting, the full committee met on July 19, 2012, approved an examination for the purposes of both sections 173.1400 and 337.647 of S.B. 563, and approved an emergency rule.

This emergency rule is necessary to implement the requirements of sections 173.1400 and 337.647 of S.B. 563. While section 337.647 of S.B. 563 is not included within the emergency clause of S.B. 563 (which regards section 173.1400 of S.B. 563 only), section 337.647 of S.B. 563 provides for an alternative process by which individuals may obtain a similar document issued by the committee (instead of Missouri colleges and universities). While the criteria that individuals must meet to obtain the document from the committee differs from that required to obtain the document from Missouri colleges and universities, the examination approval required from the committee for both sections 173.1400 and 337.647, of S.B. 563 is the same. Accordingly, the examination approval regarding section 337.647 of S.B. 563 is included within this emergency rule.

For these reasons, this emergency rule is necessary to protect the public health, safety, and welfare of Missouri citizens by enabling Missouri colleges and universities and the committee to issue documents of school social work program verification and acknowledgment of completion to qualified individuals through the examination process. Based on the foregoing, the Department of Insurance, Financial Institutions and Professional Registration, Division of Professional Registration, hereby finds an immediate danger to the public health, safety, and welfare and a compelling governmental interest which requires emergency action. The scope of this emergency rule is limited to the conditions creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The committee believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency rule was filed September 18, 2012, becomes effective September 28, 2012, and expires March 26, 2013.

(1) School social worker examination(s) approved by the committee for the purposes of sections 173.1400 and 337.647.2., RSMo, include:

(A) The Educational Testing Service Praxis series exam #0211 School Social Worker: Content Knowledge.

*AUTHORITY:* sections 173.1400.1.(2) and 337.647.2.(2) and .3., SB 563 and HB 1563, Second Regular Session, Ninety-sixth General Assembly, 2012, and 337.627.1.(8), RSMo Supp. 2011. Emergency rule filed Sept. 18, 2012, effective Sept. 28, 2012, expires March 26, 2013. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

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

Entirely new rules are printed without any special symbolology under the heading of the 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.

Cynictis, Helogale, Herpestes, Ichneumia, Mungos, or Suricata; [any species of the European rabbit genus Oryctolagus;] any species of the Indian wild dog, red dog, or dhole of the genus Cuon; any species of the multimammal rat or mouse of the genus Mastomys; raccoon dog, Nyctereutes procyonoides; brushtail possum, Trichosurus vulpecula;

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed April 20, 2005, effective Sept. 30, 2005. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 5—Wildlife Code: Permits

PROPOSED AMENDMENT

3 CSR 10-5.205 Permits Required: Exceptions. The commission proposes to amend subsection (1)(E) of this rule.

PURPOSE: This amendment allows any person fifteen (15) years of age or younger who has a valid hunter education certificate card in his/her possession to take wildlife (except deer or turkey) as provided in Chapter 7 without permit and without being in the immediate presence of a properly licensed adult hunter.

(1) Any person who chases, pursues, takes, transports, ships, buys, sells, possesses, or uses wildlife in any manner must first obtain the prescribed hunting, fishing, trapping, or other permit, or be exempted under 3 CSR 10-9.110, with the following exceptions:

(E) Any person fifteen (15) years of age or younger may take wildlife (except deer and turkey) as provided in Chapter 7 without permit provided, s/he has in his/her possession a valid hunter education certificate card or s/he is in the immediate presence of a properly licensed adult hunter who is eighteen (18) years of age or older and has in his/her possession a valid hunter education certificate card or was born before January 1, 1967. Persons under eleven (11) years of age may not purchase firearms deer and turkey hunting permits except as provided in subsection (1)(F) of this rule (see 3 CSR 10-5.215(4));

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

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

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 4—Wildlife Code: General Provisions

PROPOSED AMENDMENT

3 CSR 10-4.117 Prohibited Species. The commission proposes to amend subsection (2)(A) of this rule.

PURPOSE: This amendment removes the genus Oryctolagus from the Prohibited Species List to allow domestic rabbits to be imported, exported, transported, sold, purchased, or possessed alive in Missouri.

(2) For the purpose of this rule, prohibited species of wildlife shall include the following:

(A) Mammals: Any species of flying fox or fruit bat of the genus Pteropus; any species of mongoose or meerkat of the genera Atilax,

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.415 Restricted Zones.** The commission proposes to amend subsections (2)(F) and (5)(I) of this rule.

*PURPOSE: This amendment establishes a new boundary for bow fishing within the main channel below the Clarence Cannon Reregulation Pool Dam to counter a recent change in the no-boating zone enacted by the U.S. Army Corps of Engineers and allows continued bow fishing in adjacent backwaters within the entire zone.*

(2) Fish may be taken only by pole and line from:

(F) Salt River from below Clarence Cannon Reregulation Pool Dam to Route A except that fish may also be taken by bow as prescribed in 3 CSR 10-6.550 from [the no-boating zone (all adjoining backwaters and from the main channel beginning one thousand [one hundred] feet (1,1/1000') below the Reregulation Dam/) to Route A].

(5) Fish may be taken by all prescribed methods except that only flies and artificial lures may be used when fishing and soft plastic baits and natural and scented baits are specifically prohibited in:

(I) Little Piney Creek from the Phelps County IL/line in Sections 9 and 16 of T35N, R8W, including Piney Spring Branch and Lane Spring Branch, to Milldam Hollow Access.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.545 White Bass, Yellow Bass, Striped Bass.** The commission proposes to amend section (2) and add subsections (1)(C) and (4)(C) of this rule.

*PURPOSE: This amendment establishes striped bass length and daily limits at Bull Shoals Lake. Also, the amendment standardizes striped bass length and daily limits with those of the Arkansas Game and Fish Commission at Norfolk Lake.*

(1) Daily Limit: Fifteen (15) white bass, yellow bass, striped bass, and their hybrids in the aggregate, except:

(C) On Bull Shoals and Norfolk lakes and their tributaries, only three (3) striped bass may be included in the aggregate.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, or jug line.

(4) Length Limits: No length limits, except the daily limit of white bass, yellow bass, striped bass, and their hybrids may include not more than four (4) fish more than eighteen inches (18") in total length.

(C) On Bull Shoals and Norfolk lakes and their tributaries, striped bass less than twenty inches (20") in total length must be returned to the water unharmed immediately after being caught. On these waters, there are no length limits for white bass or their hybrids.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,  
Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.110 General Prohibition; Applications.** The commission proposes to amend paragraphs (3)(F)4.-6. of this rule.

*PURPOSE: This amendment clarifies the rule and further defines closed systems for compliance.*

(3) Fish and crayfish may be bought, sold, transported, propagated, taken, and possessed by any person without permit throughout the year in any number or size and by any method providing—

(F) That the privileges of this section apply only to the following:

1. Species listed in the Approved Aquatic Species List (including all subspecies, varieties, and hybrids of the same bought, sold, transported, propagated, taken, and possessed for purposes of aquaculture, but excluding transgenic forms);

2. Species frozen or processed for sale as food products;  
 3. Species incapable of surviving in fresh water;  
 4. Fish held only in aquaria, tanks, or other containers having water or solid wastes discharged only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources or that entirely recirculate all of the water so that none of it shall drain into a water body;

5. Species other than fish held only in aquaria, tanks, or other containers that have the following specifications: all containers including the drain pipe or stand pipe must be completely covered with an intact screen of a maximum mesh size of one-sixteenth inch (1/16") square, and having water or solid wastes discharged only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources or that entirely recirculate all of the water so that none of it shall drain into a water body; and

6. Species or systems that do not meet the conditions of one of paragraphs 1. through 5. above that have been inspected by a representative of the department and received prior written approval from the director. Only closed systems from which the escape of live organisms (including eggs, parasites, and diseases) is not possible will be approved. **A system is considered closed when it is contained securely within an enclosed structure having no discharge of water or solid wastes. Any water or solid wastes removed from the system shall be disposed only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources. Outdoor impoundments are not considered closed systems; and**

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule was previously filed as 3 CSR 10-4.110(5), (6), and (10). Original rule filed June 26, 1975, effective July 7, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
 Division 10—Conservation Commission  
 Chapter 11—Wildlife Code: Special Regulations for  
 Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.180 Hunting, General Provisions and Seasons.** The commission proposes to delete subsection (4)(M) and re-letter subsequent subsections; add subsection (4)(TT); amend subsections (4)(BBB), (4)(EEEE), (4)(NNNN), and (5)(G); and add subsections (5)(H) and (5)(X) and re-letter subsequent subsections; add subsection (6)(C) and re-letter subsequent subsections; and remove subsection (11)(B) and re-letter the subsequent subsection of this rule.

*PURPOSE: This amendment removes the reference to a conservation area no longer owned by the department, prohibits hunting except for deer and turkey hunting on Hinkson Woods Conservation Area, establishes hunting regulations on a newly acquired conservation area, adds Cape LaCroix Bluffs Conservation Area to the list of areas where firearms firing single projectiles are prohibited except as authorized in the annual **Fall Deer & Turkey Hunting Regulations and Information** booklet, restricts the use of firearms firing single projectiles on the designated portion of Truman Reservoir ML, removes unnecessary dove-specific regulations, and corrects improper conservation area references.*

(4) Hunting is prohibited on the following department areas except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet and annual *Spring Turkey Hunting Regulations and Information* booklet:

*[(M)] Robert L. Blattner Conservation Area*  
*[(N)](M) Lois Arlene Boesl Outdoor Educational Area*  
*[(O)](N) Bolivar Forestry Office*  
*[(P)](O) Marguerite Bray Conservation Area*  
*[(Q)](P) Brookfield Maintenance Center*  
*[(R)](Q) Buffalo Radio Facility*  
*[(S)](R) Caldwell Memorial Wildlife Area*  
*[(T)](S) Camdenton Conservation Service Center*  
*[(U)](T) Cape Girardeau Conservation Campus Nature Center*  
*[(V)](U) Caruthersville Rookery Conservation Area*  
*[(W)](V) Clearwater District Headquarters*  
*[(X)](W) Climax Springs Towersite*  
*[(Y)](X) Clinton Office*  
*[(Z)](Y) Conservation Commission Headquarters*  
*[(AA)](Z) Robert G. DeLaney Lake Conservation Area*  
*[(BB)](AA) Doniphan Towersite*  
*[(CC)](BB) Drovers Prairie Conservation Area*  
*[(DD)](CC) Engelmann Woods Natural Area*  
*[(EE)](DD) Eugene Towersite*  
*[(FF)](EE) Forest 44 Conservation Area*  
*[(GG)](FF) Foxglove Conservation Area*  
*[(HH)](GG) Friendly Prairie Conservation Area*  
*[(II)](HH) Gay Feather Prairie Conservation Area*  
*[(JJ)](II) Goodson (Bittersweet Woods) Conservation Area*  
*[(KK)](JJ) Grandpa Chipley's Conservation Area*  
*[(LL)](KK) Gravois Creek Conservation Area*  
*[(MM)](LL) Gravois Mills Access*  
*[(NN)](MM) Great Spirit Cave Conservation Area*  
*[(OO)](NN) Grundy Memorial Wildlife Area*  
*[(PP)](OO) Ronald and Maude Hartell Conservation Area*  
*[(QQ)](PP) James R. Harter Conservation Area*  
*[(RR)](QQ) Ruth and Paul Henning Conservation Area*  
*[(SS)](RR) Hickory Canyons Natural Area*  
*[(TT)](SS) Hickory Woods Conservation Area*  
**(TT) Hinkson Woods Conservation Area**  
**(BBB) [LaPetite] La Petite Gemme Prairie Conservation Area**  
**(EEEE) [Tezsars] Tezsars Woods Conservation Area**  
**(NNNN) Wah[-]'Kon-Tah Prairie (portion south of Highway 82)**

(5) Firearms firing single projectiles are prohibited on the following department areas except for deer hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet:

*(G) Gerhild and Graham Brown [Memorial Wildlife] Conservation Area*  
**(H) Cape LaCroix Bluffs Conservation Area**  
*[(H)](I) Catawissa Conservation Area*  
*[(I)](J) Charity Access*  
*[(J)](K) Columbia Bottom Conservation Area*  
*[(K)](L) Cuivre Island Conservation Area (mainland portion)*  
*[(L)](M) Diamond Grove Prairie Conservation Area*  
*[(M)](N) Dorris Creek Prairie Conservation Area*  
*[(N)](O) Dorsett Hill Prairie Conservation Area*



[(O)](P) Arthur Dupree Memorial Conservation Area  
[(P)](Q) Eagle Bluffs Conservation Area  
[(Q)](R) Peter A. Eck Conservation Area  
[(R)](S) Earthquake Hollow Conservation Area  
[(S)](T) Edmonson Access  
[(T)](U) Ferguson-Herold Conservation Area  
[(U)](V) Fort Leonard Wood Towersite  
[(V)](W) Larry R. Gale Access  
**(X) Myron and Sonya Glassberg Family Conservation Area**  
[(W)](Y) Grand Bluffs Conservation Area  
[(X)](Z) Horse Creek Prairie Conservation Area  
[(Y)](AA) LaBarque Creek Conservation Area  
[(Z)](BB) Liberty Bend Conservation Area  
[(AA)](CC) Little Bean Marsh Conservation Area  
[(BB)](DD) Little Dixie Lake Conservation Area  
[(CC)](EE) Little Prairie Conservation Area  
[(DD)](FF) Little River Conservation Area  
[(EE)](GG) Caroline Sheridan Logan Memorial Wildlife Area  
[(FF)](HH) Lone Jack Lake Conservation Area  
[(GG)](II) Lost Valley Fish Hatchery  
[(HH)](JJ) William Lowe Conservation Area  
[(II)](KK) Alice Ahart Mansfield Memorial Conservation Area  
[(JJ)](LL) Marais Temps Clair Conservation Area  
[(KK)](MM) Mo-No-I Prairie Conservation Area  
[(LL)](NN) Mon-Shon Prairie Conservation Area  
[(MM)](OO) Pacific Palisades Conservation Area  
[(NN)](PP) Parma Woods Range and Training Center (north portion)  
[(OO)](QQ) Pelican Island Natural Area  
[(PP)](RR) James A. Reed Memorial Wildlife Area  
[(QQ)](SS) Reform Conservation Area  
[(RR)](TT) Rocky Barrens Conservation Area  
[(SS)](UU) Saint Stanislaus Conservation Area  
[(TT)](VV) Dr. O. E. and Eloise Sloan Conservation Area  
[(UU)](WW) Sunbridge Hills Conservation Area  
[(VV)](XX) Swift Ditch Access  
[(WW)](YY) Tipton Ford Access  
[(XX)](ZZ) Treaty Line Prairie Conservation Area  
[(YY)](AAA) Tri-City Community Lake  
[(ZZ)](BBB) Valley View Glades Natural Area  
[(AAA)](CCC) Vandalia Community Lake Conservation Area  
[(BBB)](DDD) Archie and Gracie VanDerhoef Memorial State Forest  
[(CCC)](EEE) Victoria Glades Conservation Area  
[(DDD)](FFF) Vonaventure Memorial Forest and Wildlife Area  
[(EEE)](GGG) Wade and June Shelton Memorial Conservation Area  
[(FFF)](HHH) Wigwam School Access  
[(GGG)](III) Young Conservation Area

(6) Firearms firing single projectiles are prohibited, except during managed deer hunts, and except furbearers treed with the aid of dogs may be taken with a twenty-two (.22) or smaller caliber rimfire firearm on the following department areas:

**(C) Truman Reservoir ML (Designated portion of Grand River Wildlife Management Area)**

[(C)](D) Upper Mississippi Conservation Area (Dresser Island portion)  
[(D)](E) Weldon Spring Conservation Area

(11) On James A. Reed Memorial Wildlife Area—  
(A) Rabbits, squirrels, and crows may be taken between sunrise and sunset from December 1 through the end of the statewide season by holders of a valid area daily hunting tag; **and**  
[(B) Doves may be taken only in designated areas from noon to sunset each Monday through Friday, except Labor Day, during the statewide season by holders of a valid area daily hunting tag; and]

[(C)](B) Furbearer hunting may be authorized by special use permit, except furbearers may be taken during managed deer hunts that coincide with the prescribed furbearer season using methods allowed for deer by participants holding a valid managed deer hunting permit and the prescribed permit for taking furbearers.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.200 Fishing, General Provisions and Seasons.** The commission proposes to delete subsection (2)(B), re-letter subsection (2)(C), add new subsection (2)(C), and amend subsection (2)(M) of this rule.

*PURPOSE: This amendment removes the reference to a conservation area no longer owned by the department, prohibits fishing in Lake 8 at August A. Busch Memorial Conservation Area, and corrects an improper reference to a conservation area.*

(2) Fishing is prohibited on the following department areas or individually-named lakes:

- [(B) Robert L. Blattner Conservation Area]
- [(C)](B) Burr Oak Woods Conservation Area
- (C) August A. Busch Memorial Conservation Area (Lake 8)**
- (M) Wah/-'Kon-Tah Prairie (portion south of Highway 82)

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.205 Fishing, Methods and Hours.** The commission proposes to amend subsection (5)(B) and sections (8) and (15) of this rule.

*PURPOSE:* This amendment adjusts the use of the youth fishing pond only to days that the Lost Valley Hatchery Visitor Center is open and prohibits bait containers with water on the area.

(5) On James A. Reed Memorial Wildlife Area:

(B) On Honker Pond, fishing is restricted to persons fifteen (15) years of age or younger and not more than one (1) pole and line may be used by any one (1) person at *[one]* any time.

(8) On Lost Valley Fish Hatchery, fishing is permitted only on designated waters from 9:00 a.m. to 4:00 p.m. *[daily]* **Tuesday through Saturday**. Fishing is restricted to persons fifteen (15) years of age or younger and not more than one (1) pole and line may be used by any one (1) person at *[one]* any time.

(15) On Blind Pony Lake Conservation Area, Hunnewell Lake Conservation Area, *[and]* Blackwell Lake (Indian Trail Conservation Area), **and Lost Valley Fish Hatchery**, bait transported or held in containers with water is prohibited.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule was previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 19, 2012.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.210 Fishing, Daily and Possession Limits.** The commission proposes to delete section (3), re-number subsequent sections, and amend new sections (3), (5), and (8) of this rule.

*PURPOSE:* This amendment removes an experimental regulation on Fox Valley Lake (Clark County), reduces the crappie daily limit for

the August A. Busch Memorial Conservation Area (except Lake 33) and Weldon Spring Conservation Area, removes the special bluegill and sunfish regulation on the August A. Busch Memorial Conservation Area, reduces the "all other species" daily limit on the August A. Busch Memorial Conservation Area and Weldon Spring Conservation Area, and clarifies a reference to Bellefontaine Conservation Area.

*[(3)]* On Fox Valley Lake (Fox Valley Lake Conservation Area), the daily and possession limit for black bass is twelve (12) in the aggregate.]

*[(4)]*(3) On **August A. Busch Memorial Conservation Area (except Lake 33)**, Bellefontaine Conservation Area, Lake Girardeau Conservation Area, Otter Slough Conservation, Robert G. Delaney Lake Conservation Area, *[and]* Schell-Osage Conservation Area, **and Weldon Spring Conservation Area**, the daily limit for crappie shall be fifteen (15).

*[(5)]*(4) The daily limit for white bass, striped bass, and their hybrids in the aggregate shall be four (4) on the following department areas or individually-named lakes:

- (A) August A. Busch Memorial Conservation Area
- (B) Harmony Mission Lake (Harmony Mission Conservation Area)
- (C) Lake Paho Conservation Area
- (D) Perry County Community Lake
- (E) James A. Reed Memorial Wildlife Area

*[(6)]*(5) At Tobacco Hills Lake (Guy B. Park Conservation Area), *August A. Busch Memorial Conservation Area,* and General Watkins Conservation Area, the daily limit for bluegill and other sunfish shall be ten (10) in the aggregate.

*[(7)]*(6) On Duck Creek Conservation Area, statewide limits shall apply for other fish as designated in 3 CSR 10-6.550.

*[(8)]*(7) On August A. Busch Memorial Conservation Area:

(A) On Lakes 21 and 28, trout must be returned to the water unharmed immediately after being caught from November 1 through January 31. Trout may not be possessed on these waters during this season. No person shall continue to fish for any species after having four (4) trout in possession from February 1 through October 31.

(B) On Lakes 3, 22, and 23, no person shall continue to fish for any species after having four (4) trout in possession.

*[(9)]*(8) On **August A. Busch Memorial Conservation Area, Bluegill Pond** (Bellefontaine Conservation Area), Port Hudson Lake Conservation Area, *[and]* James A. Reed Memorial Wildlife Area, **and Weldon Spring Conservation Area**, the daily limit for fish other than those designated as endangered in 3 CSR 10-4.111 or defined as game fish shall be ten (10) in the aggregate.

*[(10)]*(9) On Lake 12 (August A. Busch Memorial Conservation Area) and Lost Valley Fish Hatchery, the daily limit for all fish shall be two (2) in the aggregate. On Lost Valley Fish Hatchery, no person shall continue to fish for any species after having two (2) fish in possession.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 19, 2012.

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.215 Fishing, Length Limits.** The commission proposes to remove paragraph (2)(A)8., re-number subsequent paragraphs, amend new paragraph (2)(A)22., remove subsection (2)(D), remove section (4), re-number subsequent sections, and amend new section (5) of this rule.

*PURPOSE: This amendment establishes a fifteen inch (15") minimum length limit for largemouth bass on Pony Express Conservation Area to include all area fishing ponds and lakes, removes an experimental regulation on Fox Valley Lake (Clark County), eliminates a crappie minimum length limit at Robert G. DeLaney and Otter Slough conservation areas, and removes the flathead catfish special length limit on the August A. Busch Memorial Conservation Area.*

(2) On lakes and ponds, except as listed below, black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught.

(A) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following department areas or individually-named lakes:

1. Amarugia Highlands Conservation Area
2. Apple Creek Conservation Area
3. Atkinson Lake (Schell-Osage Conservation Area)
4. Baltimore Bend Conservation Area
5. Bilby Ranch Lake Conservation Area
6. Binder Community Lake
7. Blackwell Lake (Indian Trail Conservation Area)
8. Buffalo Bill Lake (Pony Express Lake Conservation Area)]

[9.]8. August A. Busch Memorial Conservation Area (except Lakes 33 and 35)

- [10.]9. Castor River Conservation Area
- [11.]10. Che-Ru Lake (Fountain Grove Conservation Area)
- [12.]11. General Watkins Conservation Area
- [13.]12. Hazel Hill Lake
- [14.]13. Jamesport Community Lake
- [15.]14. J. N. "Turkey" Kearn Memorial Wildlife Area
- [16.]15. Limpp Community Lake
- [17.]16. Lone Jack Lake Conservation Area
- [18.]17. Maple Leaf Lake Conservation Area
- [19.]18. Nodaway County Community Lake
- [20.]19. Otter Slough Conservation Area
- [21.]20. Painted Rock Conservation Area
- [22.]21. Perry County Community Lake
- [23.]22. [Pony Express Lake (Pony Express Lake Conservation Area)]
- [24.]23. Ray County Community Lake
- [25.]24. James A. Reed Memorial Wildlife Area
- [26.]25. Rinquelin Trail Lake Conservation Area

- [27.]26. Schell Lake (Schell-Osage Conservation Area)
- [28.]27. Ted Shanks Conservation Area
- [29.]28. Tobacco Hills Lake (Guy B. Park Conservation Area)
- [30.]29. Vandalia Community Lake
- [31.]30. Weldon Spring Conservation Area
- [32.]31. Worth County Community Lake
- [(D)] On Fox Valley Lake (Fox Valley Lake Conservation Area), there is no length limit on black bass.]

[(4)] On August A. Busch Memorial Conservation Area, flathead catfish less than twenty-four inches (24") total length must be returned to the water unharmed immediately after being caught.]

[(5)](4) On Tobacco Hills Lake (Guy B. Park Conservation Area) and General Watkins Conservation Area, bluegill less than eight inches (8") total length must be returned to the water unharmed immediately after being caught.

[(6)](5) On Lake Girardeau Conservation Area, Robert G. DeLaney Lake Conservation Area, and Otter Slough Conservation Area,] all crappie less than nine inches (9") total length must be returned to the water unharmed immediately after being caught.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.110 Use of Boats and Motors.** The commission proposes to amend subsection (2)(L), add subsection (2)(Y), and re-letter subsequent subsections of this rule.

*PURPOSE: This amendment corrects an area name and prohibits the use of boats on a lake now under management agreement with the department.*

(2) Boats are prohibited on the following areas:

- (L) Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Fleming Pond, Scherer Lake, Wyatt Lake)
- (Y) Raymore (Johnston Lake)
- [(Y)](Z) Rolla (Schuman Park Lake)
- [(Z)](AA) St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake)

*[(AA)](BB)* St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake)

*[(BB)](CC)* St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Fountain Lake, Island Lake, Jarville Lake, Tilles Park Lake)

*[(CC)](DD)* Sedalia (Clover Dell Park Lake, Liberty Park Pond)

*[(DD)](EE)* Taos (Taos Countryside Park Lake)

*[(EE)](FF)* Tipton (Tipton Park Lake)

*[(FF)](GG)* University of Missouri (South Farm R-1 Lake)

*[(GG)](HH)* Watershed Committee of the Ozarks (Valley Water Mill Lake)

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.115 Bullfrogs and Green Frogs.** The commission proposes to amend paragraph (1)(A)5., add paragraph (1)(B)13., and renumber subsequent paragraphs of this rule.

*PURPOSE: This amendment corrects an area name and defines harvest methods for a lake now under management agreement with the department.*

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, atlatl, gig, bow, snagging, snaring, grabbing, or pole and line except as further restricted by this chapter.

(A) Bows may not be used to take frogs on the following areas:

1. Blue Springs (Lake Remembrance);
2. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, A. Perry Philips Park Lake, Stephens Park Lake, Twin Lake);
3. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
4. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
5. Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);
6. James Foundation (Scioto Lake);
7. Mark Twain National Forest (department-managed portions);
8. Mexico (Lakeview Lake, Kiwanis Lake);

9. Moberly (Beuth Park Lake, Rothwell Park Lake, Water Works Lake); and

10. Odessa (Lake Venita).

(B) Only pole and line may be used to take frogs on the following areas:

1. Ballwin (New Ballwin Park Lake, Vlasis Park Lake);
2. Butler City Lake;
3. Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake);
4. Ferguson (January-Wabash Park Lake);
5. Jennings (Koeneman Park Lake);
6. Kirksville (Spur Pond);
7. Kirkwood (Walker Lake);
8. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
9. Macon County (Fairgrounds Lake);
10. Mineral Area College (Quarry Pond);
11. Overland (Wild Acres Park Lake);
12. Potosi (Roger Bilderback Lake);
- 13. Raymore (Johnston Lake);**
- [13.]14.* St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
- [14.]15.* St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake);
- [15.]16.* St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake);
- [16.]17.* Sedalia (Clover Dell Park Lake, Liberty Park Pond);
- [17.]18.* Sedalia Water Department (Spring Fork Lake);
- [18.]19.* Warrensburg (Lions Lake);
- [19.]20.* Watershed Committee of the Ozarks (Valley Water Mill Lake);
- [20.]21.* Wentzville (Community Club Lake); and
- [21.]22.* Windsor (Farrington Park Lake).

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.125 Hunting and Trapping.** The commission proposes to amend paragraph (1)(B)14., add paragraph (1)(B)27., and renumber subsequent paragraphs of this rule.

*PURPOSE: This amendment corrects an area name and prohibits hunting on a new area under management agreement with the department.*

(1) Hunting, under statewide permits, seasons, methods, and limits, is permitted except as further restricted in this chapter and except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet published in August and annual *Spring Turkey Hunting Regulations and Information* booklet published in March, which are incorporated in this Code by reference. A printed copy of these booklets can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and are also available online at [www.missouriconservation.org](http://www.missouriconservation.org). This rule does not incorporate any subsequent amendments or additions.

(B) Hunting is prohibited on the following areas:

1. Thomas S. Baskett Wildlife Research and Education Center;
2. Bethany (Old Bethany City Reservoir);
3. Buchanan County (Gasper Landing);
4. California (Proctor Park Lake);
5. Carthage (Kellogg Lake);
6. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lake);
7. Dexter City Lake;
8. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
9. Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake);
10. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
11. Hamilton City Lake;
12. Harrisonville (North Lake);
13. Jackson (Rotary Lake);
14. Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Fleming Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);
15. James Foundation (Scioto Lake);
16. Kirksville (Spur Pond);
17. Lawson City Lake;
18. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
19. Macon County (Fairgrounds Lake);
20. Mexico (Lakeview Lake, Kiwanis Lake);
21. Mineral Area College (Quarry Pond);
22. Moberly (Rothwell Park Lake, Water Works Lake);
23. Mount Vernon (Williams Creek Park Lake);
24. Odessa (Lake Venita);
25. Overland (Wild Acres Park Lake);
26. Potosi (Roger Bilderback Lake);
27. **Raymore (Johnston Lake);**
27. 28. Rolla (Schuman Park Lake);
28. 29. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
29. 30. St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake);
30. 31. Savannah City Lake;
31. 32. Sedalia (Clover Dell Park Lake);
32. 33. Sedalia Water Department (Spring Fork Lake);
33. 34. Springfield City Utilities (Lake Springfield);
34. 35. Warrensburg (Lions Lake);
35. 36. Watershed Committee of the Ozarks (Valley Water Mill Lake); and
36. 37. Windsor (Farrington Park Lake).

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For inter-*

*vening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.140 Fishing, Daily and Possession Limits.** The commission proposes to amend subsection (2)(B), delete subsection (2)(E), re-letter subsequent subsections, amend new subsection (2)(K), add subsection (2)(U), amend subsection (5)(A), add subsection (5)(E), re-letter subsequent subsections, and amend subsection (8)(A) of this rule.

*PURPOSE: This amendment corrects the name of one (1) lake located in the City of Ballwin under cooperative management agreement with the department, establishes a crappie daily limit of fifteen (15) for St. Charles City and County park lakes managed by the department, establishes statewide daily limits for black bass for California (Proctor Park Lake), corrects an area name, and establishes daily and possession limits for fish on a new area under management agreement with the department.*

- (2) The daily limit for black bass is two (2) on the following lakes:
- (B) Ballwin (New Ballwin **Park** Lake, Vlasik Park Lake)
  - [(E)] *California (Proctor Park Lake)*
  - [(F)](E) Columbia (Stephens Park Lake, Twin Lake)
  - [(G)](F) Concordia (Edwin A. Pape Lake)
  - [(H)](G) Confederate Memorial State Historic Site lakes
  - [(I)](H) Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake)
  - [(J)](I) Ferguson (January-Wabash Lake)
  - [(K)](J) Higginsville City Lake
  - [(L)](K) Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
  - [(M)](L) Jefferson City (McKay Park Lake)
  - [(N)](M) Jennings (Koeneman Park Lake)
  - [(O)](N) Keytesville (Maxwell Taylor Park Pond)
  - [(P)](O) Kirkwood (Walker Lake)
  - [(Q)](P) Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8)
  - [(R)](Q) Mexico (Teal Lake)
  - [(S)](R) Mineral Area College (Quarry Pond)
  - [(T)](S) Overland (Wild Acres Park Lake)
  - [(U)](T) Potosi (Roger Bilderback Lake)
  - (U) **Raymore (Johnston Lake)**
- (5) The daily limit for crappie is fifteen (15) on the following lakes:
- (A) Ballwin (New Ballwin **Park** Lake, Vlasik Park Lake)

**(E) St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake)**

**[(E)](F)** St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake)

**[(F)](G)** St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake)

**[(G)](H)** Springfield City Utilities (Fellows Lake)

(8) The daily limit for fish other than those species listed as endangered in 3 CSR 10-4.111 or defined as game fish is twenty (20) in the aggregate, except on the following lakes where the daily limit is ten (10) in the aggregate, and except for those fish included in section (7) of this rule:

(A) Ballwin (New Ballwin **Park** Lake, Vlasis Park Lake)

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.145 Fishing, Length Limits.** The commission proposes to delete paragraph (2)(A)6., re-number subsequent paragraphs, amend new paragraph (2)(A)19., add paragraph (2)(A)30., and amend paragraph (2)(B)1. of this rule.

*PURPOSE: This amendment establishes length limits for black bass in California (Proctor Park Lake), establishes length limits on fish for a new area under management agreement with the department, and corrects improper conservation area references.*

(2) Black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught, except as follows:

(A) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Arrow Rock State Historic Site (Big Soldier Lake);
2. Bethany (Old Bethany City Reservoir);
3. Blue Springs (Lake Remembrance);
4. Big Oak Tree State Park (Big Oak Lake);
5. Butler City Lake;

*[6. California (Proctor Park Lake);]*

*[7.]6.* Cameron (Reservoir Nos. 1, 2, and 3, Grindstone Reservoir);

*[8.]7.* Carthage (Kellogg Lake);

*[9.]8.* Columbia (Stephens Park Lake);

*[10.]9.* Concordia (Edwin A. Pape Lake);

*[11.]10.* Confederate Memorial State Historic Site lakes;

*[12.]11.* Dexter City Lake;

*[13.]12.* Farmington (Hager Lake, Giessing Lake, Thomas Lake);

*[14.]13.* Hamilton City Lake;

*[15.]14.* Harrison County Lake;

*[16.]15.* Higginsville City Lake;

*[17.]16.* Holden City Lake;

*[18.]17.* Iron Mountain City Lake;

*[19.]18.* Jackson (Litz Park Lake, Rotary Lake);

*[20.]19.* Jackson County (Alex George Lake, Bergan Lake, Bowlin *[Road]* Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);

*[21.]20.* Jefferson City (McKay Park Lake);

*[22.]21.* Keytesville (Maxwell Taylor Park Pond);

*[23.]22.* Kirksville (Hazel Creek Lake);

*[24.]23.* Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);

*[25.]24.* Maysville (Willow Brook Lake);

*[26.]25.* Mark Twain National Forest (Fourche Lake, Huzzah Pond, Loggers Lake, McCormack Lake, Noblett Lake, Roby Lake);

*[27.]26.* Mineral Area College (Quarry Pond);

*[28.]27.* Odessa (Lake Venita);

*[29.]28.* Pershing State Park ponds;

*[30.]29.* Potosi (Roger Bilderback Lake);

**30. Raymore (Johnston Lake);**

31. Unionville (Lake Mahoney);

32. University of Missouri (Dairy Farm Lake No. 1, McCredie Lake);

33. Warrensburg (Lions Lake);

34. Watkins Mill State Park Lake; and

35. Windsor (Farrington Park Lake);

(B) Black bass less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Ballwin (New Ballwin **Park** Lake, Vlasis Park Lake)

2. Columbia (Twin Lake);

3. Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake);

4. Ferguson (January-Wabash Lake);

5. Jennings (Koeneman Park Lake);

6. Kirkwood (Walker Lake);

7. Overland (Wild Acres Park Lake);

8. Sedalia Water Department (Spring Fork Lake);

9. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);

10. St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake);

11. St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake);

12. University of Missouri (South Farm R-1 Lake); and

13. Wentzville (Community Club Lake);

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. 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 5—DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION  
Division 20—Division of Learning Services  
Chapter 100—Office of Quality Schools**

**PROPOSED RULE**

**5 CSR 20-100.255 Missouri School Improvement Program—5  
Resource and Process Standards and Indicators**

*PURPOSE: This rule implements the Resource and Process Standards for Missouri public school districts and is designed to stimulate and promote continuous improvement and innovation within each school district.*

(1) Pursuant to section 161.092, RSMo, this rule is to be effective two (2) years from the date of adoption of the proposed rule by the State Board of Education (board). The *Missouri School Improvement Program (MSIP)—5 Resource and Process Standards and Indicators*, Appendix A, included herein, is comprised of qualitative standards for school districts.

APPENDIX A  
Missouri School Improvement Program  
MSIP-5 Resource and Process Standards and Indicators

**RESOURCE STANDARDS FOR K-12 DISTRICTS**

**R-1—Elementary (typically self-contained)**—Each elementary student receives regular instruction in English language arts, mathematics, science, social studies, comprehensive health, art, music, and physical education. In K-8 elementary schools, students will have access to a total of four (4) exploratory classes.

1. Each elementary student will receive regular instruction in English language arts, mathematics, science, social studies, comprehensive health, and career awareness education. Instruction in each of the core areas will reflect the current version of Missouri's academic standards.
2. Each elementary student will receive instruction in art, music, and physical education for a minimum of fifty (50) minutes in each area each week (twenty-five (25) minutes in each area for half-day kindergarten classes). These classes shall be taught by teachers with appropriate certification.
3. If the district is a K-7 or K-8 elementary district, the following must also be addressed:
  - a. Beginning no later than seventh grade, regular instruction in the *United States* and *Missouri Constitutions* and American History and Institutions will be provided (as required by section 170.011, RSMo).
  - b. Students in grades 7-8 will have access to a total of four (4) exploratory classes (e.g., speech, agriculture, family and consumer sciences, industrial technology, world languages, and computer literacy). Each class is taught for a minimum of one thousand two hundred (1,200) minutes each year.
4. Elementary school students shall have a minimum of one (1) recess period of twenty (20) minutes per day, which may be incorporated into the lunch period (as required by section 167.720, RSMo).
5. The school district ensures that students in elementary schools participate in moderate physical activity for the entire school year for an average of one hundred fifty (150) minutes per week, or thirty (30) minutes per day. Students with disabilities must participate to the extent appropriate (as required by section 167.720, RSMo).
6. School districts may offer virtual instruction (e.g., intranet and Internet methods) that may take place outside of the regular school district facility (as described by section 162.1250, RSMo).

**R-2—Junior High/Middle School (typically departmentalized)**—Each junior high/middle school student will receive regular instruction in English language arts, mathematics, science, social studies, career education, health, and physical education and will have access to art and music plus four (4) exploratory classes. Students in grades 7-8 will have regular instruction in *United States* and *Missouri Constitutions* and American History and Institutions.

1. English language arts, mathematics, science, and social studies are scheduled and taught to all students for at least nine hundred (900) minutes each week in the aggregate (or one thousand eight hundred (1,800) minutes every two (2) weeks).
2. Physical education is scheduled and taught to all students for a minimum of three thousand (3,000) minutes each year and comprehensive health and safety education is scheduled and taught to all students for a minimum of one thousand five hundred (1,500) minutes each year.
3. Art and music are scheduled and taught so that all students have access to each for a minimum of one thousand five hundred (1,500) minutes each year.
4. Students in grades 7-8 will have access to a total of four (4) exploratory classes (e.g., speech, agriculture, family and consumer sciences, industrial technology, world languages, and computer literacy). Each class is taught for a minimum of one thousand five hundred (1,500) minutes each year.
5. Beginning no later than seventh grade, regular instruction in the *United States* and *Missouri Constitutions* and American History and Institutions will be provided (as required by section 170.011, RSMo).
6. School districts may offer virtual instruction (e.g., intranet and Internet methods) that may take place outside of the regular school district facility (as described by section 162.1250, RSMo).

**R-3—High School**—Each high school provides all students in grades 9-12 sufficient access to content required to meet the minimum graduation credit requirements. Content areas must include: English language arts, mathematics, science, career education, social studies, world languages, fine arts (art and music), physical education, health, practical arts, and personal finance.

1. School districts may offer virtual instruction (e.g., intranet and Internet methods) that may take place outside of the regular school district facility (as described by section 162.1250, RSMo).
2. Students will have access to postsecondary preparation (e.g., Advanced Courses, Advanced Placement, International Baccalaureate, Technical Skills Attainment, and Dual Credit).



**R-4—Class Size and Assigned Enrollments—Enrollments will be consistent with both class-size and program standards and total enrollment requirements.**

1. Student enrollment in individual classes will be consistent with the following guidelines:

<i>GRADES</i>	<i>STANDARD</i>	<i>DESIRABLE STANDARD</i>
K-2	25	17
3-4	27	20
5-6	30	22
7-12	33	25

2. Full-time elementary art, music, and physical education shall serve no more than seven hundred fifty (750) students per week.

**Options:**

1. Student enrollment in a classroom may increase by as many as ten (10) students for any period that a paraprofessional assists the classroom teacher full time. (Paraprofessionals paid for with Title I and special education funds cannot be used to increase class size. See the Consolidated Federal Programs Administrative Manual for guidelines on compliance and the use of paraprofessionals for Title I purposes).
2. Elementary school classes may enroll students from two (2) consecutive grade levels. Total enrollment in such classes shall not exceed the class-size standards listed above for the lowest grade included in the combination.
3. High schools can combine sections of a same subject in beginning and advanced levels (e.g., Spanish I and Spanish II or Spanish III and Spanish IV). Total combined enrollment in such classes shall not exceed twenty-five (25) students.
4. Enrollment in performing arts classes may exceed regular class-size limits if adequate supervision and facilities are provided.
5. High school physical education classes may enroll up to forty-five (45) students if appropriate supervision and facilities are provided.

**R-5—Library Media Staff—Certificated librarians and/or library media specialists are assigned consistent with the following ratios, based on the student enrollment at each building.**

<i>STANDARD</i>		<i>DESIRABLE STANDARD</i>	
<u>Students</u>	<u>FTE</u>	<u>Students</u>	<u>FTE</u>
1-200	.20	1-150	.20
201-400	.40	151-300	.40
401-600	.60	301-450	.60
601-800	.80	451-600	.80
801-1000	1.00	601-750	1.00
1001-1200	1.20	751-900	1.20
1201-1400	1.40	901-1050	1.40
1401-1600	1.60	1051-1200	1.60
1601-1800	1.80	1201-1350	1.80
1801-2000	2.00, etc.	1351-1500	2.00, etc.

**R-6—Guidance and Counseling Staff—Certificated counselors are assigned consistent with the following ratios, based on the student enrollment at each building.**

<i>STANDARD</i>		<i>DESIRABLE STANDARD</i>	
<u>Students</u>	<u>FTE</u>	<u>Students</u>	<u>FTE</u>
1-100	.20	1-50	.20
101-200	.40	51-100	.40
201-300	.60	101-150	.60
301-400	.80	151-200	.80
401-500	1.00	201-250	1.00
501-600	1.20	251-300	1.20
601-700	1.40	301-350	1.40
701-800	1.60	351-400	1.60
801-900	1.80	401-450	1.80
901-1000	2.00, etc.	451-500	2.00, etc.

**R-7—Superintendent—A certificated superintendent is assigned to serve full-time as the district’s chief administrative officer.**

**Options:**

1. For a period of one (1) year, any two (2) adjacent districts, that are classified “accredited,” may upon prior approval from the Department of Elementary and Secondary Education (department) share a superintendent who possesses a valid Missouri superintendent’s certificate. Any two (2) such districts which wish to share a superintendent for more than one (1) year shall obtain prior approval from the State Board of Education (board).

2. A superintendent of schools in a district which employs twenty-five (25) certificated Full Time Equivalent (FTE) or fewer must hold a valid Missouri superintendent’s certificate and may serve as the elementary or secondary principal, regardless of principal certification type.
3. Elementary districts (K-8) with over twenty-five (25) certificated FTE must employ a certificated superintendent as chief administrative officer. Elementary districts with twenty-five (25) certificated FTE or fewer may employ either a certificated superintendent or certificated elementary principal as chief administrative officer.

**R-8—Associates/Assistants to the Superintendent—Associates/assistants to the superintendent in the areas of curriculum and instruction must have, as a minimum, a master’s degree and a valid Missouri teaching certificate. All other associates/assistants to the superintendent should have appropriate training in their field.**

*STANDARD*

Certificated Staff Members (FTE)	Assistants to Superintendent (FTE)
1-100	0
101-200	1
201-300	2
301-400	3
401-500	4
501-600	5
601-700	6
701-800, etc.	7, etc.

Assistant superintendents must have a master’s degree and a valid Missouri teaching certificate if their primary responsibilities involve curriculum and instruction. Other assistant superintendents should have training in their field (e.g., Masters in Business Administration might be appropriate for an assistant superintendent of finance). Please note that there is no reference to title in this requirement. Districts may elect to call these positions associate superintendents, deputy superintendents, assistant superintendents, assistants to the superintendent, coordinators, or directors.

**R-9—Principals/Building Administrators—Certificated principals, career education directors, and assistant administrators are employed and assigned consistent with the MSIP-5 staff ratios.**

*STANDARD*

*DESIRABLE STANDARD*

Students	FTE	Students	FTE
1-100	.75	1-150	1.00
101-200	1.00	151-300	1.25
200-450	2.00	301-400	1.50
451-800	2.50	401-600	2.00
801-1000	3.00	601-750	2.50
1001-1200	3.50	751-900	3.00
1201-1400	4.00	901-1050	3.50
1401-1600	4.50	1051-1200	4.00
1601-1800	5.00	1201-1350	4.50
1801-2000	5.50	1351-1500	5.00
2001-2200	6.00	1501-1650	5.50
		1651-1800	6.00
		1801-1950	6.50
		1951-2100	7.00

**R-10—Certification and Licensure—All personnel must hold a valid certificate or license appropriate for each assignment.**

**R-11—Planning Time—Each full-time classroom teacher, including kindergarten teachers, shall have a minimum of two hundred fifty (250) minutes of scheduled planning time each school week. It is desirable to have fifty (50) minutes of planning time each day. Planning time is calculated between the official start and close of the school day and does not include travel time, lunch time, or time before or after school. (Planning time is not required for administrators, counselors, or librarians.)**

**PROCESS STANDARDS FOR K-12 DISTRICTS**

**TEACHER/LEADER**

**TL-1—The local board of education adopts and the district implements teacher/leader standards ensuring effective instructional staff for all students.**

1. The local board adopts and the district implements professional teacher standards as required by section 161.380.2., RSMo.
2. The local board adopts and the district implements professional leader standards.
3. The district adopts and implements an educator evaluation system that is aligned to the essential principles of effective evaluation to ensure effective teachers and leaders.

4. Teachers and leaders apply professional judgment and use standards to inform and improve practice.

**TL-2—Professional learning drives and supports instructional practices in the district and leads to improve student learning.**

1. All staff participate in regularly scheduled, ongoing professional learning focused on student performance goals as outlined in the Comprehensive School Improvement Plan (CSIP).
2. Professional learning is job embedded and promotes evidence-based instructional practice.
3. The development and implementation of effective practices are supported through ongoing coaching, mentoring, and collaboration.
4. Effective practices are monitored for fidelity of implementation through observation and supervision of classroom practices.
5. Professional learning is regularly monitored for evidence of commitment, practice, and impact.
6. School-based collaborative teams are in place and focus on data informed decision-making, reflective practices, collaborative lesson design, examination of student work and student assessment, curriculum development, positive classroom learning environments, utilization of case studies, and action research.
7. The district has a written procedural plan for professional learning that includes the required components.
8. The district provides time and resources for the professional learning of each staff member.

**INSTRUCTION**

**I-1—Instructional staff routinely provide effective instruction designed to meet the needs of all learners.**

1. Instructional staff routinely collaborate and use student data to inform timely interventions to address a continuum of student needs.
2. Instruction is routinely differentiated to address the needs of all students.
3. Instructional staff use evidence-based instructional practices to meet the learning needs of all students.
4. Comprehensive PK-12 literacy instruction is provided.
5. All staff are an integral part of the instructional practices in every building.
6. All staff demonstrate effective use of available instructional time.
7. Instructional staff design and use appropriate, meaningful, and rigorous learning tasks for all students.
8. Building leaders demonstrate that supervision of instruction is a priority.
9. Utilization of evidence-based instructional practices is monitored by instructional staff and building leaders for fidelity of implementation.

**I-2—Instructional staff use effective assessment practices to monitor student learning and adjust instruction.**

1. Instructional staff use both formative and summative assessments to monitor student learning and adjust instruction.
2. The district provides structures for instructional staff to regularly and systemically use common assessment results and other student work to make adjustments to curriculum, instruction, and intervention strategies and to determine the extent in which expectations for student work are aligned with state standards.
3. Classroom assessments include the use of higher order thinking and problem-solving skills, as well as complex reasoning skills.
4. Timely, descriptive, and constructive feedback from assessments is provided to students and parents.

**I-3—The district identifies and provides effective differentiated learning and behavioral support systems for all students.**

1. A written process is in place for the early identification and implementation of differentiated learning and behavioral supports for all students.
2. Learning and behavioral supports are identified and coordinated at the classroom, building, and district level.
3. The district uses a variety of student and program data to monitor, evaluate, and inform decision-making to identify and implement successful learning and behavioral supports.
4. The district, through collaboration with community partners, provides learning and behavioral supports to address the academic, physical, and mental health barriers impacting student success.
5. Learning and behavioral supports are monitored for fidelity of implementation through observation and supervision of classroom practices.

**I-4—The district administers state-required tests and other assessments and uses disaggregated and longitudinal data to inform and adjust systems, curriculum, and instructional practices.**

1. The district has a written assessment plan that includes the required components.
2. The district uses a variety of data (e.g., longitudinal, demographic, diagnostic, and perceptual) to support and inform district-wide decisions.
3. The local board of education annually reviews performance data disaggregated for any subgroup of five (5) or more students at a grade level in order to effectively monitor student academic achievement and persistence to graduation rates.
4. The district uses disaggregated data to adjust instruction for subgroups and has criteria for evaluating the effectiveness of these adjustments.

**I-5—The local board of education adopts and district staff implement, review, and revise a rigorous, guaranteed, and viable curriculum for all instructional courses and programs.**

1. The district has a rigorous, written curriculum that includes the required components.
2. Essential content and skills that all students should know and be able to do have been identified.
3. Adequate instructional time is available to implement the written curriculum.
4. The written, taught, and assessed curriculum are the same.
5. The district's curricula are aligned to the most current version of Missouri's academic standards and the English language development standards.
6. Written procedures are in place to ensure that the written curriculum is implemented and is a part of the district's program evaluation plan.
7. The district's written curriculum development and revision processes include PK-12 vertical teams of instructional staff administrators (including teachers of all student populations) who meet regularly to ensure articulation and vertical alignment.

**I-6—Guidance and counseling is an essential and fully integrated part of the instructional program.**

1. A district-wide guidance and counseling program has been developed and is fully implemented in every building consistent with the Missouri Comprehensive Guidance and Counseling Program framework.
2. The PK-12 guidance curriculum is in place and integrated into the regular curriculum where appropriate. It is systematically reviewed and revised.
3. The guidance curriculum is regularly reviewed and revised and is part of the district's evaluation plan.
4. All students, beginning no later than seventh grade, participate in an individual planning process designed to assist in a successful transition to college, technical school, the military, or the workforce.
5. All students have access to responsive services that assist them in addressing issues and concerns that may affect their academic, career, and personal/social needs.
6. System support and management activities are in place to ensure full implementation, evaluation, and continued improvement of the district's comprehensive guidance program.

**I-7—The district establishes a culture focused on learning, characterized by high academic and behavioral expectations for all students.**

1. A systemic process for establishing and maintaining a positive learning climate is evident in each building.
2. Responsibility for the success of all students is evident in the shared mission and vision of the district.
3. Staff, administrators, and students all share in the accountability for academic achievement by being actively engaged in learning and demonstrating appropriate standards of behavior.
4. Curricular choices and course offerings reflect an increasing and ongoing dedication toward future success of all students.
5. A well-balanced, comprehensive co-curricular and extracurricular activities program is in place and aligned to the mission and vision of the district.

**I-8—The district provides a safe and orderly environment for all students and staff.**

1. Students and staff indicate that they feel safe at school.
2. A written code of conduct which specifies acceptable student behavior, consequences, and discipline procedures and which includes

appropriate measures to ensure the safety of students to and from school, during school, and during school-sponsored activities is distributed to staff, teachers, parents, and students.

3. Standards of conduct are consistently and equitably enforced by all staff.
4. Required violence-prevention instruction, including harassment and anti-bullying information, has been provided for all students and staff.
5. Data are gathered on student violence and substance abuse and are used to modify programs and strategies to ensure safe and orderly schools.
6. Written procedures are in place to proactively identify and prevent potential disruptions to a safe and orderly school climate.

**I-9—High quality, fully integrated career education is available to all secondary students.**

1. The district has implemented programs of study for each program offered which sequences academics and career education content, leading students to attain a postsecondary degree, an industry-recognized certificate, credential, or into the workplace with a skill set conducive toward career advancement.
2. The career education program has a written curriculum for each course with a balance among classroom/laboratory instruction, leadership, and personal learning.
3. Written curriculum drives classroom instruction and assessment of technical skill attainment.
4. The appropriate Career and Technical Student Organization (CTSO) is affiliated with the state and national organization and is an intra-curricular element of the program.
5. A system of data collection and evaluation provides the information necessary for program review and development so that students are prepared for postsecondary success leading to quality employment opportunities.

**I-10—Library Media Centers (LMC) are an essential and fully integrated part of the instructional program.**

1. The library media center and its resources support, enhance, and enrich the curriculum.
2. The library media staff collaborate with instructional staff to integrate LMC resources and services into the instructional program.
3. Students have access to a full range of information, digital access, and reading resources and services in the LMC.
4. The LMC program is evaluated annually.

**I-11—The district advances excellence in teaching and learning through innovative and effective uses of technology.**

1. The district has a systemic plan aligned with a shared vision for school effectiveness and student learning through the infusion of information and communication technology (ICT) and digital learning resources.
2. The district provides consistent, adequate, and ongoing support of technology infrastructure, personnel, and digital resources.
3. The district provides equitable and reliable access to current and emerging technologies and digital resources, with connectivity for all students, teachers, staff, and school leaders.
4. The district provides access to ongoing professional learning in technology and opportunities for dedicated time to practice and share ideas.
5. The district evaluates the impact of information and communication technology on teaching and learning.
6. The district maintains technology that supports current assessment practices.

**GOVERNANCE**

**G-1—The local board of education, district leadership, and staff contribute to the success of every student by being ethical and acting with fairness and integrity.**

1. The local board of education has adopted and the district leadership enforces a professional code of ethics for all employees.
2. The local board of education has adopted and adheres to its own code of ethics.
3. Respect of other's rights is included in district policies and procedures.

**G-2—The local board of education adopts and district leadership implement a Comprehensive School Improvement Plan (CSIP) to ensure the achievement and success of all students.**

1. The local board of education and district leadership, in collaboration with the community, use qualitative data, quantitative data, and evaluation results to create a written, board-approved CSIP which drives improvement in student learning and guides the overall improvement of its educational programs and services.

2. The school district maintains a current school improvement plan that includes all of the required components.
3. There is a written evaluation process for the CSIP, and it is regularly evaluated and updated.
4. The local board of education utilizes the CSIP to monitor progress and continuous improvement of programs and services.

**G-3—The local board of education and district leadership collect qualitative and/or quantitative data to guide and monitor the development and implementation of a shared mission and vision with systemic goals that ensure high expectations for every student.**

1. The local board of education and district leadership, with input from all stakeholders, guide the development of a district-wide, learning-focused mission and vision that are reviewed annually and revised as needed.
2. The local board of education and district leadership hold all staff accountable for continuous school improvement and increased student learning.

**G-4—The local board of education and district leadership promote the achievement and success of all students by monitoring and continuously improving all programs and services that support the mission and vision of the district.**

1. The local board of education regularly reviews the goals and objectives of each program/service, at least biennially, and makes data-driven decisions about program effectiveness utilizing an evaluation plan.
2. The local board of education adopts and the district implements an evaluation plan that analyzes the effectiveness of all programs and services.
3. The district collects perceptual data from students and uses that information to make informed decisions about its programs and services.
4. Patrons, parents, staff, and students have opportunities to serve on committees, including those required by state or federal regulations, to study specific issues and provide feedback on district programs and services.
5. The district reviews and analyzes postsecondary success rates to make informed decisions.

**G-5—The district complies with all provisions, regulations, and administrative rules applicable to each state and/or federal program implemented.**

**G-6—The local board of education and district leadership ensure collaboration with state and local agencies that have responsibility for the success, health, safety, and welfare of students.**

1. The district identifies and advocates for policies and programs that promote equitable learning opportunities and success for all students, regardless of socio-economic background, ethnicity, gender, disability, or other individual characteristics.
2. The district collaborates with community leaders to collect, describe, and analyze data on economic, social, and other emerging issues that impact district and school planning, programs, and organization.
3. The district collects and accurately communicates data about educational performance in a clear and timely way to improve policies and inform community decisions.
4. District leadership implements processes to ensure regular collaboration with other agencies/organizations to respond to student needs in a timely manner.

**G-7—The local board of education understands the role and responsibilities of the local board and acts accordingly.**

1. Policymaking functions are carried out by the local board of education, while administrative functions are carried out by the superintendent and the staff. All formal contact between the local board of education and the staff is channeled through the superintendent.
2. The local board of education has established policies and written procedures are in place to guide district decision-making and to meet federal and/or state requirements. Policies and procedures are reviewed on a regular basis and reflect current statutory requirements.
3. The local board of education meets regularly in accordance with applicable statutes, keeps accurate and complete records of its decisions, and makes the records of all open meetings available for public view.
4. Members of the local board of education receive training as required by law.
5. Local board of education members participate in continued training and professional learning.

**G-8—The local board of education and district leadership manage organizational systems and resources for a safe, high-performing learning environment.**

1. The local board of education and the district leadership use information systems to enhance internal and external communication supporting the district's mission and vision related to improved student performance.
2. District staff use documented evidence (e.g., observations, walkthroughs, collaborative teams, and mentoring) to develop professional

growth plans.

3. The community, through the local board of education, provides sufficient financial resources to ensure an educational program of quality.
4. The local board of education establishes policy and the district leadership implements procedures to ensure efficient fiscal management and accountability.
5. The local board of education and district leadership employ appropriate procedures to ensure the accurate and timely reporting of required data to state and federal agencies.
6. The local board of education and district leadership ensure facilities that are healthful, adequate in size, clean, well-maintained, and appropriate to house the educational programs of the district.
7. The local board of education and district leadership ensure all facilities are safe.
8. The district leadership has developed and implemented a coordinated approach to school health services.
9. The district ensures a school nutrition program is available which provides at least one (1) nutritionally balanced meal available to all students each day in accordance with Federal and State Child Nutrition Program regulations and guidelines.
10. The district ensures safe and efficient transportation to and from school is provided in compliance with Missouri statutes, regulations, and local board of education policy.

**G-9—The local board of education, district leadership, and staff collaborate with families and community members who represent diverse interests and needs to mobilize community resources that improve teaching and learning.**

1. The local board of education, district leadership, and staff systematically and frequently provide information to the public about school programs.
2. The district has procedures to involve family and community members in educational activities.
3. District leadership identifies preschool opportunities available to children and informs family and community members about the importance of early childhood education.

**G-10—The district's birth through pre-kindergarten population will have access to high-quality early learning experiences that will prepare them to succeed in school.**

**G-11—The district provides opportunities for parents/guardians to learn about the intellectual and developmental needs of their children at all ages and to participate constructively in their children's education.**

1. Parent education activities are provided as required by the Early Childhood Development Act (ECDA).
2. The district actively cooperates with other agencies or school groups (e.g., parent-teacher organizations and Title I) to provide information related to child development and/or parenting skills.
3. Formal strategies are in place to include parents/guardians in the educational process, and these strategies have been implemented successfully.

*AUTHORITY: sections 160.514, 160.526, and 167.131, RSMo 2000, and sections 160.518, 161.092, 162.081, and 168.081, RSMo Supp. 2011. Original rule filed Sept. 20, 2012.*

*PUBLIC COST: The cost of this proposed rule to public school districts is an estimated cost of \$1,953,312,727 for salaries based on the recommended standards for staff assignment for FY 2013 for the life of the rule based on the current cost.*

*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 the support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Margie Vandeven, Assistant Commissioner, Office of Quality Schools, PO Box 480, Jefferson City, MO 65102-0480 or by email at: [msip@dese.mo.gov](mailto:msip@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.*



**FISCAL NOTE  
PUBLIC COST**

**I. RULE NUMBER**

Title: Department of Elementary and Secondary Education  
 Division: Division of Learning Services - 20  
 Chapter: Office of Quality Schools - 100  
 Type of Rulemaking: Proposed Rule  
 Rule Number and Name: 5 CSR 20-100.255 Missouri School Improvement Program-5  
 Resource and Process Standards and Indicators

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Public Elementary and Secondary School Districts	\$1,953,312,727 is an estimated cost for salaries based on the recommended standards for staff assignment for FY2013 for the life of the rule based on the current costs.

**III. WORKSHEET**

Cost for Public Elementary and Secondary Districts

Based upon these standards, district resource needs will vary based upon on student enrollment. Other factors include the size of individual school buildings and the number of staff employed. For purposes of this fiscal note, the calculation of the total cost for all school districts is based on the number of buildings that correspond to the enrollment or staff sizes indicated in the standard.

	4 <sup>th</sup> Cycle	MSIP-5	Change	Notes
Class Size and Assigned Enrollment	\$1,412,117,358	\$1,412,117,358	\$0	
Library Media Staff	\$ 75,255,383	\$ 75,255,383	\$0	
Guidance/Counseling Staff	\$ 75,510,086	\$ 75,510,086	\$0	
Associates/Asst. Supt.	\$ 34,228,500	\$ 34,228,500	\$0	
Principals/Bldg. Admin.	\$ 178,478,183	\$ 356,201,400	+\$177,723,217	This change reflects a change in the principal student ratio from 4 <sup>th</sup> Cycle MSIP to MSIP-5. 4 <sup>th</sup> Cycle reflects a 1/500 principal/student ratio. MSIP-5 reflects a 1/400 principal/student ratio.
		\$1,953,312,727		

**IV. ASSUMPTIONS**

This rule establishes Resource and Process Standards and Indicators for the Missouri School Improvement Program-5 (MSIP-5), designed to promote continuous improvement in districts on a statewide basis. Classification of local school districts will be determined by the MSIP-5 Performance Standards and Indicators.

Under current state law, districts are not held accountable to the resource standards during the FY2011, FY2012 and FY2013 if the state aid foundation formula is underfunded. If the Governor withholds funds from the state aid formula during the current year, districts would not be held accountable for the resource standards during the 2013-14 school year.

Data for both 4<sup>th</sup> Cycle MSIP and MSIP-5 are based on the most recently completed school year.

**Class Size and Assigned Enrollment:**

K-2	208,108 students/25 students per class = 8,324 teachers 8,324 teachers x \$46,731 Average Teachers Salary = \$388,988,844
3-4	134,685 students/27 students per class = 4,988 teachers 4,988 teachers x \$46,731 Average Teachers Salary = \$233,094,228
5-6	136,581 students/30 students per class = 4,553 teachers 4,553 teachers x \$46,731 Average Teachers Salary = \$212,766,243
9-12	407,654 students/33 students per class = 12,353 teachers 12,353 teachers x \$46,731 Average Teachers Salary = \$577,268,043

**Library Media Staff**

1,439 Library Media Staff x \$52,297 Average = \$75,255,383

**Guidance and Counseling Staff**

1,439 Guidance and Counseling Staff x \$52,474 Average Salary = \$75,510,086

**Associates/Assistants to the Superintendent**

300 Associates/Assistants to the Superintendent x \$114,095 Average Salary = \$34,228,500

**Principals/Building Administrators**

4,364.25 Principals/Bldg. Administrators x \$81,618.01 Average Salary = \$356,201,400  
(MSIP-5)

2,186.75 Principals/Bldg. Administrators x \$81,618.01 Average Salary = \$178,478,183  
(4<sup>th</sup> Cycle MSIP)

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 5—Conduct of Gaming**

**PROPOSED RULE**

**11 CSR 45-5.193 Statistical Performance of Electronic Gaming Devices**

*PURPOSE:* This rule establishes the standards for electronic gaming device statistical performance.

(1) Gaming equipment suppliers shall—

(A) Provide the volatility index (VI) on all Probability Accounting Report (PAR) sheets. The volatility index shall be calculated at ninety-nine percent (99%) confidence level and at one (1)-line played, or the electronic gaming device (EGD) minimum bet where applicable, utilizing the below formulas:

$$VI = \kappa\sigma$$

Where  $\kappa$  equals the  $z$  score for the required confidence level and  $\sigma$  is the standard deviation for the game.

The standard deviation is calculated as follows:

$$\sigma = \sqrt{\sum_{i=1}^n (\text{Net Pay}_i - E.V.)^2 \times \text{probability}_i}$$

Net Pay<sub>*i*</sub> = 1 minus (the amount of each individual pay divided by the number of coins wagered)

E.V. = player's theoretical disadvantage (i.e., hold percentage) for "x" coins wagered

Probability<sub>*i*</sub> = probability of each Net Pay<sub>*i*</sub>

(B) Calculate PAR sheets to a ninety-nine percent (99%) confidence value utilizing theoretical analysis. When the Return To Player (RTP) percentage cannot be feasibly computed using theoretical analysis, the RTP percentage shall be computed within a tolerance of 0.01% at ninety-nine percent (99%) confidence level using at least one hundred (100) million simulations;

(C) Obtain written authorization from the commission prior to submitting any EGDs that support features which introduce independent VIs to an independent testing laboratory;

(D) Ensure EGD payouts derived from top boxes, external controllers, or systems that are calculated into the PAR sheet(s) of the base game increment the coin-out or hand-paid meter accordingly. Any features not calculated into the PAR sheet(s) of the base game must increment the appropriate meter(s) such as the progressive, bonus meter, etc.; and

(E) Ensure all base game, bonus and progressive winnings from a wager are aggregated to determine whether the EGD payout is a reportable and/or taxable event requiring the EGD to lock up allowing for the preparation of a W-2G and state withholdings as required by section 313.826, RSMo.

(2) Independent testing laboratories shall—

(A) Independently verify the manufacturers' VI and RTP percentage, then detail the findings in the certification letter; and

(B) Provide standard confidence intervals in the certification letters using this formula—

$$\text{Percent Payback} \pm \frac{VI}{\sqrt{\text{number of games played}}}$$

*AUTHORITY:* section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. 2011. Original rule filed Sept. 27, 2012.

*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 OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. 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 December 12, 2012, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 9—Internal Control System**

**PROPOSED AMENDMENT**

**11 CSR 45-9.105 Minimum Internal Control Standards (MICS)—Chapter E. The commission is amending section (1).**

*PURPOSE:* This amendment updates the minimum internal control standards for electronic gaming devices.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards (MICS) Chapter E—Electronic Gaming Devices (EGDs)*, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter E does not incorporate any subsequent amendments or additions as adopted by the commission on [September 29, 2010] **September 26, 2012**.

*AUTHORITY:* section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. [2010] **2011**. Original rule filed Oct. 22, 2010, effective June 30, 2011. Amended: Filed Sept. 27, 2012.

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

*PRIVATE COST:* This proposed amendment will cost one (1) supplier licensee a one (1)-time cost of between fifteen thousand seven hundred ninety dollars (\$15,790) and seventeen thousand seven hundred ninety dollars (\$17,790). It would also cost one (1) Class A Licensee a one (1)-time cost of four thousand two hundred dollars (\$4,200). In addition, this proposed amendment will cost thirteen (13) casino Class B Licensees reoccurring annual costs of one hundred seventeen thousand six hundred ninety dollars and eighty-two cents (\$17,690.82) to apply the new standards for this chapter. Data provided by the industry was used to quantify the cost associated with implementing the proposed standards. A detailed fiscal note outlines these costs for each individual section within the MICS Chapter E.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. 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 December 12, 2012, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11—Department of Public Safety  
Division Title: 45—Missouri Gaming Commission  
Chapter Title: 9—Internal Control System**

<b>Rule Number and Title:</b>	11 CSR 45-9.105 Minimum Internal Control Standards (MICS)— Chapter E
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
E § 1.05—One Supplier	One supplier developing and testing the door report	\$8,895
13 Casinos	Casino Class B Licensees annual cost for running reports	\$45,968
	<b>Total Cost for E § 1.05</b>	<b>\$8,895 one-time cost + \$45,968 annual cost</b>
E § 2.20— One Supplier	One supplier developing and testing the report	\$8,895
13 Casinos	Casino Class B Licensees annual cost for running reports	\$6,722.82
	<b>Total Cost for E § 2.20</b>	<b>\$8,895 one-time cost + \$6,722.82 annual cost</b>
One Class A Licensee	Software installation for E § 1.05 & E § 2.20	\$4,200
	<b>Total Cost for E § 1.05 &amp; 2.20</b>	<b>\$4,200 one-time cost</b>
E § 6.08—13 Casinos	Casino Class B Licensees gathering information and performing reviews	\$1,300-\$5000 each casino
	<b>Total Cost for E § 6.08</b>	<b>\$65,000 annual cost</b>
	<b>Total Annual Cost</b>	<b>\$117,690.82 annual cost</b>
	<b>Total One-time Cost</b>	<b>\$21,990 one-time cost</b>

### III. WORKSHEET

#### Minimum Internal Control Standard (MICS) Chapter E—Electronic Gaming Devices (EGDs)

**E § 1.05 One-time costs are estimated are \$8,895, Annual recurring costs are estimated as \$45,968 for all casinos.**

The estimated cost for developing, testing, and installing the door report in the ACSC system is  $120 \text{ hours} \times \$50 = \$6,000$  plus the cost of independent lab approval which is \$2,895 for a total of \$8,895. The other slot accounting platforms already have a report available. The cost of labor at each casino to run the report and fix any broken door alarms would be 4 hours of labor at \$17 an hour for a total cost of \$68 a week. The total labor cost for all casinos would be  $\$68 \times 52 \text{ weeks} \times 13 \text{ casinos}$  or \$45,968.00.

**E § 2.20 One-time costs are estimated to be from \$6,895—\$8,895, Annual recurring costs are estimated as \$6,722.82 for all casinos.**

The estimated cost for the creating the report for the ACSC system is \$4,000–\$6,000 and getting the report tested by GLI or BMM would cost \$2,895 for a total of \$6,895–\$8,895. The other slot accounting platforms already have a report available. In addition, each casino would have to run this report once for each gaming day of the year. The time required to run the door report would be 5 minutes resulting in an additional 30.42 hours of labor each year for each casino. With an average salary with benefits at \$17 an hour, the estimated cost per casino each year would be \$517.14. The cost for all thirteen casinos would be \$6,722.82.

**E § 1.05 and E § 2.20 One-time costs are estimated to be \$4,200.**

A Class A Licensee will have to perform a system upgrade to the ACSC system to obtain the new reports required by these two standards. The estimated cost per hour to have the manufacturer perform the upgrade is \$175 an hour. The estimated time required to perform the upgrade is 24 hours for a total of \$4,200.

**E § 6.08 Annual reoccurring costs are \$65,000 per year for all casinos**

This rule is estimated to cost staff the time to gather the necessary information and perform the reviews/investigations. As the rule is written, it will cost approximately \$1,300–\$5,000 annually in labor expense to comply for each casino. With thirteen casinos the total cost would be \$65,000.

### IV. ASSUMPTIONS

Sections of the MICS Chapter E not referenced above are assumed to have less than \$500 fiscal impact per casino in the aggregate, based on the information provided to the MGC.

Please note that each section of the proposed MICS Chapter E applies to each business entity differently. Factors such as the existing Slot Accounting System and Casino Management System, number of Electronic Gaming Devices (EGDs) on the casino floor, and existing network architecture shall be considered and independently referenced.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 9—Internal Control System**

**PROPOSED AMENDMENT**

**11 CSR 45-9.118 Minimum Internal Control Standards (MICS)—  
Chapter R.** The commission is amending section (1).

*PURPOSE: This amendment updates minimum internal control standards by changing existing forms and adding new forms needed for accounting processes, electronic signatures, jackpots, gift log, wire transfers, unclaimed property, and floating employee window.*

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards (MICS)* Chapter R—Forms, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter R does not incorporate any subsequent amendments or additions as adopted by the commission on *[March 28, September 26, 2012]*.

*AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. 2011. Original rule filed June 30, 2010, effective Jan. 30, 2011. Amended: Filed Dec. 8, 2011, effective July 30, 2012. Amended: Filed Sept. 27, 2012.*

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

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

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. 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 December 12, 2012, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 35—Children's Division  
Chapter 100—Tax Credits**

**PROPOSED AMENDMENT**

**13 CSR 35-100.010 Residential Treatment Agency Tax Credit.** The division is amending the purpose and sections (1)–(5), (7), and (11), and adding the Tax Credit Transfer Form to the rule.

*PURPOSE: This rule is being amended to reflect changes that were made in section 135.1150, RSMo, as a result of SB 86 (2007), Special Session HB 1 (2007), and HB 1172 (2012). Additionally typographical changes have been made.*

*PURPOSE: This rule describes the procedures for the implementation of section 135.1150, RSMo [Supp. 2006], Residential Treatment Agency Tax Credit Act], to reflect the requirements of SB 614 (2006)].*

(1) In general, a qualified residential treatment agency may apply for tax credits on behalf of taxpayers who make cash donations to the agency. The amount of total credits available to any qualified residential treatment agency cannot exceed *[forty percent (40%) of]* the total funds received from the Department of Social Services in the preceding twelve (12) months. Those who donate to qualifying providers are eligible to receive a tax credit up to fifty percent (50%) of their donation. Qualified residential treatment agencies that accept these donations are required to remit payments equivalent to the amount of the tax credit to the state of Missouri.

(2) Definition of terms[:]—

(A) "Certificate," a tax credit certificate issued to a taxpayer who makes an eligible *[monetary]* donation to a qualified residential treatment agency as described under section 135.1150, RSMo;

(B) "Eligible *[monetary]* donation," *[a cash]* donations received from a taxpayer by a qualified residential treatment agency that *[is]* are used solely to provide direct care services to children who are residents of this state. Direct care services include but are not limited to increasing the quality of care and service for children through improved employee compensation and training.[:] **Eligible donations may include cash, publicly traded stocks and bonds, and real estate;**

(C) "Qualified residential treatment agency," a residential treatment care facility that—

1. Is licensed under section 210.484, RSMo; and

2. Is accredited by—

A. Council on Accreditation (COA); or

B. Joint Commission on Accreditation of Healthcare Organizations (JCAHO); or

C. Commission on Accreditation of Rehabilitation Facilities (CARF); and

3. Is under contract with the Department of Social Services to provide treatment services for children who are residents or wards of residents of this state; and

4. Receives *[monetary]* donations. Any agency that operates more than one (1) facility or at more than one (1) location can only be eligible for the tax credit for eligible *[monetary]* donations made to facilities or locations of the agency which are licensed and accredited;

(D) "Taxpayer," any of the following individuals or entities who make eligible *[monetary]* donations to a qualified residential treatment agency[:]—

1. A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri, and subject to the state income tax imposed in Chapter 143, RSMo;

2. A corporation subject to the annual corporation franchise tax imposed in Chapter 147, RSMo;

3. An insurance company paying an annual tax on its gross premium receipts in this state;

4. *[or a]*Any other financial institution paying taxes to the state of Missouri or any political subdivision of the state under Chapter 148, RSMo; or

5. **Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under Chapter 143, RSMo; and**

(3) Beginning January 1, 2007, any taxpayer will be allowed to claim a credit against their state tax liability, as defined in subsection (2)(E) of this rule, equivalent to fifty percent (50%) of the eligible *[monetary]* donation the taxpayer made to a qualified residential treatment agency. The amount of the tax credit claimed may not exceed the amount of the taxpayer's state income tax liability in the tax year that the credit is being claimed.

(4) Qualified residential treatment agencies must apply for the tax credit on behalf of the taxpayers. Required information includes:

(C) A statement attesting to the receipt of an eligible *[monetary]* donation, which includes the following information:

**1. Taxpayer type and supporting documentation when applicable;**

[1.]2. Taxpayer's name;

[2.]3. Taxpayer's identification number;

**[3.]4. Amount of the eligible *[monetary]* donation and supporting documentation, when applicable;**

[4.]5. Amount of anticipated tax credit;

[5.]6. Date the donation was received by the agency; and

[6.]7. Signature of the executive director;

(D) Payment from the qualified residential treatment agency equal to the value of the tax credit for which the application is being submitted. Checks must be made payable to the Department of Social Services[.]; and

(E) **Verifying documentation must be attached to the tax credit application. The type of documentation required will depend on the type of donation. Required documentation includes the following:**

**1. Cash—legible receipt from the residential treatment agency which indicates the name and address of the organization; name, address, and telephone number of the contributor; amount and date the contribution was received; and signature of a representative of the residential treatment agency receiving the contribution;**

**2. Check—photocopy of the canceled check, front and back—if not possible then copy of the original check and a receipt from the residential treatment agency including the same information required of a cash donation as described in paragraph (4)(E)1. of this rule;**

**3. Credit card—legible transaction receipt with the name and address of the residential treatment agency; contributor's name, address, and telephone number; amount and date the contribution was received; and signature of a representative of the residential treatment agency receiving the contribution. Receipts should have the credit card account number blacked out;**

**4. Money order or cashier's check—legible copy of the original document with the name and address of the qualified residential treatment agency; contributor's name, address, and telephone number; amount and date the contribution was received; and signature of a representative of the residential treatment agency receiving the contribution;**

**5. Values of contributed stocks and bonds must be determined by a reputable source (e.g., *Wall Street Journal*, New York Stock Exchange (NYSE), National Association of Securities Dealers Automated Quotations (NASDAQ), etc.). Information required when submitting applications for tax credit shall include the source and date the stock was valued and how the bond amount was determined;**

**6. The value of contributions of real estate shall be equal to the lowest of at least two (2) qualified independent appraisals for commercial, vacant, or residential property that has been determined to have a value of over twenty-five thousand dollars (\$25,000). Commercial, vacant, or residential property having a value of twenty-five thousand dollars (\$25,000) or less will require only one (1) appraisal; and**

**7. Contributions that include a benefit to the donor—documentation required will depend on how the type of contribution was made (i.e., cash, check, etc.). The same information is required as described in paragraphs (4)(E)1.–4. of this rule. Additional information required includes the type of function or event from which the benefit was received, description of the benefit received (if an auction item, identify the item received), gross amount of the contribution, fair market value of the benefit, and how the fair market value of the benefit was determined.**

(5) All applications and payments must be submitted within twelve (12) months from date the eligible *[monetary]* donation was

received from the taxpayer. Tax credit applications submitted more than one (1) year following the date of the contribution will be void and the right to the tax credit will be forfeited.

(7) Total tax credits issued for any qualified residential treatment agency cannot exceed *[forty percent (40%) of]* the total payments made by the Department of Social Services to the qualified residential treatment agency in the twelve (12) months preceding the month the application for the tax credit was received. In the event the total credits exceed *[forty percent (40%) of]* the total payments made to a qualified residential treatment agency by the Department of Social Services, the application and payment will be returned to the qualified residential treatment agency and may be resubmitted by the agency within thirty (30) days of the date the application was returned or within twelve (12) months from the date the *[monetary]* donation was received by the agency, whichever is later.

(11) The owner of a **residential treatment agency tax credit** certificate *[indicating a residential treatment agency tax credit]* may assign, transfer, sell, or otherwise convey the certificate. The new owner will have the same rights as the original owner. When a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement must be submitted to the Department of Social Services within thirty (30) days of the date of the transaction. Information submitted must include:

*[(A) New owner name;*

*(B) New owner address;*

*(C) New owner taxpayer identification number;*

*(D) Value of the tax credit (amount of claimable tax credit remaining);*

*(E) Date of transaction.]*

(A) A complete and accurate Department of Social Services Tax Credit Transfer Form (Attachment B, included herein). Forms may be also be obtained by writing to the address provided in subsection (4)(A) and section (6) of this rule.





MISSOURI DEPARTMENT OF SOCIAL SERVICES  
**TAX CREDIT TRANSFER**

The Department of Social Services (DSS) tax credit transfer form must be used when transferring eligible tax credits administered by the DSS. You must submit a separate Tax Credit Transfer form for each tax credit transfer being requested. The sale or transfer of a tax credit may have income tax consequences for the assignor and assignee. Consult your tax advisor for more information.

**ASSIGNOR**

NAME OF ASSIGNOR		ASSIGNOR TELEPHONE NUMBER
ASSIGNOR ADDRESS		
ASSIGNOR TAXPAYER IDENTIFICATION NUMBER (SOCIAL SECURITY NUMBER)		

**TRANSFER**

TAX CREDIT TYPE		
<input type="checkbox"/> PREGNANCY RESOURCE CENTER TAX CREDIT <input type="checkbox"/> RESIDENTIAL TREATMENT AGENCY TAX CREDIT <input type="checkbox"/> DEVELOPMENTAL DISABILITY CARE PROVIDER TAX CREDIT		
APPROVED CERTIFICATE NUMBER	(OFFICE USE ONLY)	
VALUE OF TAX CREDIT (SEE INSTRUCTIONS)	DATE OF TRANSFER	TAX CREDIT SELLING PRICE (SEE INSTRUCTIONS)

**CERTIFICATION**

ASSIGNOR SIGNATURE	DATE
PRINTED NAME	(OFFICE USE ONLY)

**ASSIGNEE**

NAME OF ASSIGNEE		ASSIGNEE TELEPHONE NUMBER
ASSIGNEE ADDRESS		
ASSIGNEE TAXPAYER IDENTIFICATION NUMBER (SOCIAL SECURITY NUMBER)		

**TAXPAYER TYPE (REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)**

Individual  
  Corporation  
  Partnership\*  
  S Corporation\*  
  LLC\*  
  Charitable Organization\*  
 Financial Institution  
  Insurance Company

**CERTIFICATION**

ASSIGNEE SIGNATURE	DATE
PRINTED NAME	(OFFICE USE ONLY) REISSUE CERTIFICATE NUMBER

NOTARY PUBLIC EMBOSSER SEAL	STATE OF	COUNTY (OR CITY OF ST. LOUIS)
	NOTARY PUBLIC NAME	MY COMMISSION EXPIRES
	NOTARY PUBLIC SIGNATURE	
	USE RUBBER STAMP IN AREA BELOW	

Appeared before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

and \_\_\_\_\_ to me personally known to be the persons who executed the above certifications, and acknowledged and states that he/she executed the same for the purpose therein stated.



MISSOURI DEPARTMENT OF SOCIAL SERVICES  
**TAX CREDIT TRANSFER**

**Information provided below must include all individuals listed on the original tax credit certificate.**

1. Provide the Assignor's LEGAL name. The Assignor is the person transferring ownership of the tax credit (e.g. the seller).
2. Provide the Assignor's complete address including city, state and zip code.
3. Provide the Assignor's taxpayer identification number or social security number.
4. Indicate the type of tax credit certificate being transferred (i.e. Pregnancy Resource Center, Developmental Disability Care Provider or Residential Treatment Agency tax credit).
5. Provide the original tax credit certificate number.

6. Provide the value of the tax credit on the date of transfer. This is the amount of the approved tax credit or, if some portion of the tax credit was previously used, this is the value of the remaining tax credit.

Example: In 2007 a tax credit certificate was issued for \$2,000. In 2007 the value of the tax credit is \$2,000. If that year the taxpayer was able to claim \$500 of that credit; the value of the remaining tax credit carried over to the next tax year was \$1,500. If the tax credit was sold or transferred during 2008, the value of the tax credit would be \$1,500.

7. Provide the date of transfer.
8. Provide the selling price.

Note: The following criteria applies only to the transfer of a Pregnancy Resource Center tax credit certificate:

The tax credit must be transferred or sold...

- (1) For no less than seventy-five percent of the par value of such credit; (Par value meaning the value of the tax credit at the time of transfer); and
- (2) In an amount not to exceed one hundred percent of annual earned credit.

Example: Using the scenario in #6 above. The value of the credit being transferred is \$1,500. It can not be sold for less than 75% of that amount or no less than \$1,125. A taxpayer can not sell or transfer tax credit in any given year in an amount that exceeds 100% of the annual earned credit, which is \$1,500. Therefore, if in 2008 the taxpayer has the \$1,500 carryover and earns another \$2,000 tax credit for 2008, the taxpayer can only sell or transfer tax credits up to \$2,000. The taxpayer can not sell or transfer tax credits in excess of the annual earned credit (\$2,000) in any given year.

9. Provide the Assignor's Signature, date of signature and printed name.
10. Provide the Assignee's LEGAL name as it appears on annual income tax returns. The Assignee is the individual purchasing or receiving the tax credit (e.g. the buyer).
11. Provide the Assignee's complete address including city, state and zip code.
12. Provide the Assignee's taxpayer identification number or social security number.
13. Indicate the Assignee's Taxpayer type - place an (X) in the appropriate box and provide supporting documentation indicated if applicable.

Supporting Documentation:

Partnerships, S Corporations and LLC's please provide a list of all shareholder names; social security numbers, and percentage of ownership.



MISSOURI DEPARTMENT OF SOCIAL SERVICES  
**TAX CREDIT TRANSFER**

Charitable organizations applying for tax credits must provide:

- proof the organization is exempt from federal income tax (copy of federal tax exemption certificate), and
- proof of business activities that are unrelated to its charitable activities of which Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, RSMo (i.e. most recent Missouri State Income Tax Return). If the unrelated business activities do not generate Missouri business taxable income, an Executive Officer of the organization must attest to the following statement:

"I certify that \_\_\_\_\_ engages in unrelated  
(ORGANIZATION NAME)

business activities which do not generate Missouri unrelated business income. If these activities did generate Missouri unrelated business income, that income would be subject to the state tax imposed under chapter 143, RSMo."

SIGNATURE	TITLE	DATE
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14. Provide the Assignee's Signature, date of signature and printed name.
15. The completed tax credit transfer form must be notarized. If both the assignor and assignee can not be present at the time of the notarized endorsement, each individual may have a copy of the document notarized individually. However, both copies must be submitted to the Department of Social Services at the same time.
16. Forward the transfer form and all supporting documentation required to the following address:

Residential Treatment Agency Tax Credit Transfers:  
**Department of Social Services**  
**Attention: Residential Treatment Agency Tax Credit**  
**P.O. Box 853**  
**Jefferson City, MO 65102-0853**

Pregnancy Resource Center Tax Credit Transfers:  
**Department of Social Services**  
**Attention: Pregnancy Resource Center Tax Credit**  
**P.O. Box 863**  
**Jefferson City, MO 65102-0863**

Developmental Disability Care Provider Tax Credit Transfers:  
**Department of Social Services**  
**Attention: Developmental Disability Care Provider Tax Credit**  
**PO Box 853**  
**Jefferson City, MO 65102-0853**