

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

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 If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission.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

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

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

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

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

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 1—OFFICE OF ADMINISTRATION
Division 10—Commissioner of Administration
Chapter 10—Shared Leave for Adoptive and Foster
Placement and Care**

PROPOSED RESCISSION

1 CSR 10-10.010 ShareLeave for Foster and Adoptive Placement and Care. This rule prescribed guidelines and standards regarding donated leave programs under the authorization of section 105.271, RSMo. These guidelines and standards provided a framework to agencies for the establishment of their ShareLeave for Foster and Adoptive Placement and Care program for the purpose of arranging for a foster or adopted child's placement or caring for the child after placement.

PURPOSE: This rule is being rescinded because substantially similar language is simultaneously being added to the amended 1 CSR 20-

5.025.

AUTHORITY: section 105.271, RSMo Supp. 2014. Original rule filed Jan. 12, 2015, effective July 30, 2015. Rescinded: Filed Jan. 9, 2019.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Administration, PO Box 809, Jefferson City, MO 65102. To be considered, comments must be received within fifty-three (53) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division
of Personnel
Chapter 5—Working Hours, Holidays and Leaves
of Absence**

PROPOSED AMENDMENT

1 CSR 20-5.010 Hours of Work and Holidays. The board is amending sections (1) and (2).

PURPOSE: This amendment removes duplicative statutory language and makes other minor revisions.

(1) Hours of work and attendance *[shall be]* are governed by the following provisions:

(A) The appointing authority in each agency *[shall]* establishes the working days and the hours of attendance for employees of that agency and other rules in regard to attendance as are deemed necessary. A full-time employee normally will be scheduled to work forty (40) hours within a fixed and regularly recurring seven (7)-day period established for the employee's position.

1. In the case of law enforcement personnel employed by a recognized law enforcement agency, the director may approve the establishment of normal working hours in excess of those specified in subsection (1)(A), provided the work period, schedules, and overtime standards are consistent with applicable statutes or rules. For the purpose of this rule, law enforcement personnel *[shall]* include uniformed or plainclothed members of a body of officers who have the power of arrest and who are statutorily empowered to enforce laws designed to maintain public peace and order, to protect life and property from accidental or willful injury, to prevent and detect crimes, and who undergo on-the-job training a course of instruction, or both.

2. In the case of personnel employed at a hospital or residential care facility, the director may approve the establishment of normal working hours in excess of those specified in subsection (1)(A), provided the work period, schedules and overtime standards are consistent with applicable statutes or rules;

(B) The appointing authority in each agency may require employees to perform reasonable amounts of overtime work as may be *[required]* needed to fulfill the responsibilities of the agency, provided this overtime work is compensated in accordance with these rules and applicable state or federal statute. Insofar as is practicable, overtime will be distributed among employees qualified for this work and who are available when the overtime is *[required]* needed. Prior authorization for overtime work shall be obtained from the appointing authority or