

will be transmitted to the department/agency. [Signature for t/The department/agency shall sign and return the payment request to the [Division of Facilities Management, Design and Construction shall be accomplished by the department/agency] division within five (5) working days after receipt of the payment request.

(A) Projects Costing One Hundred Thousand Dollars (\$100,000) or More. Payment for labor and material on projects costing one hundred thousand dollars (\$100,000) or more shall be made in accordance with section 8.260, RSMo [Supp. 2007]. [Requests for payments shall be submitted in the form and be supported by documentation as may be required by the director. When more than one (1) payment is made on those projects, the contractor shall furnish a payment certificate with the second and succeeding payment requests. The certificate shall affirm that subcontractors and suppliers have been paid in proportion to the work and materials paid for on previous payment requests.]

(B) Projects Costing Less Than One Hundred Thousand Dollars (\$100,000). Payment for labor and materials on projects costing less than one hundred thousand dollars (\$100,000) shall be made in accordance with section 8.270, RSMo [Supp. 2007]. [Requests for payment shall be submitted in the form and be supported by documentation as required by the director.]

(C) Final Payment. Final payment [shall] will not be made until all work under the contract has been completed and accepted, documentation as required by the director has been furnished, and project records have been delivered to the [construction manager. The contractor shall provide releases from all subcontractors and suppliers or a letter of release from the surety holding the performance and payment bond evidencing that they have been paid in full or covered by the bond provisions] director's on-site representative. After review and approval of the requests for payment, reports, records, and other documentation by the director or his/her designee, final payment may be made. [Administrative processing of final payment in the Office of Administration shall be completed within fifteen (15) working days after receipt by the director of completed documentation and final payment request.]

(D) Projects Supported with Non-Appropriated Funds. All payments for projects supported directly with donated, grant, or other funding not appropriated by the [g/General [a]Assembly shall be made in accordance with agreements established in the initial coordination of that project and after approval of the director or his/her designee.

(2) Acceptance and Occupancy.

(C) Project Records. The [construction manager/project manager] division shall deliver one (1) copy of project shop drawings, operation and maintenance manuals, record drawings, warranties, and all other pertinent files to a representative of the department/agency. The department/agency shall cause these records to be preserved and stored at the project site or other suitable location. [Those records shall be readily available] for reference in [maintenance, repair and] future work at the site.

(D) Reporting Changes in Facility Conditions. The department/agency [as part of the periodic facility inspection process] shall report any substantive change in condition of the facility to the [director] division. Substantive changes in condition of the facility resulting from accidents[,] or acts of God [or other causes] shall be reported to the [director] division at the time of occurrence.

[4] This rule becomes effective with the appropriation for the upcoming fiscal year.]

AUTHORITY: sections 8.310 and 8.320, RSMo [2000] 2016. Original rule filed July 9, 1981, effective Feb. 15, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 11, 2018.

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 the Office of Administration, PO Box 809, Jefferson City, MO 65102. 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 1—OFFICE OF ADMINISTRATION Division 35—Division of Facilities Management Chapter 1—Facility Maintenance and Operation

PROPOSED AMENDMENT

1 CSR 35-1.050 Public Use of State Facilities. The Division of Facilities Management, Design and Construction is amending all sections of this rule, moving the information regarding the use of parking lots to a new section (6), and adding completely new sections (4) and (8). The remaining sections have been renumbered to reflect these additions.

PURPOSE: The purpose of this amendment is to better reflect current practices, eliminate outdated information, and increase the readability of the regulation. Section (4) is being added to address the use of Carnahan Memorial Garden, and section (8) is being added to address the operation of unmanned aircrafts on state property. The information on parking lots is being moved to a separate section (section (6)) and has been revised to reflect current practices and clarify the meaning. Section (7) regarding weapons on state property (formerly section (5)) is being amended to address changes in state law and to allow authorized individuals picking up deposits from state agencies to carry weapons based on comments received. A limit on smoking was added to section (2) regarding public buildings and grounds other than the Capitol, to be consistent with current OA statewide policy SP-11.

(1) Facilities Subject to this Rule; Definitions.

(A) This rule governs public use of the Capitol Building and grounds[, as defined in subsection (1)(B) hereof,] and [of] other public buildings and grounds, as defined [in subsection (1)(D) hereof] herein.

(B) As used in this rule, the term “Capitol Building [and grounds]” means [the first floor of the Capitol rotunda, the museum area, corridors, restrooms and all other common areas on the first floor of the Capitol Building, the south steps of the Capitol Building, the circular drive and the Capitol grounds] all interior and exterior areas of the Missouri State Capitol Building, with the exception of the house and senate chambers, the house and senate committee rooms, the offices of members of the house and senate, the house and senate lounges, and the offices of the Governor, Lieutenant Governor, State Treasurer, Secretary of State, and State Auditor. The term “Capitol grounds,” means all lands adjacent to the Capitol, as shown on Appendix A included herein, [extend to High Street on the south and to and to Jefferson Street on the east, but do not include Parking Lots Number 1, 2, 4 and 15A, nor the Highway and Transportation Building and its grounds nor the buildings and grounds known as “Lohman’s Landing.”] with the exception of Parking Garage No. 2.

[(C) Regulations governing the public use of the Capitol Building and grounds are set forth in section (4) of this rule.

(D) Other Public Buildings and Grounds.]

(C) As used in this rule, "common areas" include the meeting rooms, conference rooms, sidewalks, lawns, plazas, entrances, hallways, stairways, restrooms, and other public facilities inside public buildings.

[1.](D) As used in this rule, the term "other public buildings and grounds" means all property, except the Capitol Building and grounds, and except the Governor's Mansion and its grounds, which] that is owned, leased, or occupied by an agency of the [s/State of Missouri./], with the exception of the Capitol Building and grounds, the Governor's Mansion and its grounds, and property that is owned, leased, or occupied by the Conservation Commission, the Highways and Transportation Commission, colleges or universities, or the Department of Natural Resources for use as a state park or historic site.

[2. It includes, but is not limited to, the following: the Jefferson Building, the Broadway Building, the Supreme Court Building, the Environmental Control Center, the Harry S Truman Office Building, the E.D.P. Building, the Health Lab, and the Missouri State Information Center, all in Jefferson City; the Wainwright State Office Building and the Midtown State Office Building in St. Louis; the Kansas City State Office Building; the St. Joseph State Office Building; the Springfield State Office Complex; and all parking lots or parking structures on the said sites. Drawings showing the property lines of these sites are included herein as Appendix A to this rule.

3.] In the case of multi-tenant buildings, the term "other public buildings and grounds" includes only the offices and common areas occupied exclusively by agencies of the [s/State of Missouri [and those portions of the common areas].

[(E) Regulations concerning the public use of other public buildings and grounds which are occupied by agencies of the state of Missouri, are set forth in section (2) of this rule.

(F) Regulations concerning the public use of other public buildings and grounds, which are not occupied by agencies of the state of Missouri are set forth in section (3) of this rule.]

[(G)](E) As used in this rule, the term "[facility manager] director" means the [individual designated by the] director of the Division of Facilities Management [to manage a facility], Design and Construction or his/her designee.

[(H)](F) As used in this rule, the term "grounds" means the land lying between a public building and the property line of the land on which the building is situated.

[(I)](G) As used in this rule, the term "quasi-public governmental body" means any person, corporation, or partnership organized or authorized to do business in Missouri under the provisions of Chapters 352, 353, or 355, RSMo, or an unincorporated association which either:

1. Has as its primary purpose to enter into contracts with public governmental bodies, or to engage primarily in activities carried out pursuant to an agreement or agreements with public governmental bodies; or

2. Performs a public function, as evidenced by a statutory based capacity to confer or otherwise advance, through approval, recommendation, or other means, the allocation or issuance of tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the contracting of leaseback agreements on structures whose annualized payments commit public tax revenues; or any association that directly accepts the appropriation of money from a public governmental body.

(H) As used in this rule, "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device. This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

(2) Public Use of Other Public Buildings and Grounds Occupied by State Agencies (Non-Capitol).

(A) General Rule.

1. The use of other public buildings and grounds *[which] that* are occupied by agencies of the *[s/State of Missouri [shall be] is* restricted to the conduct of state business and to other activities whose principal purpose is to improve the efficiency of a state agency in achieving its objectives or *[is] to* promote the health, safety, welfare, morale, education, or training of state employees.

2. Such activities may include, but are not limited to^{1/}, the usual business of state government, agency staff meetings, governmental task force meetings, safety meetings, employee education classes, seminars and training sessions sponsored by state institutions for the benefit of the public, employee^{2/}*[of-the-month] recognition[s,] ceremonies [to recognize retiring state employees], [holiday] luncheons for state employees, [Missouri S]state [E]employees [C]charitable [C]campaign meetings, employee well-ness programs, and the like.*

(B) Prohibited Activities. The following activities and conditions are not permitted in *[the common areas of]* any of the other public buildings and grounds *[which] that* are occupied by a state agency:

1. Purely private social events, such as weddings, regardless of the type or content;

2. Commercial activities, including soliciting the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not^{3/}, except that this paragraph shall not prohibit vendors from soliciting state employees for the purpose of effecting sales of the vendors' products or services^{4/}, *if the products or services are offered* to the state, or *[if they are offered]* to employees through a state-sponsored program;

3. Solicitation of any kind, including the solicitation of contributions, gifts or donations, the solicitation of signatures on petitions, and the solicitation of support for any political candidate or cause^{5/}, *except as otherwise specifically authorized in this rule]. This rule shall not prevent state agencies from making solicitations in connection with charitable fundraisers or events;*

4. The distribution of any leaflets or other materials, except for such materials as are distributed by the *[facility manager] director*, and except that certified employee bargaining units may distribute written materials in the common areas of the buildings where the members of their unit are employed, if authorized by the *[facility manager] director* to do so;

5. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the public building;

6. A sound level, noise, or any other activity that disrupts the business of government in the public building;

7. Camping, *[including] which means* the use of the grounds for living accommodation purposes such as sleeping *[activities, making preparations for sleeping activities]*, making preparations to sleep (including the placement of bedding *[for the purpose of sleeping]*), storing personal belongings, making any fire, using any tents or other shelters *[for sleeping]*, doing any digging or earth-breaking, or carrying on cooking activities;

8. The service or consumption of alcoholic beverages;

9. Guns or weapons of any kind, except as authorized in section *[(5)](7)* of this rule;

10. Wood, metal, or plastic poles or standards *[shall not be] including* those used to support signs or banners *[and shall not be brought into the public building or onto the grounds]*;

11. Smoking, vaping, or the use of any tobacco products, except in those areas that have specifically been designated as "smoking areas," or in a private vehicle;

[11.]12. Any other activity that presents a significant likelihood of damage to the public building;

[12.]13. Any activity that is a violation of federal, state, or local law.

(C) Conference Rooms and Meeting Rooms.

1. Permission required. Usage of the conference rooms and meeting rooms in other public buildings, *other than those inside the office suite of an agency,* shall be restricted to entities and instrumentalities of the state, federal, and local governments and to quasi-public governmental bodies, as defined in *[section (1) of] this rule, and shall*. Usage of the conference rooms and meeting rooms in public buildings, other than those inside the office suite of an agency, require the permission of the *[facility manager] director*.

2. Application for permission. Applications for permission to use conference rooms and meeting rooms shall include the following information, if *[required] requested* by the *[facility manager] director*:

A. The full name, mailing address, and telephone number of the person or organization sponsoring the proposed activity and of an individual who agrees to accept responsibility for supervising the proposed activity;

B. The purpose of the activity or meeting;

C. A description of the proposed activity and an estimate of the number of persons who will participate in the proposed activity;

D. The time and date requested for the activity;

E. Whether food or beverage will be consumed or permitted at the activity, and if so, a description of the food and beverage, and the methods used to serve it and to ensure cleanliness; and

F. A description of the equipment and services that will be *[required] needed*, such as chairs, podiums, microphones, easels, and audio-visual equipment.

3. Grant of permission. The *[facility manager shall] director will* respond to all requests for permission to use a conference room or meeting room as promptly as possible. The *[facility manager shall] director will* grant permissions, on a first-come, first-served basis to those persons or organizations who comply with the requirements of this rule, except that state agencies may be given preference over other applicants. If permission is denied for any reason, the *[facility manager shall] director will* issue to the applicant a written denial, including an explanation of the reason for the denial.

4. Conditions for grants of permission to use conference rooms and meeting rooms. The grants of permission to use conference rooms and meeting rooms are subject to the following conditions:

A. The *[facility manager] director* may impose such conditions, **including a cleaning deposit**, concerning the service of food and drink as are reasonably necessary to ensure the cleanliness of the facility and good sanitation practices.;

B. Services normally provided at the building for which the permit is issued *[shall] will* be provided to the permittee without charge. However, the *[facility manager] director* may impose reasonable charges for the cost of any food or drink, utilities, supporting physical arrangements, security or other personnel, or equipment over and above the services normally provided at the building during the time of the activity. The *[facility manager] director* may waive such costs for government entities or if it is not practicable to identify the amount of the additional costs or if the amount is insignificant. The *[facility manager] director* may require a deposit in the amount of the estimated additional costs before issuing a permit.;

C. Permittees shall conduct their activity in strict compliance with this rule, the statements contained in their application for permit, and any restrictions on the activity *[which] that* are imposed by the *[facility manager] director* and are listed on the permit.

5. The *[facility manager] director* may disapprove any application and may cancel an issued permit, even after the applicant has begun using the facility, and may remove the applicant from the facility if the application is false or incomplete or if the applicant fails to comply with the conditions specified in the permit or with the provisions of this rule.

6. The *[facility manager shall also have] director has* the authority to *[:] reserve* conference rooms and meeting rooms for official government business on specified days*[:]*, preempt an approved use of a conference room or meeting room to allow for official government business*[:]*, and set conference rooms and meeting rooms

aside for maintenance, construction, or repair on specified days.

[(D) Parking Lots.

1. Use on business days. Between the hours of 6:00 a.m. and 7:00 p.m. on every business day, the parking lots which are part of the other public buildings and grounds occupied by state agencies, shall be reserved for the use of the employees and clients of the occupying agencies and for visitors conducting business with the occupying agencies. Public use of the parking lots shall not be permitted on such days.

2. Use at other times.

A. At all other times, these parking lots shall be made available to the employees, clients and visitors of the occupying agency, for the conduct of state business, unless contractual obligations of the state prohibit such use.

B. Any other persons who wish to use a parking lot on a nonbusiness day must submit a written request for permission to do so. Permits may only be issued to: applicants who hold a parade permit issued by the local governmental authority and who wish to use the parking lot as a staging area; state or local governmental and quasi-governmental entities for their use in programs to promote public health and safety, such as driver training, bicycle safety, fire safety and the like; or others for the purposes and objectives described in subsection (2)(A). Commercial activities and solicitation shall not be permitted in the parking lots at any time. If an emergency arises which requires that the state have the use of the parking lot, the facility manager may cancel a permit, even after it has been issued.]

[(E)](D) Other Common Areas.

1. For purposes of this rule, "other common areas" include the sidewalks, lawns, plazas and entrances to other public buildings, and the hallways, restrooms and other public facilities inside such other public buildings.]

2.1. The use of *[such other] common areas other than meeting rooms and conference rooms* shall be reserved for the employees, clients and visitors of the agencies occupying the public building, and for the purposes described in subsection (2)(A). Permitted activities in such other common areas *[shall specifically]* include the operation of cafeterias, vending machines, newsstands, and similar facilities, if authorized by the *[facility manager] director* as part of the operation of the public building for the benefit of employees, clients, and visitors of the public agency. Permitted activities may also include special events, *such as Christmas caroling or other concerts*, if authorized by the *[facility manager] director*.

3.2. The *[facility manager shall have] director has* authority to bar or evict any persons who fail to comply with the requirements of this rule in any way.

[(F)](E) Agency Offices. The use of any agency office which is located within any *[other] public building [shall be]* is reserved exclusively for the employees, clients, and visitors of the agency and *[shall be]* subject to the control of the agency's office supervisor to the extent not inconsistent with this regulation.

(3) Public Use of Other Public Buildings and Grounds Not Occupied by State Agencies. The use to be made of other public buildings and grounds or portions thereof *[which] that* are occupied by individuals or organizations other than the *[s]State of Missouri*, under a lease or sublease from the *[s]State of Missouri* or otherwise, *[shall] will* be determined solely by the occupant of the facility, *[but shall be]* subject to any restrictions imposed by the lease or sublease or by any laws.

(4) Public Use of Carnahan Memorial Garden.

(A) The public use of Carnahan Memorial Garden shall be subject to the same restrictions as those for the Capitol Building and grounds as set forth below, except that weddings and private social events are permitted with approval of the director. Permits

for use of Carnahan Memorial Garden are handled in the same manner as permits for use of the Capitol Building and grounds.

[(4)](5) Public Use of the Capitol Building and Grounds.

(A) The following activities and conditions are not permitted in or about the Capitol Building and grounds, as defined in *[section (1) of]* this rule:

1. Purely private social events, such as weddings, regardless of the type or content;

2. The service or consumption of alcoholic beverages, except as *[provided in paragraph (4)(A)3.] part of a state government function and approved by the Board of Public Buildings;*

3. *[Box lunches, buffet style or "sit down" food service, or any other]* The service of food or nonalcoholic beverages *[is prohibited]* in the *[rotunda]* Capitol Building, except *[that the service of food and beverage, including alcoholic beverages, is permitted if it is]* as part of a state government function and *[is]* approved by the Board of Public Buildings*[,]*, or *[T]he* service of food or nonalcoholic beverages on the Capitol grounds *[is prohibited]* unless approved by the *[facility manager]* director and the food or beverage is served without charge;

4. *[In order to minimize damage to the rotunda floor, d]*Dance events, including demonstrations such as clogging, square dancing, and other such activities*]/ies, [are prohibited]* in the rotunda, unless the events are part of a state government function and are approved by the Board of Public Buildings;

5. Commercial activities, including the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not*], except as otherwise authorized in this rule;]. This rule does not prohibit vendors from soliciting state employees for the purpose of effecting sales of the vendors' products or services to the state or to employees through a state-sponsored program. This restriction also shall not apply to souvenirs sold by the Department of Natural Resources;*

6. The solicitation of contributions, gifts, or donations is prohibited in all common areas of the Capitol Building, *[and the distribution of leaflets or other materials]* and all other forms of solicitation, including solicitation of support for any political candidate or cause, is prohibited in all common areas of the Capitol Building except in the rotunda and on the south steps;

7. Making any speech or conducting any organized activity involving two (2) or more persons without first obtaining a permit from the *[facility manager, or]* director;

8. *[d]*Distributing leaflets or other materials *[which]* that have not been provided to the *[facility manager]* director in conjunction with an application for a permit, or leaving leaflets or other materials unattended;

[8.]9. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the rotunda or other portions of the Capitol;

[9.]10. A sound level, noise, or any other activity that disrupts the business of government in the Capitol;

[10.]11. The use of balloons of any kind in the common areas of the Capitol Building, including the rotunda;

[11.]12. Smoking *[in any of the common areas inside the Capitol Building], vaping, or the use of tobacco products,* except in those areas that have specifically been designated as "smoking areas" or in a private vehicle;

[12.]13. Guns or weapons of any kind, except as authorized in section *[(5)] (7)* of this rule;

[13.]14. The use*], in the rotunda,]* of lighted candles or other devices *[which]* that produce flames;

[14.]15. Signs, banners, and like material shall not be fastened in any way to the walls, surfaces, or railings *[surrounding the rotunda].* Wood, metal, or plastic poles or standards shall not be used to support signs or banners and shall not be brought into the Capitol Building or onto the Capitol grounds. Signs displayed dur-

ing an activity shall not contain any obscene words or symbols;

16. Camping, as previously defined in this rule;

[15.]17. Any other activity that presents a significant likelihood of damage to *[the rotunda or other portions of]* the Capitol Building and grounds; and

[16. Camping, as previously defined in this rule; and]

[17.]18. Any activity that is a violation of federal, state, or local law.

(B) Permit System for Use of Capitol. No person or organization shall have the exclusive use of any portion of the rotunda or any other part of the Capitol Building and grounds, unless the *[facility manager]* director has issued to that person or organization a permit for the use of the facility. The terms and conditions for the issuance of permits *[shall be]* are as *[specified in paragraphs (4)(B)1.-3.]* follows:

1. Applications for Permits. Applications for permits shall be *[in writing and shall include the following information]* made through the Division of Facilities Management, Design and Construction website and shall include all information requested by the director including, but not limited to, the following:

A. The full names, mailing addresses, and telephone numbers of the person or organization sponsoring the proposed activity and of an individual who agrees to accept responsibility for supervising the proposed activity;

B. A description of the proposed activity and an estimate of the number of persons who will participate in the proposed activity;

C. A description of the part of the Capitol Building and grounds that the applicant wishes to use and a listing of the dates and hours during which the applicant wishes to use them; and

D. A description of the sanitation facilities, utilities, security, and other equipment and services that will be *[required]* needed for the proposed activity, such as chairs, podiums, and microphones, and a description of the means proposed for providing those items.

2. Issuance of permits. Permits *[shall]* will be issued by the *[facility manager]* director, on a first-come, first-served basis to those persons or organizations who comply with the requirements of this rule.

3. Conditions.

A. The *[facility manager]* director may impose reasonable limits on the duration of the activity and the space allocated to it, and may furnish materials, supplies, and equipment needed for the activity, if such are available, but may limit the amount furnished so that government property may remain accessible to other members of the general public. Generally, activities and events will be limited to a period of three (3) hours, including set up and clean up. All permits issued *[shall]* will require the permittee to comply with the *[conditions described in subsection (4)(A) hereof]* restrictions described above.

B. The *[facility manager]* director may also impose such other conditions as are reasonably necessary to prevent damage to state government property, prevent disruption of the conduct of state business, provide for the safety and security of the public, provide adequate sanitation facilities, and protect the health and safety of those attending or participating in the activity covered by the permit.

C. The *[facility manager]* director may also impose reasonable charges for the cost of any food or drink, utilities, supporting physical arrangements, security or other personnel, or equipment over and above the services normally provided at the building during the time of the activity. The *[facility manager]* director may waive such costs for government entities, or if it is not practicable to identify the amount of the additional costs or if the amount is insignificant.

4. Disapprovals; cancellations. The *[facility manager]* director may disapprove any application and may cancel an issued permit, even after the applicant has begun using the facility, if the application is false or incomplete *[or]*, if the applicant fails to comply with the conditions specified in the permit, or fails to comply with the provisions of this rule. In addition, the *[facility manager]* director may disapprove applications submitted by those who have repeatedly

failed to comply with the terms and conditions of permits previously issued to them.

5. Exceptions. The Board of Public Buildings may make exceptions to this rule if it deems the exception to be in the best interest of the state. The Board of Public Buildings may delegate its authority to grant exceptions to this rule to the Commissioner of Administration.

(6) Parking Lots.

(A) Use on business days. Public use of the parking lots that are part of the Capitol Building and grounds and other public buildings and grounds occupied by state agencies shall not be permitted between the hours of 6:00 a.m. and 7:00 p.m. on business days. During those times, parking lots are reserved for the use of the employees and clients of the occupying agencies and for visitors conducting business with the occupying agencies, unless contractual obligations of the state prohibit such use.

(B) Use at other times. Persons who wish to use a parking lot at times other than those set forth above must submit a written request to the director for permission to do so. Permission may be issued to applicants who hold a parade permit issued by the local governmental authority and who wish to use the parking lot as a staging area, to state or local governmental and quasi-governmental entities for their use in programs to promote public health and safety, or to others at the discretion of the director. Commercial activities and solicitation shall not be permitted in the parking lots at any time. The director may revoke permission to use the parking lot at his or her discretion, even after it has been granted.

[(5)](7) Weapons Capable of Lethal Use Prohibited; Exceptions.

(A) Carrying a firearm or any other weapon readily capable of lethal use into the Capitol Building and grounds [as defined in subsection (1)(B), the offices in the Capitol Building occupied by the Governor and the Governor's administration, the offices in the Capitol Building of the Lieutenant Governor, the offices in the Capitol Building of the State Auditor, the offices in the Capitol Building of the State Treasurer, any other building and grounds as defined in subsection (1)(D), or the Governor's Mansion and grounds,] or any other public building or grounds is prohibited, except that holders of a valid concealed carry permit may carry weapons into the Capitol Building and grounds to the extent allowed by sections 571.107 and 571.215, RSMo.

1. This prohibition shall not apply to the following persons acting in their official capacity: state and federal law enforcement officers, peace officers, probation and parole officers, wardens and superintendents of prisons or penitentiaries, members of the armed forces and national guard, and persons vested with judicial authority by the state or federal court[, and members of the state General Assembly, acting in their official capacity].

2. This prohibition shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo while such person is servicing an automated teller machine (ATM) in a state-owned or leased building; provided, however, that] or gaining possession of a deposit from a state agency for transport to another location. [e/Employers of such persons must supply in writing to the [state facilities operations manager] director the names, addresses, and photographs of [their employees authorized to service such ATMs] such persons at least five (5) business days before such persons start servicing the ATMs or providing such deposit services, and the employers must immediately advise the director in writing [to the state facilities operations manager] when any such employee is no longer working for said employer.

3. Possession of a firearm [by a person holding a valid state concealed carry endorsement] in a vehicle located in a parking area upon the premises of any area referenced in this rule [shall not be prohibited] is permitted so long as the firearm is not removed

from the vehicle or brandished while the vehicle is on the premises.

(8) Use of Unmanned Aircraft.

(A) Launching, landing, or operating an unmanned aircraft from or on the Capitol Building and grounds, Carnahan Memorial Garden, and other public buildings and grounds, as defined in this rule, is prohibited except as pre-approved in writing by the director.

(B) Operators given permission by the director to operate an unmanned aircraft on state property identified above shall comply with all restrictions imposed by the director and all applicable state and federal laws and regulations, including, but not limited to, the regulations of the Federal Aviation Administration. This includes notifying and obtaining approval from all applicable state and federal entities, airports, air traffic control facilities, and helipads.

AUTHORITY: sections 8.110[,] and 8.320, RSMo 2016 [34.030], and section 37.005, RSMo Supp. 2017 [and 536.025, RSMo 2000 and 536.023.3, RSMo Supp. 2005]. Original rule filed April 23, 1998, effective Nov. 30, 1998. Emergency amendment filed Oct. 9, 2003, effective Oct. 19, 2003, expired April 15, 2004. Amended: Filed Oct. 9, 2003, effective April 30, 2004. Amended: Filed Oct. 27, 2005, effective April 30, 2006. Amended: Filed Oct. 11, 2018.

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 the Office of Administration, PO Box 809, Jefferson City, MO 65102. 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 1—OFFICE OF ADMINISTRATION
Division 40—Purchasing and Materials Management
Chapter 1—Procurement**

PROPOSED RESCISSION

1 CSR 40-1.010 Organization. This rule provided a description of the Division of Purchasing.

PURPOSE: This rule is being rescinded and portions of the existing language are included in an amendment to 1 CSR 40-1.050.

AUTHORITY: sections 34.050 and 536.023, RSMo Supp. 1999. Original rule filed Oct. 20, 1997, effective May 30, 1998. Amended: Filed March 24, 2000, effective Oct. 30, 2000. Rescinded: Filed Oct. 2, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Karen Boeger, Division of Purchasing, 301 West High Street, Room 630,