

Jason Kander

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

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SEP 21 2016

SECRETARY OF STATE
ADMINISTRATIVE RULES

Rule Number 13 CSR 40-19.010

COPY

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Sarah Madden Phone 522-8368 FAX 522-6092

Email address Sarah.Madden@dss.mo.gov

Data Entry Debbie Lindquist Phone 526-0414 FAX 522-6092

Email address Deborah.Lindquist@dss.mo.gov

Interagency mailing address 221 W High, Broadway Bldg., Jefferson City, Mo 65109

TYPE OF RULEMAKING ACTION TO BE TAKEN

- Emergency rulemaking, include effective date
 Proposed Rulemaking
 Withdrawal Rule Action Notice In Addition Rule Under Consideration
 Request for Non-Substantive Change
 Statement of Actual Cost
 Order of Rulemaking

Effective Date for the Order _____

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON
SEP 21 2016
ADMINISTRATIVE RULES

 *Missouri Department of*
SOCIAL SERVICES
Your Potential. Our Support.

JEREMIAH W. (JAY) NIXON, GOVERNOR • BRIAN KINKADE, DIRECTOR

JULIE GIBSON, DIRECTOR
FAMILY SUPPORT DIVISION
PO BOX 2320 JEFFERSON CITY, MO • 65102-2320
WWW.DSS.MO.GOV • 573-751-3221 • 573-751-0507

September 21, 2016

Jason Kander
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Dear Secretary Kander,

Re: 13 CSR 40-19.010 – Utilicare Program

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed rulemaking lawfully submitted by the Family Support Division, Department of Social Services.

The Family Support Division, Department of Social Services has determined and hereby certifies that this proposed rulemaking will not have an economic impact on small businesses. The Family Support Division further certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo 2000, that the proposed rulemaking does not constitute a taking of real property under relevant state and federal law, and the proposed rulemaking conforms to the requirements of 1.310, RSMo Supp. 2009, regarding user fees.

The Family Support Division, Department of Social Services has determined and hereby also certifies that this proposed rulemaking complies with the small business requirements of 1.310, RSMo, in that it does not have an adverse impact on small businesses consisting of fewer than fifty full or part-time employees or it is necessary to protect the life, health, or safety of the public, or that this rulemaking complies with 1.310, RSMo, by exempting any small business consisting of fewer than fifty full or part-time employees from its coverage, by implementing a federal mandate, or by implementing a federal program administered by the state or an act of the general assembly.

Statutory Authority: sections 208.151(22), 660.017, & 207.022, RSMo

If there are any questions regarding the content of this proposed rulemaking, please contact:

Sarah G. Madden
221 West High Street, Room 230
Jefferson City, MO 65102
573-526-0414
Sarah.Madden@dss.mo.gov

Sincerely,


Julie Gibson, Director
Family Support Division

Attachments

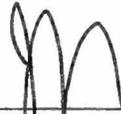
RELAY MISSOURI
FOR HEARING AND SPEECH IMPAIRED
1-800-735-2466 VOICE • 1-800-735-2966 TEXT PHONE

AFFIDAVIT

PUBLIC COST

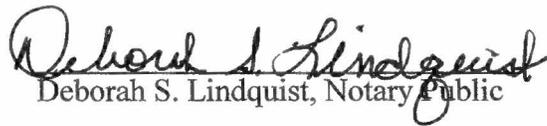
State of MISSOURI)
) ss.
County of COLE)

I, Julie Gibson, Director, Family Support Division, first being duly sworn, on my oath, state that it is my opinion that the cost of the proposed rescission, 13 CSR 40-19.010 is less than five hundred dollars (\$500) in the aggregate to this agency, any other agency of state government or any political subdivision thereof.



Julie Gibson, Director
Family Support Division

Subscribed and sworn to before me this 21st day of September 2016. I, Deborah S. Lindquist, am commissioned as a Notary Public within the County of Cole, State of Missouri, and my commission expires October 22, 2017.



Deborah S. Lindquist, Notary Public

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 19—Energy Assistance**

PROPOSED RESCISSION

RECEIVED

SEP 21 2016

SECRETARY OF STATE
ADMINISTRATIVE RULES

COPY

13 CSR 40-19.010 Utilicare Program. This rule established the basis upon which financial assistance would be made to qualified individual households for aid in heating or cooling costs.

PURPOSE: This rule is being rescinded because implementation of the Utilicare program is covered entirely in 13 CSR 40-19.020, as well as sections 660.100-660.136, RSMo 2015.

*AUTHORITY: section 207.020, RSMo 1994. *Emergency rule filed Nov. 9, 1979, effective Nov. 19, 1979, expired Feb. 10, 1980. Original rule filed Nov. 9, 1979, effective Feb. 11, 1980. Emergency amendment filed Dec. 11, 1979, effective Dec. 21, 1979, expired Feb. 10, 1980. Amended: Filed Feb. 8, 1980, effective May 11, 1980. Emergency amendment filed Nov. 26, 1980, effective Dec. 6, 1980, expired March 11, 1981. Amended: Filed Nov. 26, 1980, effective March 12, 1981. Emergency amendment filed Nov. 19, 1981, effective Dec. 1, 1981, expired March 10, 1982. Amended: Filed Nov. 19, 1981, effective March 11, 1982. Emergency amendment filed Oct. 29, 1982, effective Nov. 15, 1982, expired Feb. 10, 1983. Amended: Filed Oct. 29, 1982, effective Feb. 11, 1983. *Original authority: 207.020, RSMo 1945, amended 1961, 1965, 1977, 1981, 1982, 1986, 1993.*

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 Family Support Division, Julie Gibson, Director, PO Box 2320 Jefferson City, MO 65102-2320. 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.*

