This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*, an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the Missouri Register begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 140—Division of Finance

Chapter 1—Organization and Description of Division

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

4 CSR 140-1.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 456–457). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on April 22, 2002, and the public comment period ended April 14, 2002. At the public hearing, the commissioner of finance called for any comments on this amendment and one (1) comment was made and given consideration.

COMMENT: Harry Gallagher with the Mortgage Bankers Association of Missouri noted, in part, that section (1) referred to the Division of Finance as being solely responsible for the regulation of, among many other types of lenders, mortgage bankers and this is incorrect. The comment also noted that the subsection des-

ignated by the renumbering as subsection (9), in stating that mortgage bankers are subject to licensing per Chapter 443 is incorrect. RESPONSE AND EXPLANATION OF CHANGE: The revised version of this amendment reflects corrections of both of these errors.

4 CSR 140-1.010 General Organization

- (1) The Division of Finance is solely responsible for the regulation, at the state level, of state-chartered banks and trust companies, state-chartered savings and loans, consumer credit lenders or small loan companies, financing institutions subject to the Financing Institution Licensing Law, sales finance companies subject to the Motor Vehicle Time Sales Law, sale of checks (money order) companies, mortgage broker companies, title loan companies, payday loan companies, and any development finance corporation organized under Chapter 371, RSMo. The division also has some regulatory responsibilities toward mortgage bankers per sections 408.570–408.600, RSMo.
- (9) Mortgage brokers are subject to licensing per sections 443.800–443.893, RSMo and, along with mortgage bankers, to the antidiscrimination provisions of sections 408.570–408.600, RSMo which require filing of certain documents with the Division of Finance on an annual basis.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 140—Division of Finance

Chapter 2—Banks and Trust Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

4 CSR 140-2.067 Community Development Corporations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 457–458). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 140—Division of Finance Chapter 2—Banks and Trust Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

4 CSR 140-2.070 Accounting for Other Real Estate is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on

March 15, 2002 (27 MoReg 458). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 140—Division of Finance Chapter 10—Bank Holding Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board rescind a rule as follows:

4 CSR 140-10.010 Regional Interstate Banking is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on March 15, 2002 (27 MoReg 458). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 140—Division of Finance

Division 140—Division of Finance Chapter 10—Bank Holding Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board adopt a rule as follows:

4 CSR 140-10.030 Acquisition of Missouri-Based Banks by Holding Companies is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 458–459). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 140—Division of Finance Chapter 12—Sale of Checks (Money Order) Licensees

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

4 CSR 140-12.010 Sale of Checks (Money Order) Bonds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 461–462). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 140—Division of Finance Chapter 13—Section 408.510 Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board adopt a rule as follows:

4 CSR 140-13.010 Licensing Requirements and General Provisions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 462). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 140—Division of Finance Chapter 29—Title Loan Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board adopt a rule as follows:

4 CSR 140-29.010 Licensing, Record Keeping and General Provisions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 463–464). No changes have been made in the text of the proposed rule so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 50—Division of School Improvement Chapter 340—Missouri School Improvement Program

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092(2), 163.021(2), 163.031, RSMo 2000 and 163.011,

RSMo Supp. 2001, the board withdraws a proposed rescission as follows:

5 CSR 50-340.050 Policies and Standards for Summer School Programs is withdrawn.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2002 (27 MoReg 555). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The State Board of Education received a number of comments opposing the rescission and questioning the effective date.

RESPONSE: The State Board of Education has carefully reviewed the comments and is withdrawing the proposed rescission.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 50—Division of School Improvement Chapter 340—Missouri School Improvement Program

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 163.021 and 163.031, RSMo 2000 and 163.011, RSMo Supp. 2001, the board withdraws a proposed rule as follows:

5 CSR 50-340.050 Policies and Standards for Summer School Programs is withdrawn.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 1, 2002 (27 MoReg 555–558). This proposed rule is withdrawn.

SUMMARY OF COMMENTS: The State Board of Education received a number of comments opposing the proposed rule and questioning the effective date.

RESPONSE: The State Board of Education has carefully reviewed the comments and is withdrawing the proposed rule.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS Division 50—Workers' Compensation Chapter 8—Tort Victims

ORDER OF RULEMAKING

By the authority vested in the Division of Workers' Compensation under section 537.693, RSMo Supp. 2001, the division adopts a rule as follows:

8 CSR 50-8.010 Rules Governing Tort Victims is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 315–318). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed rule was held on March 25, 2002, and the public comment period ended on March 25, 2002. The division staff was present at the public hearing. However, no members of the public appeared at the public hearing. The division received three (3) written comments on the proposed rule. Steven W. White, Attorney at Law, submit-

ted a written comment on behalf of the Missouri Association of Trial Attorneys. Robert H. Sihnhold, Attorney at Law, submitted a written comment. Administrative Law Judge Matthew Vacca submitted written comments. The comments focused on venue, distinguishing between actual damages and punitive damages, attorney's fees and cross claims or counterclaims or setoffs on cases where the circuit court final judgment is waived.

COMMENT: The Missouri Association of Trial Attorneys (MATA) commented on 8 CSR 50-8.010 section (5) concerning venue for evidentiary hearings. MATA states that the hearings should not be restricted to the division's Jefferson City office as it would be difficult for victims scattered throughout the State to travel to the Jefferson City office.

RESPONSE: The division believes that all claims will be administratively processed and reviewed in the Jefferson City office. The division does not expect a large volume of cases to proceed to evidentiary hearing. Therefore, the division makes no changes based upon this comment.

COMMENT: Robert H. Sihnhold commented on the venue for evidentiary hearings stating that it would place an undue burden on people to travel to Jefferson City when the case could be set following the venue rules of the workers' compensation law.

RESPONSE: The division believes that all claims will be administratively processed and reviewed in the Jefferson City office. The division does not expect a large volume of cases to proceed to evidentiary hearing. Therefore, the division makes no changes based upon this comment.

COMMENT: Administrative Law Judge Vacca commented on the venue for evidentiary hearings stating it is burdensome and unnecessary and hearings should be held similar to the crime victim's cases.

RESPONSE: The division believes that all claims will be administratively processed and reviewed in the Jefferson City office. The division does not expect a large volume of cases to proceed to evidentiary hearing. Therefore, the division makes no changes based upon this comment.

COMMENT: Administrative Law Judge Vacca commented that there should be a distinction between the actual and punitive damages and the funds should not be used to pay punitive damages. RESPONSE: The division believes that there is no specific statutory authority to permit a distinction between the actual and punitive damages that will be awarded. The division will evaluate each case and complete its administrative review based upon the statutory provisions and the criteria established by the rules. The division makes no change based upon this comment.

COMMENT: Administrative Law Judge Vacca commented that the division has been granted broad powers to regulate attorney's fees. RESPONSE: The division makes no changes based upon this comment as the division believes that 8 CSR 50-8.010 section (8) dealing with attorney's fees is consistent with the statutory provisions set forth in sections 537.675 through 537.693, RSMo Supp. 2001.

COMMENT: Administrative Law Judge Vacca commented that the proposed rule does not address cross claims, counter claims or setoffs and there is no provision for assessing comparative fault with regard to a judgment that has been waived in the circuit court, if the case proceeds to an evidentiary hearing before the division's administrative law judge.

RESPONSE: The division makes no changes based upon this comment as the proposed rule requires the claimant to file an affidavit establishing the basis upon which the requirement of a final judgment should be waived in accordance with section 537.678.2, RSMo. In addition, section 537.681(2), RSMo provides that an

uncompensated tort victim is entitled to compensation for the net amount awarded by a judge or jury in the event the uncompensated tort victim is found to be personally liable on a cross-complaint of tort, or found to have been contributorily or comparatively negligent. The division believes that the evidence presented at the evidentiary hearing before the administrative law judge will provide sufficient basis to determine issues such as comparative fault or setoffs.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 25—Hazardous Waste Management Commission

Chapter 3—Hazardous Waste Management System: General

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under sections 260.370 and 260.395, RSMo 2000, the commission amends a rule as follows:

10 CSR 25-3,260 Definitions, Modifications to Incorporations and Confidential Business Information is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2002 (27 MoReg 110–111). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on February 19, 2002, the department testified that Senate Bill 577 was passed by the 2000 General Assembly. Part of the bill requires applicants for a hazardous waste transporter license to pay a fee consisting of an annual application fee, plus an annual use fee based upon tonnage, mileage, or a combination of both. Currently, license applicants pay a fee that is calculated on a flat "per vehicle" basis. This fee is reflected in 10 CSR 25-12.010 as currently written. There were two reasons for changing the method by which the license fee is calculated. First, flat "per vehicle" fees have been successfully challenged in other states because they favor instate transporters over out-of-state transporters. For example, a vehicle operating exclusively in Missouri throughout the year is assessed the same per vehicle fee as a vehicle only coming to Missouri once or twice a year. The intent of utilizing a use-based fee is to apportion the fee that a hazardous waste transporter pays based upon the actual amount of hazardous waste transported to, from, or through Missouri. Second, the change in calculation of the license fee was intended to increase the total revenues generated by hazardous waste transporter license fees, as authorized by the General Assembly in Senate Bill 577.

A Vice President from Safety Kleen Corporation, a licensed hazardous waste transporter, testified in support of the proposed amendments. Specifically, Safety Kleen noted their support for the inclusion of a fee cap in the proposed licensing system. Safety Kleen testified that, without a fee cap, the increased fees would be passed on to the customers. They further testified that the amendments were carefully drafted with significant stakeholder involvement and that, as a result, they were satisfied with the revisions to the licensing system.

SUMMARY OF COMMENTS: No written comments were received and, therefore, no changes were made as a result of comments.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 25—Hazardous Waste Management Commission

Chapter 6—Rules Applicable to Transporters of Hazardous Waste

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under sections 260.370 and 260.395, RSMo 2000, the commission amends a rule as follows:

10 CSR 25-6.263 Standards for Transporters of Hazardous Waste is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2002 (27 MoReg 112–115). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on February 19, 2002, the department testified that Senate Bill 577 was passed by the 2000 General Assembly. Part of the bill requires applicants for a hazardous waste transporter license to pay a fee consisting of an annual application fee, plus an annual use fee based upon tonnage, mileage, or a combination of both. Currently, license applicants pay a fee that is calculated on a flat "per vehicle" basis. This fee is reflected in 10 CSR 25-12.010 as currently written. There were two reasons for changing the method by which the license fee is calculated. First, flat "per vehicle" fees have been successfully challenged in other states because they favor instate transporters over out-of-state transporters. For example, a vehicle operating exclusively in Missouri throughout the year is assessed the same per vehicle fee as a vehicle only coming to Missouri once or twice a year. The intent of utilizing a use-based fee is to apportion the fee that a hazardous waste transporter pays based upon the actual amount of hazardous waste transported to, from, or through Missouri. Second, the change in calculation of the license fee was intended to increase the total revenues generated by hazardous waste transporter license fees, as authorized by the General Assembly in Senate Bill 577.

A Vice President from Safety Kleen Corporation, a licensed hazardous waste transporter, testified in support of the proposed amendments. Specifically, Safety Kleen noted their support for the inclusion of a fee cap in the proposed licensing system. Safety Kleen testified that, without a fee cap, the increased fees would be passed on to the customers. They further testified that the amendments were carefully drafted with significant stakeholder involvement and that, as a result, they were satisfied with the revisions to the licensing system.

SUMMARY OF COMMENTS: No written comments were received and, therefore, no changes were made as a result of comments.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 25—Hazardous Waste Management Commission

Chapter 12—Hazardous Waste Fees and Taxes

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under sections 260.370 and 260.395, RSMo 2000, the commission amends a rule as follows:

10 CSR 25-12.010 Fees and Taxes is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2002 (27 MoReg 115–120). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on February 19, 2002, the department testified that Senate Bill 577 was passed by the 2000 General Assembly. Part of the bill requires applicants for a hazardous waste transporter license to pay a fee consisting of an annual application fee, plus an annual use fee based upon tonnage, mileage, or a combination of both. Currently, license applicants pay a fee that is calculated on a flat "per vehicle" basis. This fee is reflected in 10 CSR 25-12.010 as currently written. There were two reasons for changing the method by which the license fee is calculated. First, flat "per vehicle" fees have been successfully challenged in other states because they favor instate transporters over out-of-state transporters. For example, a vehicle operating exclusively in Missouri throughout the year is assessed the same per vehicle fee as a vehicle only coming to Missouri once or twice a year. The intent of utilizing a use-based fee is to apportion the fee that a hazardous waste transporter pays based upon the actual amount of hazardous waste transported to, from, or through Missouri. Second, the change in calculation of the license fee was intended to increase the total revenues generated by hazardous waste transporter license fees, as authorized by the General Assembly in Senate Bill 577.

A Vice President from Safety Kleen Corporation, a licensed hazardous waste transporter, testified in support of the proposed amendments. Specifically, Safety Kleen noted their support for the inclusion of a fee cap in the proposed licensing system. Safety Kleen testified that, without a fee cap, the increased fees would be passed on to the customers. They further testified that the amendments were carefully drafted with significant stakeholder involvement and that, as a result, they were satisfied with the revisions to the licensing system.

SUMMARY OF COMMENTS: No written comments were received and, therefore, no changes were made as a result of comments.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 70—Soil and Water Districts Commission Chapter 1—Organization

ORDER OF RULEMAKING

By the authority vested in the Soil and Water Districts Commission under sections 278.070.4 and 278.110.8, RSMo 2000; 278.080.1 and 278.080.5(8), RSMo Supp. 2001, the commission amends a rule as follows:

10 CSR 70-1.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2002 (27 MoReg 247). After reviewing the letters of comment received the Soil and Water Districts Commission approved a minor revision in the text of subparagraph (1)(G)1.B. of the proposed amendment, so it will be reprinted in its entirety below. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Four (4) letters of comment were received. One commenter supported the proposed amendment, two (2) commenters opposed the proposed amendment, and one (1) commenter neither supported nor opposed the proposed amendment but made two (2) suggestions for changes in wording. Comments are summarized below with responses.

The statements of the commenter that supported the proposed amendment are summarized as follows.

COMMENT: Our Soil and Water Conservation District Board took action to support the proposed change in the Administrative Rules that would allow certain variances to the rules if proper conditions were met. We feel this is a good option to prevent undue hardship in appropriate situations. We do not feel that the need for variances will happen in many situations but the presence of the "relief valve" could be helpful.

RESPONSE: The Soil and Water Districts Commission appreciates the support given to this rulemaking.

One of the two commenters that opposed the rulemaking stated that there is a state statute that prohibits the involvement of DNR staff in a position of determining regulatory and policy decisions of the commission. Those comments are summarized as follows.

COMMENT: The RSMo 640.010 is the statute that allows DNR to supervise the Missouri Soil and Water Districts Commission. Through this statute, the Soil and Water Conservation Districts Commission was transferred to the Department of Natural Resources under a conditional "Type II Transfer."

The Type II Transfer specifically states that under the condition of this transfer, the Department of Natural Resources is prohibited from involvement related to policies, regulative function and any appeals from the previous transferred commission and the commission established. Under the Statute RSMo 278.080 that DNR is using through the Commission for the authority for this change plainly states that, "Unless prohibited by any Federal or state law, the commission may grant individual variances to any rule or regulation . . ." This rule change as written is in direct conflict with a state law that prohibits the action as being proposed.

RESPONSE: The department disagrees. It is not the intent of this rulemaking to circumvent any condition of the type II transfer of the Soil and Water Districts Commission to the Missouri Department of Natural Resources. The amendment to the State Statute, along with this rulemaking was promulgated in order to provide the commission the authority to grant variances to their rules when strict compliance would cause undue hardship and unreasonable impact on Soil and Water Conservation Districts and Missouri landowners that participate in Soil and Water Conservation practices.

Both commenters that opposed the rulemaking question the action based on the wording in subparagraph (1)(G)1.B. that states, "The variance request shall (be) filed with the program director of the Soil and Water Districts Commission; and." Their comments are summarized as follows.

COMMENT: Both commenters believe that the rule, as written, establishes a new position as "program director of the Soil and Water Districts Commission." They state that this position has not been established by the Commission and they feel that it can not be established under the laws that govern and also restricts DNR's legal responsibilities to the Commission and the Soil and Water Districts of Missouri.

RESPONSE AND EXPLANATION OF CHANGE: The wording in subparagraph (1)(G)1.B. was not intended to establish a new position. The position is that of the Director of the Soil and Water Conservation Program. This position is established by State Statute RSMo 640.010 subsection 2. This statute states that the department director shall appoint directors of staff to service each of the policy-making boards or commissions assigned to the department.

In order to avoid confusion the Commission approved the Order of Rulemaking with a minor revision in subparagraph (1)(G)1.B. Rather than stating, "filed with the program director of the Soil and Water Districts Commission; and" it will now state, "filed with the director of the Soil and Water Conservation Program; and."

The statements of the commenter that neither supported nor opposed the proposed amendment are summarized as follows.

COMMENT: Our Soil and Water Conservation District believes it is important to protect the integrity of the Soil and Water Program by maintaining the Soil and Water Commission and the Department of Natural Resources as separate entities. To avoid any wrong perception by the public, we believe (G)1.B. of the proposed rule change should read as follows: "Filed with the program director of the Department of Natural Resources; and." We also believe the word "recommendation" should be changed to "recommendations" in subsection (G)3.

This is to provide options to the Soil and Water Commission in determining solutions to variance problems. Providing alternative solutions to the Soil and Water Commission has worked well in the past and we would like to see this practice continued.

RESPONSE AND EXPLANATION OF CHANGE: The wording in subparagraph (1)(G)1.B. was not intended to combine the Soil and Water Districts Commission and the Department of Natural Resources into one entity. In order to avoid confusion the commission approved the Order of Rulemaking with a minor revision in subparagraph (1)(G)1.B. Rather than stating, "filed with the program director of the Soil and Water Districts Commission; and" it will now state, "filed with director of the Soil and Water Conservation Program; and."

Concerning changing the word "recommendation" to "recommendations" in paragraph (1)(G)3, the Soil and Water Districts Commission feels that it is unnecessary to make this revision. A recommendation may include various options and thus not limited to one alternative.

10 CSR 70-1.010 Organization

- (1) The Soil and Water Districts Commission is a state agency created by section 278.080, RSMo 2000 for the administration of the soil and water conservation districts provided for in sections 278.060–278.300, RSMo (1986). The commission is comprised of five (5) persons and operates with an assigned staff as an agency within the Department of Natural Resources. Its primary responsibility is the determination of policies and procedures to be used by soil and water conservation districts. In addition, the Soil and Water Districts Commission has the authority and responsibility to—
- (G) Unless prohibited by any federal or state law, the commission may grant individual variances to Soil and Water Districts Commission rules upon presentation of adequate proof, that compliance with sections 278.070 to 278.300, or any rule or regulation, standard, requirement, limitation or order of the commission will have an arbitrary and unreasonable impact on landowners participating in soil and water conservation eligible practices. In determining under what conditions and to what extent a variance may be granted, the commission shall exercise a wide discretion in weighing the equities involved as well as the advantages and disadvantages in approving or disapproving a request for a variance.
 - 1. The variance request shall:
 - A. Be in writing;
- B. Filed with the director of the Soil and Water Conservation Program; and
- C. Set out reasons the applicant believes a variance should be granted.
- 2. The burden shall be placed on the applicant of a variance to show the inequities if the variance is not granted.

3. The program director shall promptly investigate the application and make a recommendation to the commission after the application is received as to whether the variance should be granted or denied.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 4—Licenses

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004 and 313.850, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-4.260 Occupational Licenses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2002 (27 MoReg 405–406). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-30.355 Sale of Pull-Tab Cards by Bingo Licensees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2002 (27 MoReg 406). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 43—Investment of Nonstate Funds

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 136.120, RSMo 2000, the director amends a rule as follows:

12 CSR 10-43.030 Collateral Requirements for Nonstate Funds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 464–465). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.015 Administration and Command of the Private Security Section is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 466-467). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.025 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 467). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.035 Licensing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 467–468). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.045 Personnel Records and Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 469). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.055 Training is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 469-470). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.065 Authority is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 470). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.075 Duties is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 470–471). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.085 Uniforms is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 471–472). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.095 Equipment is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 472). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.105 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 472–473). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Under section 84.340 of the Revised Statutes of the State of Missouri, the Board of Police Commissioners has the authority to regulate and license all private personnel serving or acting as such in the City of St. Louis. The board establishes procedures, training requirements and fees in addition to administering discipline for those persons currently holding a private security officer license. The board also establishes procedures and requirements for those persons wishing to use firearms in the performance of their duties. All of the board's rules governing licensing of private security officers are incorporated within the state of *Missouri Code of State Regulations* under Title 17, which is maintained by the Secretary of State for the State of Missouri.

RESPONSE AND EXPLANATION OF CHANGE: It is recommended that subsection (F) be approved to Title 17, 20-2.105, "Weapons" of the *Missouri Code of State Regulations*. Once approved by the board, that the St. Louis Police Department Legal Section initiate the necessary legal action to have the *Missouri Code of State Regulations* reflect this new section. Finally, the new information be printed and distributed to all person currently holding a Private Security License and to all persons issued a license in the future.

17 CSR 20-2.105 Weapons

- (4) Inspection and Registration. All firearms used by private security officers must be inspected by the department armorer or his/her designee and must be registered and on file in the private security section. Armed security officers may only use a duty weapon which is personally owned by them, or owned by their agency.
- (F) Not withstanding the foregoing, any deviation from the mandates of this subsection shall be made on an ad hoc basis, for good cause, only by written order of the chief of police with the consent of the Board of Police Commissioners.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.115 Field Inspection is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 474). No changes have been made in

the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.125 Complaint/Disciplinary Procedures is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 474–475). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 17—BOARDS OF POLICE COMMISSIONERS Division 20—St. Louis Board of Police Commissioners Chapter 2—Private Security Officers

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.135 Drug Testing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 475–476). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 10—Office of the Director Chapter 4—Coordinated Health Care Services

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 191.411, RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 10-4.050 Healthy Communities Incentive Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 482–485). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule

becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 15—Division of Senior Services Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Senior Services under section 660.050, RSMo Supp. 2001, the director hereby amends a rule as follows:

19 CSR 15-4.050 Funding Formula and Fiscal Management is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 486–492). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 25—Division of Administration Chapter 38—Laboratory Fees

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under section 701.322, RSMo Supp. 2001, the director adopts a rule as follows:

19 CSR 25-38.020 Laboratory Fee for Tuberculosis Testing is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 1, 2002 (27 MoReg 408–409). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 341–342). No changes have been made in the text

of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 342–343). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments from the public on the proposed rule. However, the department, on its own initiative, makes a pair of changes to the proposed rule as published in the February 15, 2002 edition of the *Missouri Register*. The first change is designed to eliminate the redundancy of asking applicants to submit both age and date of birth. The second change is designed to simplify the application process for seniors.

RESPONSE AND EXPLANATION OF CHANGE: The proposed rule, in section (2), subsection (B), required seniors applying to the program to submit both their current age and their date of birth. Date of birth is sufficient. Accordingly, submission of age is deleted and items of information to which an applicant shall attest in the application listed in subsection (B) are renumbered as indicated below. Also, section (2), subsection (C) is amended. The department, in designing the application, has developed an income worksheet that is intended to be simpler for seniors to fill out while still providing enough of the information from the circuit breaker form to facilitate an eligibility determination. The change to the language of section (2), subsection (C) reflects that goal.

19 CSR 90-1.020 Eligibility and Application Process

- (2) Application Process.
- (A) The application process includes all activity relating to a request for eligibility determination. It begins with the receipt by the commission of an application and continues until there is an official written disposition of the request by the third-party administrator
- (B) The application shall require the applicant to attest to the following information:
 - 1. Residence;
 - 2. Any third-party health insurance coverage;
 - 3. Previous year prescription drug costs;
- 4. Annual household income for an individual or couple, if married;
 - 5. Date of birth;
 - 6. Gender;
 - 7. Race (optional);
 - 8. Social Security number (optional);

- 9. Self-certification of Missouri residency;
- 10. Self-certification of household income;
- 11. Certification and authorization statement; and
- 12. Signature of applicant or authorized agent.
- (C) The applicant shall submit with the application the following documentation:
- 1. Documentation of residence shall include one (1) of the following: a valid drivers license; a valid Missouri state identification card; certification of residency in a nursing home; or a completed and signed federal, state, or local income tax return with the applicant's name and address preprinted on it.
- 2. Documentation of age shall include one (1) of the following: birth certificate; delayed birth certificate; certified hospital records; a valid drivers license or a valid Missouri state identification card.
- 3. Documentation of income shall be in the form required by the commission in the application and shall be substantially equivalent to the documentation required to determine income pursuant to sections 135.010 to 135.035, RSMo.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.030 General Payment Provisions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 343–345). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.040 Claimant's Responsibilities is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 346). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.050 Process for Reenrollment into the Program is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 346–348). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.060 Authorized Agent is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 349). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.070 Program Identification Card is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 349). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.080 Termination from the Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 349–350). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 1—Eligible Seniors

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.090 Appeals Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 350). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 2—Participating Pharmacies

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 350–351). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 2—Participating Pharmacies

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.020 Eligibility and Application Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 351). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 2—Participating Pharmacies

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.030 Responsibilities of Enrolled Participating Pharmacies is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 351–352). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 2—Participating Pharmacies

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.040 Termination or Suspension from the Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 352). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule

becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 90—Missouri Senior Rx Program Chapter 2—Participating Pharmacies

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.050 Appeal Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 352–353). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 100—Division of Credit Unions

APPLICATIONS FOR NEW GROUPS OR GEOGRAPHIC AREAS

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic
	Area
SLCWC Credit Union	Employees of the Missouri American
535 N. New Ballas Road	Water Company Located in the State of
St. Louis, MO 63141-6875	Missouri and its successor organizations
	and that employee's immediate family.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten (10) business days after publication of this notice in the Missouri Register.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—Division of Medical Services Chapter 10—Nursing Home Program

NOTICE OF RULE SUSPENSION

RULE SUSPENDED: 13 CSR 70-10.150(1)(B) Enhancement Pools

FORM OF ACTION: Rule Suspension. The Missouri Constitution authorizes the governor to control the rate at which appropriations are expended or reduce expenditures below the appropriated amount when actual revenues are less than estimated. The State Fiscal Year (SFY) 2002 revenue projection is expected to be \$750 million less than the original consensus revenue forecast, which was established in December, 2000. This original forecast was the basis upon which the SFY 2002 budget was established by the General Assembly and the governor. The current revenue projection is \$230 million less than the revised consensus revenue forecast, which was established in December, 2001. Attempts to access the Rainy Day Fund were not supported by a super majority in the House, even though accessing the fund was proposed by the governor and supported by the Senate. Subsequently, the Department of Social Services was notified by the governor that monies appropriated in SFY 2002 for nursing facility efficiency grants in the approximate amount of \$20 million would not be available for expenditure. These monies were contained in House Bill 11, Section 11.445. At this time, the Department of Social Services must suspend the rule authorizing the payment of these monies, effective immediately.

ACTION TAKEN: Rule 13 CSR 70-10.150(1)(B) is suspended.

EFFECTIVE DATE: Immediately

DURATION: Period of the Appropriation

PARTIES EFFECTED: All Medicaid enrolled nursing facilities providing services through the remainder of SFY 2002.

OTHER INFORMATION: The economic recession that began last year, along with the market upheaval following the September 11, 2001 terrorist attacks, are considered to be the chief cause of the drop in actual revenues for the state.

AUTHORITY: Missouri Constitution Article IV, Section 27, sections 536.022 and 208.201, RSMo 2000. Rule suspension filed May 22, 2002.

ATTENTION:

Pursuant to the Temporary Restraining Order of Circuit Judge Thomas J. Brown, of the 19th Judicial Circuit, Division I, entered on the 21st day of June 2002, this "NOTICE OF RULE SUSPENSION" is hereby temporarily enjoined from taking effect, until further action by said Court. (Please see Temporary Restraining Order following this page.)

IN THE CIRCUIT COURT OF COLE COUNTY NINETEENTH JUDICIAL CIRCUIT STATE OF MISSOURI

MISSOURI HEALTH CARE ASSOCIATION, et al.,)
Plaintiff,)
v. BOB HOLDEN, Governor,) Case No. 02CV324451) Division No. I
MISSOURI DEPARTMENT OF SOCIAL SERVICES and DANA KATHERINE MARTIN, Its Director,)))
GREGORY VADNER, Director, Division of Medical Services,)))
NANCY FARMER, State Treasurer for the State of Missouri,)))
JACKIE WHITE, Commissioner, Missouri State Office of Administration,)))
And)
MATT BLUNT, Secretary of State of the State of Missouri,)))
Defendants.	<i>)</i>

TEMPORARY RESTRAINING ORDER

NOW, this 21st day of June, 2002, the Plaintiffs having filed their Motion for Order to Show Cause and Temporary Restraining Order supported by affidavits, and its verified Petition; and notice of the intention of the Plaintiffs to present said Motion to this Court having been personally served upon counsel for the Defendants; and the Defendants being informed in said Notice of the intention of the Plaintiff to call its Motion for Order to Show Cause and Temporary Restraining Order before this Court; counsel for the Plaintiffs and counsel for the Defendants appearing; and the Court hearing arguments of counsel for the respective parties and considering same; and for purposes of this Order only the Court finding that the Plaintiffs have stated the facts which, if proven, would constitute a cause of action and cause irreparable injury to Plaintiffs and no injury to Defendants, and the parties agreeing to a hearing on this matter before this Court on July 31, 2002, or as soon thereafter as the cause may be heard hereby waive the need for a hearing under Rule 92.02(a)(5) V.A.M.R.; and the parties agreeing that this cause may be submitted for hearing on a Permanent Injunction and Declaratory Judgment(s).

IT IS HEREBY ORDERED by the Court that Defendants Holden, Department, Martin, Vadner, Farmer and White and each of them and each agent, servant, employee, attorney or other person working for or on behalf of Defendants or persons working in active concert or participation with Defendants who receive actual notice of this Order are temporarily restrained from allowing to the greatest extent permitted by law the appropriation authority in 2001 C.C.S.S.C.S.H.C.S. H.B. 11, § 11.445 in the amount of \$20,673,264 to lapse and enjoining the lapse of said funds until further Order of this Court and temporarily enjoining the Notice Of Rule Suspension filed with the Office of the Secretary of State on May 22, 2002, by Defendants Department, Martin and Vadner from taking effect until further Order of this Court.

The Court does hereby find that the Bond herein shall be set in the amount of One Hundred Dollars (\$100.00).

.._:. _

Entered in Jefferson City, Cole County, Missouri, this	
m.	

STATE OF MISSOURI SS
COUNTY OF COLE
I, DEBORAH M. CHESHRE Clerk of the Circuit Court of Cole County, Missouri, hereby certify that the above and foregoing is a full time and correct copy of DRC V 32 4 4.5

BY WITH STATE OF MISSOURI IT TO BE IN WITH STATE OF THE CORD IN COUNTY, VISIOURI DECORPORATION COUNTY, VISIOURI DECORPO

Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program

EXPEDITED APPLICATION REVIEW SCHEDULE

DATE FILED: APPLICATION PROJECT NO. & NAME/COST & DESCRIPTION/ CITY & COUNTY

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for the July 23, 2002, Certificate of Need meeting. These applications are available for public inspection at the address shown below:

06/07/02

#3236 RS: Perry Oaks Manor Perryville (Perry County) \$838,000, Replace 11 residential care facility I beds

06/10/02

#3265 HS: Missouri Delta Medical Center Sikeston (Scott County) \$1,370,000, Replace magnetic resonance imaging unit

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by July 10, 2002. All written requests and comments should be sent to:

Chairman

Missouri Health Facilities Review Committee c/o Certificate of Need Program 915 G Leslie Boulevard Jefferson City, MO 65101

For additional information contact Donna Schuessler, 573-751-6403.

OFFICE OF ADMINISTRATION Division of Purchasing

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B3E02216 Certification Services-Sheltered Workshop Employment 7/1/02;

B3E02219 Speech Pathology Services 7/8/02;

B3E02220 Physical Therapy & Assessment Services 7/8/02;

B3E02203 Aerial Photography & Mapping Services 7/9/02;

B3E02217 Printing: Commercial Driver License Manual 7/10/02;

B3E02229 Printing: 2003 Natural Events Calendar 7/15/02;

B3Z02164 Pharmacy Services 7/15/02;

B3Z02186 Case Management Co-Occurring Substance Abuse & Mental Health Disorders 7/16/02;

B3Z02218 Actuarial Services 8/9/02.

It is the intent of the State of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

- 1.) McQuay Chiller Maintenance/Supplies, supplied by McQuay Service (a subsidiary of McQuay International).
- 2.) iServ Facility & Information Services Software Upgrade & Maintenance Support Services, supplied by iServ Systems, Inc.
- 3.) Mainframe SAS Software Licensing & Maintenance Support Services, supplied by SAS Institute, Inc.
- 1.) Student Enrollment Status Information, supplied by the National Student Loan Clearing House.
- 2.) Commodity Supplemental Food Program, supplied by the Bootheel Food Bank.
- 1.) Pulsed-Field Gel Electrophoresis Instrument, supplied by Bio-Rad Laboratories of Hercules, CA.
- 2.) Mediation Services, supplied by M.A.R.C.H..

James Miluski, CPPO, Director of Purchasing July 1, 2002 Vol. 27, No. 13

Rule Changes Since Update to Code of State Regulations

MISSOURI REGISTER

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—25 (2000), 26 (2001) and 27 (2002). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CCD 10	OFFICE OF ADMINISTRATION	Lilo			25 MaDaa 2470
1 CSR 10	State Officials' Salary Compensation Sched				
1 CSR 15-2.200	Administrative Hearing Commission		This IssueR		27 1/2010/8 109
1 CSR 15-2.210	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.230	Administrative Hearing Commission				
1 CSR 15-2.250	Administrative Hearing Commission				
1 CSR 15-2.270 1 CSR 15-2.290	Administrative Hearing Commission Administrative Hearing Commission	•••••	This Issuek		
1 CSR 15-2.290 1 CSR 15-2.320	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.350	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.380	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.390	Administrative Hearing Commission				
1 CSR 15-2.410	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.420 1 CSR 15-2.430	Administrative Hearing Commission Administrative Hearing Commission	•••••	This Issuek		
1 CSR 15-2.450 1 CSR 15-2.450	Administrative Hearing Commission				
1 CSR 15-2.470	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.480	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.490	Administrative Hearing Commission				
1 CSR 15-2.510	Administrative Hearing Commission				
1 CSR 15-2.530	Administrative Hearing Commission Administrative Hearing Commission	•••••	This IssueR		
1 CSR 15-2.560 1 CSR 15-2.580	Administrative Hearing Commission				
1 CSR 15-3.200	Administrative Hearing Commission		This Issue		
1 CSR 15-3.210	Administrative Hearing Commission				
1 CSR 15-3.250	Administrative Hearing Commission		This Issue		
1 CSR 15-3.320	Administrative Hearing Commission		This Issue		
1 CSR 15-3.350	Administrative Hearing Commission		This Issue		
1 CSR 15-3.380 1 CSR 15-3.390	Administrative Hearing Commission Administrative Hearing Commission	•••••	I fils Issue		
1 CSR 15-3.410	Administrative Hearing Commission				
1 CSR 15-3.420	Administrative Hearing Commission		This Issue		
1 CSR 15-3.425	Administrative Hearing Commission		This Issue		
1 CSR 15-3.430	Administrative Hearing Commission				
1 CSR 15-3.440	Administrative Hearing Commission		This Issue		
1 CSR 15-3.450 1 CSR 15-3.470	Administrative Hearing Commission Administrative Hearing Commission	•••••	This Issuek		
1 CSR 15-3.490	Administrative Hearing Commission				
1 CSR 15-3.580	Administrative Hearing Commission				
1 CSR 20-5.020	Personnel Advisory Board and Division				
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1 CSR 40-1.090	Purchasing and Materials Management		This Issue		
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2 CSR 10-5.010	Market Development	26 MoReg 1305R			
2 0510 10 0.010	-	26 MoReg 1305			
2 CSR 10-5.015	Market Development	26 MoReg 2217	27 MoReg 451	27 MoReg 104	4
2 CSR 30-2.010	Animal Health	26 MoReg 2257	26 MoReg 2263	27 MoReg 716	5W
2 CSR 30-2.011	Animal Health		27 Workeg 900		
2 CSR 30-2.010 2 CSR 30-2.020	Animal Health	27 WIORCE 040	27 MoReg 967		
2 CSR 30-2.040	Animal Health	26 MoReg 2257	26 MoReg 2265	27 MoReg 716	6W
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2 CCD 20 (020			27 MoReg 969	25 M D 514	***
2 CSR 30-6.020	Animal Health	26 Mokeg 2258	26 MoReg 2267	2/ Mokeg /16) W
2 CSR 70-13.045	Plant Industries				
2 CSR 70-13.050	Plant Industries	27 MoReg 767	27 MoReg 776		
2 CSR 80-5.010	State Milk Board	-	27 MoReg 396	27 MoReg 104	4
2 CSR 90-10.012	Weights and Measures				
2 CSR 90-10.013	Weights and Measures				
2 CSR 90-10.020 2 CSR 90-10.040	Weights and Measures				
2 CSR 90-20.040	Weights and Measures			27 1110100 000	•
2 CSR 90-22.140	Weights and Measures				
2 CSR 90-23.010	Weights and Measures				
2 CSR 90-25.010	Weights and Measures		2/ MoReg 455		

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3 CSR 10-4.130	Conservation Commission		27 MoReg 971		
3 CSR 10-4.141	Conservation Commission		27 MoReg 972		
3 CSR 10-5.205	Conservation Commission				
3 CSR 10-5.215	Conservation Commission		27 MoReg 9/3		
3 CSR 10-5.225	Conservation Commission				
3 CSR 10-5.350	Conservation Commission		2/ MoReg 9/3		
3 CSR 10-5.352 3 CSR 10-5.353	Conservation Commission		27 MoReg 974		
3 CSR 10-5.335 3 CSR 10-5.425	Conservation Commission				
3 CSR 10-5.460	Conservation Commission				
3 CSR 10-5.465	Conservation Commission				
3 CSR 10-5.550	Conservation Commission		27 MoReg 455	27 MoReg 921	
			27 MoReg 975R		
3 CSR 10-5.551	Conservation Commission		27 MoReg 456	27 MoReg 921	
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3 CSR 10-5.552	Conservation Commission				
3 CSR 10-5.553	Conservation Commission		27 MoReg 976		
3 CSR 10-5.559	Conservation Commission		27 MoReg 976		
3 CSR 10-5.575	Conservation Commission				
3 CSR 10-5.576	Conservation Commission				
3 CSR 10-5.577	Conservation Commission				
3 CSR 10-5.578 3 CSR 10-6.405	Conservation Commission		27 MoReg 977		
3 CSR 10-6.410	Conservation Commission				
3 CSR 10-6.415	Conservation Commission	• • • • • • • • • • • • • • • • • • • •	27 MoReg 978		
3 CSR 10-6.540	Conservation Commission		27 MoReg 979		
3 CSR 10-6.550	Conservation Commission		27 MoReg 979		
3 CSR 10-6.605	Conservation Commission		27 MoReg 979		
3 CSR 10-7.410	Conservation Commission		27 MoReg 980		
3 CSR 10-7.435	Conservation Commission		N.A	27 MoReg 1044F	
			N.A	27 MoReg 1044	
3 CSR 10-7.455	Conservation Commission			_	
3 CSR 10-8.510	Conservation Commission				
3 CSR 10-8.515	Conservation Commission				
3 CSR 10-9.106	Conservation Commission				
3 CSR 10-9.110	Conservation Commission				
3 CSR 10-9.220	Conservation Commission				
3 CSR 10-9.351 3 CSR 10-9.353	Conservation Commission	27 MoPog 547	27 MoReg 960	27 MoDog 1051	
3 CSK 10-9.333	Conseivation Commission			27 MoReg 1051	
3 CSR 10-9.359	Conservation Commission	• • • • • • • • • • • • • • • • • • • •	27 MoReg 986		
3 CSR 10-9.425	Conservation Commission				
3 CSR 10-9.560	Conservation Commission				
3 CSR 10-9.565	Conservation Commission	27 MoReg 548	27 MoReg 553	27 MoReg 1051	27 MoReg 1062
3 CSR 10-9.566	Conservation Commission	27 MoReg 549	27 MoReg 554	27 MoReg 1051	Ü
3 CSR 10-9.570	Conservation Commission	27 MoReg 988			
3 CSR 10-9.575	Conservation Commission				
3 CSR 10-9.625	Conservation Commission				
3 CSR 10-9.630	Conservation Commission	27 MoReg 989R			
3 CSR 10-9.645	Conservation Commission		NT A	27 M.D. 1052	
3 CSR 10-10.725	Conservation Commission				
3 CSR 10-10.727 3 CSR 10-10.743	Conservation Commission			27 Mokeg 1032	
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3 CSR 10-11.115	Conservation Commission	• • • • • • • • • • • • • • • • • • • •	27 MoReg 990		
3 CSR 10-11.125	Conservation Commission		27 MoReg 991		
3 CSR 10-11.140	Conservation Commission		27 MoReg 991		
3 CSR 10-11.145	Conservation Commission				
3 CSR 10-11.155	Conservation Commission				
3 CSR 10-11.160	Conservation Commission				
3 CSR 10-11.165	Conservation Commission		27 MoReg 993		
3 CSR 10-11.180	Conservation Commission		27 MoReg 993		
3 CSR 10-11.182	Conservation Commission				
3 CSR 10-11.183	Conservation Commission		27 MoReg 995		
3 CSR 10-11.186 3 CSR 10-11.205	Conservation Commission				
3 CSR 10-11.210	Conservation Commission				
3 CSR 10-11.215	Conservation Commission	•••••	27 MoReg 997		
3 CSR 10-12.110	Conservation Commission		27 MoReg 998		
3 CSR 10-12.125	Conservation Commission		27 MoReg 998		
3 CSR 10-12.135	Conservation Commission		27 MoReg 998		
3 CSR 10-12.140	Conservation Commission		27 MoReg 998		
3 CSR 10-12.145	Conservation Commission		27 MoReg 999		
3 CSR 10-20.805	Conservation Commission		27 MoReg 1000		
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4 CCD 10 2 022	DEPARTMENT OF ECONOMIC DEVEL	LOPMENT 26 Madra 2245	26 MaDa = 2249	27 MaBa = 012	
4 CSR 10-2.022 4 CSR 10-2.041	Missouri State Board of Accountancy Missouri State Board of Accountancy	20 MoDea 2246	20 MoDec 2348.	27 MoDec 912	
4 CSR 10-2.041 4 CSR 10-2.061	Missouri State Board of Accountancy	20 MoReg 2340	20 MoReg 2332.	27 MoReg 812	
4 CSR 10-2.160	Missouri State Board of Accountancy				
4 CSR 30-5.105	Missouri Board for Architects, Professional	_	_	_	
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4 CSR 30-5.110	Missouri Board for Architects, Professional Engineers and Professional Land Surveyo	rs	26 MoReg 2269R	27 MoReg 717R	
4 CSR 30-11.015	Missouri Board for Architects, Professional		26 MoReg 2270	27 MoReg 717	
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4 CSR 90-2.010	State Board of Cosmetology		27 MoReg 14	27 MoReg 719	
4 CSR 90-2.020 4 CSR 90-2.030	State Board of Cosmetology State Board of Cosmetology		27 MoReg 14	27 MoReg 719	
4 CSR 90-4.020	State Board of Cosmetology		27 MoReg 15	27 MoReg 719	
4 CSR 90-8.010	State Board of Cosmetology		27 MoReg 15	27 MoReg 719	
4 CSR 90-12.080 4 CSR 90-13.070	State Board of Cosmetology State Board of Cosmetology				
4 CSR 100	Division of Credit Unions				27 MoReg 821
4 CSR 110-2.131	Missouri Dental Board	27 MoReg 549	27 MoReg 554		
4 CSR 110-2.132 4 CSR 110-2.170	Missouri Dental Board		27 MoReg 555	27 MoPeg 720	
4 CSR 110-2.170	Missouri Dental Board		27 MoReg 104	27 MoReg 720	
4 CSR 140-1.010	Division of Finance		27 MoReg 456	This Issue	
4 CSR 140-2.067 4 CSR 140-2.070	Division of Finance				
4 CSR 140-2.070 4 CSR 140-10.010	Division of Finance		27 MoReg 458	This IssueR	
4 CSR 140-10.030	Division of Finance		27 MoReg 458		
4 CSR 140-11.010 4 CSR 140-11.020	Division of Finance				
4 CSR 140-11.020 4 CSR 140-11.030	Division of Finance				
4 CSR 140-11.040	Division of Finance				
4 CSR 140-12.010 4 CSR 140-13.010	Division of Finance				
4 CSR 140-13.010 4 CSR 140-29.010	Division of Finance		27 MoReg 463		
4 CSR 150-2.030	State Board of Registration for the Healing	Arts	27 MoReg 860		
4 CSR 150-2.040 4 CSR 150-2.060	State Board of Registration for the Healing State Board of Registration for the Healing	Arts	27 MoReg 860		
4 CSR 150-2.080	State Board of Registration for the Healing	Arts	27 MoReg 776		
4 CSR 150-2.155	State Board of Registration for the Healing	Arts	27 MoReg 861		
4 CSR 150-4.010 4 CSR 150-4.060	State Board of Registration for the Healing State Board of Registration for the Healing	Arts	27 MoReg 861		
4 CSR 150-6.050	State Board of Registration for the Healing	Arts	27 MoReg 862		
4 CSR 150-7.200	State Board of Registration for the Healing State Board of Registration for the Healing	Arts	27 MoReg 862		
4 CSR 150-8.060 4 CSR 205-1.030	Missouri Board of Occupational Therapy	Alts	27 MoReg 802	27 MoReg 720R	
4 CSR 205-3.010	Missouri Board of Occupational Therapy		27 MoReg 18	27 MoReg 721	
4 CSR 205-3.020 4 CSR 210-2.030	Missouri Board of Occupational Therapy State Board of Optometry		27 MoReg 18	27 MoReg 721	
4 CSR 210-2.070	State Board of Optometry		27 MoReg 105	27 MoReg 721	
4 CSR 220-2.020	State Board of Pharmacy		27 MoReg 18	27 MoReg 721	26 M D 2422
4 CSR 220-2.085 4 CSR 220-2.650	State Board of Pharmacy			27 MoReg 721	26 MoReg 2433
4 CSR 220-3.040	State Board of Pharmacy		27 MoReg 777	27 1/10/10/5 /21	
4 CSR 240-2.075	Public Service Commission		27 MoReg 691		
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4 CSR 240-2.117	Public Service Commission				
4 CSR 240-13.055	Public Service Commission	26 MoReg 2259	26 MaDag 2404	27 MaDag 722	
4 CSR 255-2.010 4 CSR 255-2.020	Missouri Board for Respiratory Care Missouri Board for Respiratory Care		26 MoReg 2404	27 MoReg 722	
4 CSR 255-2.030	Missouri Board for Respiratory Care		26 MoReg 2405	27 MoReg 722	
4 CSR 255-2.050 4 CSR 255-2.060	Missouri Board for Respiratory Care Missouri Board for Respiratory Care		27 MoReg 780		
4 CSR 255-2.000 4 CSR 265-8.060	Motor Carrier and Railroad Safety		27 14101005 700		26 MoReg 2181
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5 CSR 50-340.030	DEPARTMENT OF ELEMENTARY AN Division of School Improvement				
5 CSR 50-340.050	Division of School Improvement		27 MoReg 555R		
5 CCD 50 240 110	Division of Cohool Immunosant		27 MoReg 555	This IssueW	
5 CSR 50-340.110 5 CSR 80-800.360	Division of School Improvement Teacher Quality and Urban Education		21 Mokeg 693	27 MoReg 723	
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5 CSR 80-805.030	Teacher Quality and Urban Education		26 MoReg 2291	27 MoReg 723	
5 CSR 80-850.010	Teacher Quality and Urban Education		27 MoReg 694R		
7 CSR 10-14.020	DEPARTMENT OF TRANSPORTATION Missouri Highways and Transportation Con		27 MoReg 212		
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7 CSR 10-14.040	Missouri Highways and Transportation Con	nmission	27 MoReg 313		
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7 CSR 10-23.020	Missouri Highways and Transportation Con	nmission	27 MoReg 1002		
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CSR 10-7.020	Director, Department of Mental Health		27 MoReg 108	27 MoReg 813	
CSR 10-7.030	Director, Department of Mental Health		27 MoReg 108	27 MoReg 813	
CSR 10-7.060	Director, Department of Mental Health			C	
CSR 10-7.070	Director, Department of Mental Health		27 MoReg 788		
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CSR 30-4.045	Certification Standards	27 MoReg 224	27 MoReg 231	27 MoReg 815	
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	Developmental Disabilities		27 MoReg 622R		
CSR 45-5.060	Division of Mental Retardation and				
	Developmental Disabilities	27 MoReg 389	27 MoReg 399		
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0 CSR 10-2.080	Air Conservation Commission		27 MoReg 564		
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) CSR 10-2.280) CSR 10-3.060) CSR 10-4.040	Air Conservation Commission		27 MoReg 699 This IssueR 27 MoReg 699 27 MoReg 700 27 MoReg 564		
) CSR 10-2.280) CSR 10-3.060) CSR 10-4.040) CSR 10-5.180	Air Conservation Commission		27 MoReg 699 This IssueR 27 MoReg 699 27 MoReg 700 27 MoReg 564		
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O CSR 10-2.280 O CSR 10-3.060 O CSR 10-4.040 O CSR 10-5.180 O CSR 10-5.320 O CSR 10-5.380	Air Conservation Commission		27 MoReg 699 This IssueR 27 MoReg 699 27 MoReg 700 27 MoReg 564 This IssueR 27 MoReg 1010		
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0 CSR 10-2.280 0 CSR 10-3.060 0 CSR 10-4.040 0 CSR 10-5.180 0 CSR 10-5.320 0 CSR 10-5.380 0 CSR 10-6.070 0 CSR 10-6.075	Air Conservation Commission				
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2 CSR 70-13.045 2 CSR 70-13.050	Registration of Apiaries
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13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services
12 CCD #0 1# 040	Reimbursement Methodology
13 CSR 70-15.040	Inpatient Hospital and Outpatient Hospital Settlements
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)
13 CSR 70-15.160 13 CSR 70-15.170	Prospective Outpatient Hospital Services Reimbursement Methodology February 27, 2003 Enhanced Disproportionate Share Payment to Trauma Hospitals for the Cost
15 CSK /0-15.1/0	of Care to the Uninsured Provided by Physicians Not Employed by the Hospital February 27, 2003
13 CSR 70-20.031	List of Excludable Drugs for Which Prior Authorization is Required
13 CSR 70-20.031 13 CSR 70-20.032	List of Drugs Excluded From Coverage Under the Missouri Medicaid
15 CSK 70-20.032	Pharmacy Program
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13 CSR 70-20.200	Drug Prior Authorization Process
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10 CCD 20 27 070	Virus (HBV) from Health Care Workers to Patients
19 CSR 20-26.060	Voluntary Evaluation for the Human Immunodeficiency Virus (HIV) and Hepatitis B
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19 CSR 25-38.020	Laboratory Fee for Tuberculosis Testing
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19 CSR 90-1.010	Eligibility and Application Process
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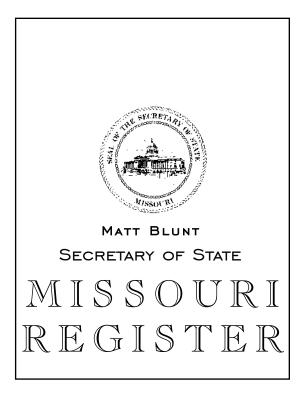
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