# MISSOURI REGISTER

## SECRETARY OF STATE

## MATT BLUNT



Volume 28, Number 12 Pages 1079–1168 June 16, 2003 The *Missouri Register* is an official publication of the state of Missouri, under the authority granted to the secretary of state by sections 536.015 and 536.033, RSMo 2000. Reproduction of rules is allowed; however, no reproduction shall bear the name *Missouri Register* or "official" without the express permission of the secretary of state.

The Missouri Register is published semi-monthly by

#### SECRETARY OF STATE

#### MATT BLUNT

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

DIRECTOR

LYNNE C. ANGLE

#### Editors

BARBARA MCDOUGAL

JAMES MCCLURE

ASSOCIATE EDITORS

CURTIS W. TREAT

SALLY L. REID

TIFFANY M. DAVIS

PUBLISHING STAFF

WILBUR HIGHBARGER

CARLA HERTZING

HEATHER M. DOWNS

Administrative Staff

#### SANDY SANDERS

ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

MISSOURI REGISTER Office of the Secretary of State Administrative Rules Division PO Box 1767 Jefferson City, MO 65102

The *Missouri Register* and *Code of State Regulations* (CSR) are now available on the Internet. The Register address is <u>http://www.sos.mo.gov/adrules/moreg/moreg.asp</u> and the CSR is <u>http://www.sos.mo.gov/adrules/csr/csr.asp</u>. These web sites contain rulemakings and regulations as they appear in the Registers and CSR. These web sites do not contain the official copies of the Registers and CSR. The official copies remain the paper copies published by the Office of the Secretary of State pursuant to sections 536.015 and 536.031, RSMo 2000. While every attempt has been made to ensure accuracy and reliability, the Registers and CSR are presented, to the greatest extent practicable as they appear in the official publications. The Administrative Rules Division may be contacted by e-mail at rules@sosmail.state.mo.us.

The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson City, MO 65102, (573) 751-4015. Hearing impaired citizens should contact the director through Missouri relay, (800) 735-2966.

## Missouri



## REGISTER

Vol. 28 No. 12 Pages 1079–1168

June 16, 2003

## IN THIS ISSUE:

#### 

#### **PROPOSED RULES**

Department of Agriculture
Animal Health
Department of Conservation
Conservation Commission
Department of Elementary and Secondary Education
Vocational and Adult Education
Department of Mental Health
Director, Department of Mental Health
Department of Natural Resources
Air Conservation Commission
Clean Water Commission
Department of Public Safety
Missouri Gaming Commission
Department of Revenue
Director of Revenue
Department of Social Services
Division of Medical Services

#### **ORDERS OF RULEMAKING**

Department of Agriculture
Animal Health
Department of Conservation
Conservation Commission
Department of Economic Development
State Board of Pharmacy
Public Service Commission
Department of Natural Resources
Air Conservation Commission

#### 

#### **IN ADDITIONS**

Department of Economic Development	
Division of Credit Unions	43

#### 

#### **BID OPENINGS**

Office of Administration											
Division of Purchasing	 									.114	5

#### **SOURCE GUIDES**

RULE CHANGES SINCE UPDATE	1146
EMERGENCY RULES IN EFFECT	1154
EXECUTIVE ORDERS	1156
<b>REGISTER INDEX</b>	1157

Register	Register	Code	Code
Filing Deadlines	Publication Date	Publication Date	Effective Date
April 1, 2003	May 1, 2003	May 31, 2003	June 30, 2003
April 15, 2003	May 15, 2003	May 31, 2003	June 30, 2003
May 1, 2003	June 2, 2003	June 30, 2003	July 30, 2003
May 15, 2003	June 16, 2003	June 30, 2003	July 30, 2003
June 2, 2003	July 1, 2003	July 31, 2003	August 30, 2003
June 16, 2003	July 15, 2003	July 31, 2003	August 30, 2003
July 1, 2003	August 1, 2003	August 31, 2003	September 30, 2003
July 15, 2003	August 15, 2003	August 31, 2003	September 30, 2003
August 1, 2003	September 2, 2003	September 30, 2003	October 30, 2003
August 15, 2003	September 15, 2003	September 30, 2003	October 30, 2003
September 2, 2003	October 1, 2003	October 31, 2003	November 30, 2003
September 15, 2003	October 15, 2003	October 31, 2003	November 30, 2003
October 1, 2003	November 3, 2003	November 30, 2003	December 30, 2003
October 15, 2003	November 17, 2003	November 30, 2003	December 30, 2003
November 3, 2003	December 1, 2003	December 31, 2003	January 30, 2004
November 17, 2003	December 15, 2003	December 31, 2003	January 30, 2004
December 1, 2003	January 2, 2004	January 30, 2004	February 29, 2004
December 15, 2003	January 15, 2004	January 30, 2004	February 29, 2004

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

### **Missouri Depository Libraries**

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Depository Documents Law (section 181.100, RSMo 2000), are available in the listed depository libraries, as selected by the Missouri State Library:

Jefferson County Library PO Box 1486, 3021 High Ridge High Ridge, MO 63049-1486 (314) 677-8689

Jefferson College Library 1000 Viking Drive Hillsboro, MO 63050-2441 (314) 789-3951

St. Louis Public Library 1301 Olive St. St. Louis, MO 63103-2389 (314) 539-0376

St. Louis University Law Library 3700 Lindell Blvd. St. Louis, MO 63108-3478 (314) 977-2756

Eden Theological Seminary/ Webster University Eden/Webster Library 475 East Lockwood Ave. St. Louis, MO 63119-3192 (314) 961-2660

Thomas Jefferson Library University of Missouri-St. Louis 8001 Natural Bridge Road St. Louis, MO 63121-4499 (314) 516-5084

Washington University Washington University Law Library Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6484

St. Louis County Library 1640 S. Lindbergh Blvd. St. Louis, MO 63131-3598 (314) 994-3300

Maryville University Library 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494

St. Charles City-County Library Middendorf-Kredell Branch 2750 Hwy K O'Fallon, MO 63366-7859 (314) 978-7997

Truman State University Pickler Memorial Library 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416 Learning Resources Center Mineral Area College PO Box 1000 Park Hills, MO 63601-1000 (573) 431-4593

Cape Girardeau Public Library 711 N. Clark Cape Girardeau, MO 63701-4400 (573) 334-5279

Kent Library Southeast Missouri State University One University Plaza Cape Girardeau, MO 63701-4799 (573) 651-2757

Riverside Regional Library PO Box 389, 204 South Union St. Jackson, MO 63755-0389 (573) 243-8141

Rutland Library Three Rivers Community College 2080 Three Rivers Blvd. Poplar Bluff, MO 63901-2393 (573) 840-9656

Ward Edwards Library Central Missouri State University 142 Edwards Library Warrensburg, MO 64093-5020 (660) 543-4149

Kansas City Public Library 311 East 12th St. Kansas City, MO 64106-2454 (816) 701-3400

Law Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438

University of Missouri-Kansas City Miller Nichols Library 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-1281

B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841 River Bluffs Regional Library

927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151 Missouri Western State College Hearnes Learning Resources Ctr. 4525 Downs Drive St. Joseph, MO 64507-2294 (816) 271-5802

Library North Central Missouri College PO Box 111, 1301 Main Street Trenton, MO 64683-0107 (660) 359-3948

Missouri Southern State College Spiva Library 3950 East Newman Road Joplin, MO 64801-1595 (417) 625-9770

Missouri State Library 600 West Main, PO Box 387 Jefferson City, MO 65102-0387 (573) 751-3075

Missouri State Archives 600 West Main, PO Box 778 Jefferson City, MO 65102-0778 (573) 526-6711

Elmer Ellis Library University of Missouri-Columbia 104 Ellis Library Columbia, MO 65211-5149 (573) 882-6733

Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65201-7298 (573) 882-7083

Daniel Boone Regional Library PO Box 1267, 100 West Broadway Columbia, MO 65205-1267 (573) 443-3161

School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125

Central Methodist College Smiley Memorial Library 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6292 Library University of Missouri-Rolla 1870 Miner Circle Rolla, MO 65409-0060 (573) 341-4007

Kinderhook Regional Library 135 Harwood Ave. Lebanon, MO 65536-3017 (417) 532-2148

ESTEP Library Southwest Baptist University 1601 S. Springfield Street Bolivar, MO 65613-2597 (417) 326-5281

Barry-Lawrence Regional Library 213 6th St. Monett, MO 65708-2147 (417) 235-6646

Lyons Memorial Library College of the Ozarks General Delivery Point Lookout, MO 65726-9999 (417) 334-6411

West Plains Campus Library Southwest Missouri State University 123 N. Minnesota West Plains, MO 65775-3414 (417) 256-9865

Springfield-Greene County Library PO Box 737, 397 E. Central Springfield, MO 65801-0760 (417) 869-4621

Meyer Library Southwest Missouri State University PO Box 175, 901 S. National Springfield, MO 65804-0095 (417) 836-4533

#### HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in th	e Code of State Regulations in this sys	stem—		
Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

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

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

**RSMo**—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

## FROM THIS ANGLE ....

#### Telephone Calls . . . this summer

Over the summer, please expect to receive a telephone call from a member of the Administrative Rules editorial staff seeking your help in updating our records. We will want to know the contact person or persons for your agency for rulemaking purposes (both for content and data entry), mailing address, telephone numbers, e-mail addresses and any other pertinent information for your agency. We will also ask if there are any changes in your staffing insofar as Directors and delegation of authority as to whom signature authority extends for your agency and whether the signatures we currently have on file are correct. Absent the correct signatures we cannot permit your agency to file rulemakings with our office.

We will also be requesting your agency review your rules as they currently appear in *Code*. Many agencies have old rules, which are no longer being enforced, old rules, which need to be updated, amended, rescinded, or rulemakings, which should be totally removed from *Code*. Many agencies also have old out-of-date forms, which need to be removed from *Code*. Only your agency can update or change what currently appears in *Code*. To remove an old form, it takes an action from your agency. Our office cannot remove those without action by your agency. We are attempting to clean up the *Code of State Regulations* so that we can accomplish many things having a totally verified text for automation purposes, alleviating the overstuffed pages in the binders, and keeping *Code* current, just to name a few. Please be responsive to the Editors when they call seeking your assistance with these matters.

#### Suggestion on updating forms

Many agencies have adopted our suggestion for one manner of keeping your forms in *Code* current. We suggest your agency consider adding a website reference which refers the reader to your website for the most current downloadable, fillable form for their use. This accomplishes two things – it keeps your rules in *Code* current and the form utilized for

your agency is the most current version. If you need assistance with this suggestion, please contact our main line number at 573-751-4015.

#### New Web Address - Please change your "Favorites"

The Secretary of State's web address has changed. Please change your "favorites" to reflect this change as follows: <u>www.sos.mo.gov</u>. If you wish to access Administrative Rules directly, please add the designation /adrules after gov (www.sos.mo.gov/adrules).

As always, please advise if we may be of any assistance to you in the rulemaking process – anything from numbering questions, to format questions, to rulemaking classes, at your office or ours – we're always glad to help.

Syprie C. a. le\_

Lynne C. Angle Director, Administrative Rules