

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*.

The 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 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedure For All Contested
Cases Under Statutory Jurisdiction**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 621.053 and 621.198, RSMo Supp. 2003, the commission amends a rule as follows:

1 CSR 15-3.350 Complaints is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1048). 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 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedure For All Contested
Cases Under Statutory Jurisdiction**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo Supp. 2003, the commission amends a rule as follows:

1 CSR 15-3.380 Answers and Other Responsive Pleadings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1049). 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 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedure For All Contested
Cases Under Statutory Jurisdiction**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 536.073, RSMo 2000 and 621.198, RSMo Supp. 2003, the commission amends a rule as follows:

1 CSR 15-3.420 Discovery is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1049). 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 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedure For All Contested
Cases Under Statutory Jurisdiction**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 536.073, RSMo 2000 and 621.198, RSMo Supp. 2003, the commission amends a rule as follows:

1 CSR 15-3.440 Disposing of a Case Without a Hearing on the Complaint is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1049-1050). 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 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedure For All Contested
Cases Under Statutory Jurisdiction**

ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under section 621.198, RSMo Supp. 2003, the commission amends a rule as follows:

1 CSR 15-3.480 Motions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1050-1051). 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 110—Missouri Dental Board Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Dental Board under sections 332.031 and 332.091, RSMo 2000 and 332.071 and 332.311, RSMo Supp. 2003, the board amends a rule as follows:

4 CSR 110-2.130 Dental Hygienists is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2004 (29 MoReg 890). 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 COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 33—Service and Billing Practices for Telecommunications Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.040, 386.250, 392.185(9) and 392.470, RSMo 2000, the commission adopts a rule as follows:

4 CSR 240-33.160 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 3, 2004 (29 MoReg 732-735). 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: A hearing was held on June 8, 2004 in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Oral testimony and written comments were received during the comment period regarding proposed rule 4 CSR 240-33.160.

COMMENT: Southwestern Bell Telephone, L.P. d/b/a SBC Missouri ("SBC") commented that the proposed rule is unnecessary because 47 U.S.C. section 222 and 47 CFR sections 64.2001 through 64.2009 adequately protect Missouri consumers against misuse of customer proprietary network information ("CPNI").

RESPONSE: The commission finds the proposed rule necessary and consistent with section 392.185(9), RSMo 2000, which states a purpose of Chapter 392 of the *Missouri Revised Statutes* is to protect consumer privacy. No changes have been made to the rule as a result of this comment.

COMMENT: Several telecommunications companies commented that the rulemaking should be no different than federal rules 47 CFR sections 64.2001 through 64.2009.

RESPONSE AND EXPLANATION OF CHANGE: The commission's proposed rulemaking essentially mirrors the federal rules with a few slight differences. Changes made in this final order of rulemaking bring the proposed rule much closer to the federal rule. The few remaining differences between this rule and the federal rule provide further protections for Missouri consumers in areas of concern that were identified after the federal rules were implemented.

COMMENT: SBC opposed the definition of "affiliate" in proposed subsection (1)(A). SBC believes the definition should be the same as the definition of "affiliate" in the Telecommunications Act of 1996 at 47 U.S.C. section 153(1).

RESPONSE: The commission finds the proposed definition of "affiliate" is consistent with definitions of affiliate found in Chapters 20, 40 and 80 of the commission rules and will not change the meaning from the federal rule. No changes have been made to the rule as a result of this comment.

COMMENT: SBC opposed the definition of "categories of service" in proposed subsection (1)(C) and proposes the definition be deleted or modified to be more consistent with the federal rules. Natelle Dietrich, an economist on the commission's staff, recommended that the definition be changed to be similar to the federal definition in 47 CFR section 64.2005(a).

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that the categories of service applicable in Missouri should be consistent with the categories of service applicable in the federal rule. It was not the commission's intent to change the categories of service to which the CPNI rules apply. The commission will change (1)(C) to be more consistent with the definition found at 47 CFR section 64.2005(a).

COMMENT: SBC opposed including a definition of "CMRS" in proposed subsection (1)(D) because the term CMRS is not used anywhere in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that defining CMRS is not necessary and will remove this definition from the rule. This change will require a renumbering of all subsequent terms defined in proposed subsections (1)(E) to (1)(V).

COMMENT: SBC opposed the definition of "customer" found in proposed subsection (1)(G) and suggested deleting this definition from the rule. SBC suggested the definition would require companies to obtain CPNI approval to use a former customer's CPNI for re-establishing service. Natelle Dietrich, an economist on the commission's staff, suggested removing language from the definition of customer and adding language to the rule to address SBC's concerns.

RESPONSE AND EXPLANATION OF CHANGE: The proposed rules are not intended to prevent a company from marketing to former customers. To address SBC's concerns, the commission finds it necessary to change the definition of "customer" by removing the

language “or any person or entity with which the telecommunications company has had a prior service relationship” as proposed by SBC. The commission will also add language to (6)(C) to clarify that a company is required to keep CPNI for all current and former customers for a minimum of one (1) year.

COMMENT: SBC opposed the definition of “customer premises equipment” (“CPE”) from proposed subsection (1)(I) and claimed the word “customer” could include wholesale customers. SBC proposed that the commission use the definition of CPE from the Telecommunications Act of 1996 at 47 U.S.C. section 153(14).

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that the definition of CPE could be misconstrued to apply to wholesale customers. The commission will change the definition of CPE to the definition used in the Telecommunications Act of 1996 at 47 U.S.C. section 153(14).

COMMENT: SBC opposed the definition of “independent contractor” found in proposed subsection (1)(J). SBC claimed that the proposed rules are unclear and proposed a new definition. Natelle Dietrich, an economist on the commission’s staff, stated that the staff did not object to SBC’s proposed definition.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that the definition of independent contractor should be revised to a definition similar to the definition proposed by SBC.

COMMENT: SBC opposed the definition of “joint venture partner” found in proposed subsection (1)(M). SBC stated that the terms “specific project” and “financial interest” are “too nebulous to be workable” and proposed a modification. Natelle Dietrich, an economist on the commission’s staff, stated that the staff did not object to SBC’s proposed definition.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that the definition of joint venture partner should be revised to a definition similar to the definition proposed by SBC.

COMMENT: SBC opposed the definition of “local exchange company” in proposed subsection (1)(N) and suggested that the definition be changed to the definition used in the Telecommunications Act of 1996 at 47 U.S.C. section 153(26).

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with SBC that the definition should be consistent with the definition found at 47 U.S.C. section 153(26) and will change the rule accordingly.

COMMENT: SBC opposed the definition of “Public Safety Answering Point” (“PSAP”) from (1)(R) and suggested using the definition in the Telecommunications Act of 1996 at 47 U.S.C. section 222(h)(4).

RESPONSE: The commission finds the proposed definition is consistent with the definition of PSAP found in 4 CSR 240-34.020(20) of the commission’s rules regarding emergency telephone service standards. The commission further finds that the proposed definition does not alter the meaning of PSAP found at 47 U.S.C. section 222(h)(4). No changes have been made to the rule as a result of this comment.

COMMENT: AT&T Communications of the Southwest, Inc. (“AT&T”) submitted a proposal to add a new paragraph (2)(B)3. to the commission’s proposed rule to address issues regarding the wholesale use of customer information. Natelle Dietrich, an economist on the commission’s staff, stated that AT&T’s proposal goes beyond the intent of the proposed rule.

RESPONSE: The commission finds that the new language proposed by AT&T is beyond the scope of this rulemaking. Addressing these expanded issues would require additional research and fiscal analy-

sis. No changes have been made to the rule as a result of this comment.

COMMENT: SBC opposed proposed paragraph (2)(C)4. that allows CPNI access for PSAPs, and claimed the rule expanded the information released to PSAPs. Natelle Dietrich, an economist on the commission’s staff, proposed a modification to the rule to address SBC’s concerns.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds it necessary to modify (2)(C)4. to reflect that a telecommunications company may not use, disclose or permit access to CPNI to a PSAP and to clarify that a telecommunications company shall only be required to use, disclose and permit access to subscriber list information to a PSAP.

COMMENT: SBC and Sprint Missouri, Inc. opposed including the terms “affiliate and agent” in subsection (3)(A) because they significantly expand the intent of the similar federal rules since the federal rules do not require confidentiality agreements with affiliates and agents. Natelle Dietrich, an economist on the commission’s staff, suggested that the rule be modified to parallel the federal rule. Ms. Dietrich and the staff further recommended the addition of language to require telecommunications carriers to inform third parties that CPNI shall not be released to any other entity.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds it necessary to include the terms “affiliate and agent” in subsection (3)(A). The commission’s intent in including these terms was to ensure that a company’s affiliates and agents adhere to the same consumer protections as the regulated company. However, to address the concerns raised by the parties, the commission will add a sentence holding the telecommunications company responsible if its affiliates or agents further use, allow access to, or disclose customer CPNI, if that telecommunications company does not choose to enter into confidentiality agreements with its affiliates or agents as required by the rule.

COMMENT: Comments from several telecommunications companies opposed the requirement in proposed paragraph (4)(C)5. for written notice to use at least twelve (12)-point font. AT&T and SBC commented that the ten (10)-point font currently used in the notice is adequate.

RESPONSE AND EXPLANATION OF CHANGE: The commission included the twelve (12)-point font requirement to ensure the consumer notice is legible. The Federal Communications Commission’s rules require telecommunications companies to provide a notice that is “clearly legible” and that uses “sufficiently large type.” 47 CFR 64.2008(c)(5). The commission finds that a ten (10)-point font requirement is sufficiently large to be legible and would prevent carriers from having to incur the expense of changing to a twelve (12)-point font. The commission will replace “twelve (12)-point font” with “ten (10)-point font” in (4)(C)5. The commission will also add the word “to” in subsection (4)(C) between the words “carrier” and “use” to correct a grammatical error.

COMMENT: SBC opposed the proposed paragraph (4)(C)7. font size requirement as an attempt to regulate marketing practices. Natelle Dietrich, an economist on the commission’s staff, commented that the font size requirement is to assist customers in understanding the opt-in and opt-out requirements.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that paragraph (4)(C)7. is necessary to protect consumers from misleading practices that diminish the importance of the customer’s CPNI rights. The commission will clarify paragraph (4)(C)7. to illustrate that this paragraph is regulating the opt-in and opt-out notice requirements rather than the marketing practices of telecommunications companies.

COMMENT: SBC opposed proposed section (5) regarding the release of CPNI resulting from a bankruptcy, cessation of operations, merger or a transfer of assets. SBC stated that it does not have a system in place to accept opt-in/opt-out authorizations and it does not always receive customer information on customers transferred pursuant to a bankruptcy.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that the transfer of CPNI data is necessary to help facilitate a seamless company transfer for the customer. However, the commission will add language to subsection (5)(C) to reflect that if the bankrupt company does not transfer CPNI data, the company receiving the new customers shall send a new CPNI notice to the customers acquired through the bankruptcy.

COMMENT: Natelle Dietrich, an economist on the commission's staff, suggested a modification to proposed section (5) to clarify that section (5) of the rule does not apply to carriers of last resort.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that section (5) of the rule should not apply to customers transferred to the carrier of last resort under the commission's snap-back rule, 4 CSR 240-32.120, and will change the rule accordingly.

4 CSR 240-33.160 Customer Proprietary Network Information

(1) Definitions. For the purposes of 4 CSR 240-33.160, the following definitions are applicable:

(C) Categories of service include local exchange telecommunications services and interexchange telecommunications services;

(D) Communications-related services are telecommunications services, information services typically provided by telecommunications companies, and services related to the provision or maintenance of customer premises equipment;

(E) Control (including the terms "controlling," "controlled by," and "common control") is the possession, directly or indirectly, of the power to direct, or to cause the direction of the management or policies of an entity, whether such power is exercised through one (1) or more intermediary entities, or alone, or in conjunction with, or pursuant to an agreement with, one (1) or more other entities, whether such power is exercised through a majority or minority ownership or voting of securities, common directors, officers or stockholders, voting trusts, holding trusts, affiliated entities, contract or any other direct or indirect means. The commission shall presume that the beneficial ownership of ten percent (10%) or more of voting securities or partnership interest of an entity constitutes control for purposes of this rule;

(F) Customer is a person or entity to which the telecommunications company is currently providing service;

(G) Customer proprietary network information (CPNI) is information that relates to the quantity, technical configuration, type, destination, location and amount of use of a telecommunications service subscribed to by any customer of a telecommunications company, and that is made available to the telecommunications company by the customer solely by virtue of the customer-telecommunications company relationship. Customer proprietary network information also is information contained in bills pertaining to basic local exchange telecommunications service or interexchange telecommunications service received by a customer of a telecommunications company. Customer proprietary network information does not include subscriber list information;

(H) Customer premises equipment (CPE) is equipment employed on the premises of a person (other than a carrier) to originate, route, or terminate telecommunications;

(I) Independent contractor is a third party who contracts with a telecommunications company for the provision of services to the telecommunications company, but who is not controlled by the telecommunications company;

(J) Information service is the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service;

(K) Information services typically provided by telecommunications companies are only those information services as defined in subsection (1)(J) that are typically provided by telecommunications companies, such as Internet access or voice mail services. Information services typically provided by telecommunications companies as used in this rule shall not include retail consumer services provided using Internet websites (such as travel reservation services or mortgage lending services), whether or not such services may otherwise be considered to be information services;

(L) Joint venture partner is a third party that agrees to share with a telecommunications company in the profits and losses of a business entity formed by the telecommunications company and the third party;

(M) Local exchange telecommunications company (LEC) is any company engaged in the provision of local exchange or exchange access telecommunications services;

(N) Opt-in approval is a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. This approval method requires that the telecommunications company obtain from the customer affirmative, express consent allowing the requested CPNI usage, disclosure, or access after the customer is provided appropriate notification of the telecommunications company's request consistent with the requirements set forth in this rule;

(O) Opt-out approval is a method for obtaining customer consent to use, disclose, or permit access to the customer's CPNI. Under this approval method, a customer is deemed to have consented to the use, disclosure, or access to the customer's CPNI if the customer has failed to object thereto within a thirty (30)-day minimum period of time after the customer is provided appropriate notification of the telecommunications company's request for consent consistent with these rules. A telecommunications company may, in its discretion, provide for a longer period. Telecommunications companies must notify customers as to the applicable waiting period for a response before approval is assumed;

(P) Party is a participant in, or an agent or designee acting on behalf of and for the benefit of a participant to a transaction in which an end-user's CPNI is sold, transferred, shared or otherwise disseminated;

(Q) Public safety answering point (PSAP) is a communications location used by public safety agencies for answering emergency telephone service calls which originate in a given area. A PSAP may be designated as primary or secondary, which refers to the order in which calls are directed for answering. PSAPs may be located at police, fire or emergency medical service communications centers, or may be located in a specialized centralized communications center which handles all emergency communications for an area;

(R) Subscriber list information (SLI) is any information identifying the listed names of subscribers of a telecommunications company and such subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time of the establishment of such service), or any combination of such listed names, numbers, addresses, or classifications; and that the telecommunications company or an affiliate has published, caused to be published, or accepted for publication in any directory format;

(S) Telecommunications company is used as defined in section 386.020, RSMo 2000;

(T) Telecommunications service is used as defined in section 386.020, RSMo 2000;

(U) Third party is a company not owned or controlled by or owning or controlling a telecommunications company. The third party usually operates outside the market in which a telecommunications company operates and does not provide communications-related services.

(2) Use of CPNI Without Customer Approval.

(C) Approval not required for use of customer proprietary network information.

1. A telecommunications company may use, disclose, or permit access to CPNI, without customer approval, in its provision of inside wiring installation, maintenance, and repair services.

2. A telecommunications company may use CPNI, without customer approval, to market services such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain centrex features.

3. A telecommunications company may use, disclose, or permit access to CPNI to protect the rights or property of the telecommunications company, or to protect users of those services and other telecommunications companies from fraudulent, abusive, or unlawful use of, or subscription to, such services.

4. A telecommunications company may use, disclose, or permit access to customer information to public safety answering points (PSAPs) if the PSAP claims it needs the information to respond to an emergency. Information to be released shall be limited to subscriber list information as defined in 4 CSR 240-33.160(1)(R).

(3) Approval Required for Use of CPNI.

(A) Use of Opt-Out and Opt-In Approval Process.

1. A telecommunications company may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. A telecommunications company may, subject to opt-out approval or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to its agents; its affiliates that provide communications-related services; and its joint venture partners and independent contractors. A telecommunications company may also permit such persons or entities to obtain access to such CPNI for such purposes. Any such disclosure to or access provided to agents, affiliates, joint venture partners and independent contractors shall be subject to the safeguards set forth in paragraph (3)(A)2. below. A telecommunications company may elect not to apply the safeguards set forth in paragraph (3)(A)2. below to its agents or affiliates, however, if the telecommunications company so elects, then it shall be held responsible if its agents or affiliates further use, allow access to, or disclose customer CPNI.

2. Agent/affiliate/joint venture/contractor safeguards. A telecommunications company that discloses or provides access to CPNI to its agents, affiliates, joint venture partners or independent contractors shall enter into confidentiality agreements with those agents, affiliates, joint venture partners or independent contractors that comply with the following requirements. The confidentiality agreement shall:

A. Require that those agents, affiliates, joint venture partners or independent contractors use the CPNI only for the purpose of marketing or providing the communications-related services for which that CPNI has been provided;

B. Disallow the agents, affiliates, joint venture partners or independent contractors from using, allowing access to, or disclosing the CPNI to any other party, unless required to make such disclosure under force of law; and

C. Require that the agents, affiliates, joint venture partners and independent contractors have appropriate protections in place to ensure the ongoing confidentiality of customers' CPNI.

(4) Customer Notification Requirements.

(C) Content of Notice. Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit a carrier to use, disclose, or permit access to, the customer's CPNI.

1. The notification must state that the customer has a right, and the telecommunications company a duty, under federal and state law, to protect the confidentiality of CPNI.

2. The notification must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.

3. The notification must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes. However, companies may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

4. The notification shall be comprehensible and shall not be misleading.

5. If written notification is provided, the notice must be clearly legible, use at least a ten (10)-point font, and be placed in an area so as to be readily apparent to a customer.

6. If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.

7. A telecommunications company may state in the notification that the customer's approval to use CPNI may enhance the telecommunications company's ability to offer products and services tailored to the customer's needs. The notification required under subsection (4)(C) shall be in a font size no smaller than such statement.

8. A telecommunications company also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.

9. A telecommunications company may not include in the notification any statement attempting to encourage a customer to freeze third party access to CPNI.

10. The notification must state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes to from that telecommunications company is valid until the customer affirmatively revokes or limits such approval or denial.

11. A telecommunications company's solicitation for approval must include a notification of a customer's CPNI rights. The CPNI rights must be in close proximity to the solicitation.

(5) Release of Customer Proprietary Network Information Resulting from Bankruptcy, Cessation of Operation, Merger or Transfer of Assets.

(C) Any opt-in/opt-out authorizations the customers previously executed with the exiting carrier should be transferred to the new carrier automatically, thereby ensuring that customers maintain their privacy interests by protecting this information from disclosure and dissemination. If the exiting carrier does not transfer CPNI data to the new carrier, the company receiving the new customers shall send a new CPNI notice to the customers acquired from the exiting carrier.

(D) The provisions of this section do not apply to customers transferred to the carrier of last resort under the commission's snap-back rule, 4 CSR 240-32.120.

(6) Safeguards Required for Use of Customer Proprietary Network Information.

(C) All telecommunications companies shall maintain a record, electronically or in some other manner, of their own, their agents', their affiliates', their joint venture partners', or their independent contractors' sales and marketing campaigns that use their customers' CPNI. All companies shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. Telecommunications companies shall retain these records for all current and former customers for a minimum of one (1) year.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 805—Educator Preparation**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092 and 168.021, RSMo Supp. 2003 and 161.097 and 161.099, RSMo 2000, the board amends a rule as follows:

5 CSR 80-805.015 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 791-793). 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: The Department of Elementary and Secondary Education (DESE) received one (1) comment on the proposed amendment during the comment period.

COMMENT: The president of one (1) independent university wrote to comment on the proposed amendment to extend the maximum period of approval for a professional education program from five (5) years to seven (7) years, and suggested that the proposed amendment be modified to allow a program to be approved for a period not to exceed ten (10) years. In the same letter, the university president also suggested that the proposed section (3) authorizing the recognition of National Council for Accreditation of Teacher Education (NCATE) standards also include Teacher Education Accreditation Council (TEAC) standards, because both agencies are recognized by the United States Department of Education.

RESPONSE AND EXPLANATION OF CHANGE: The board has carefully considered the comments and has decided not to extend the period of approval to ten (10) years. Upon review, the board will change section (3).

5 CSR 80-805.015 Procedures and Standards for Approval of Professional Education Programs in Missouri

(3) In lieu of the standards listed above, the board may accept the standards of any accrediting agency used for the evaluation of a professional education unit in an institution of higher education if the agency is approved by the United States Department of Education and has established a formal agreement with DESE.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 805—Educator Preparation**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.097 and 161.099, RSMo 2000 and 161.092 and 168.021, RSMo Supp. 2003, the board rescinds a rule as follows:

5 CSR 80-805.016 Procedures for Approval of Preliminary Professional Education Programs in Missouri is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 17, 2004 (29 MoReg 793). 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 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Safe Drinking Water Commission
Chapter 5—Laboratory and Analytical Requirements**

ORDER OF RULEMAKING

By the authority vested in the Safe Drinking Water Commission under section 640.100, RSMo Supp. 2003, the commission amends a rule as follows:

10 CSR 60-5.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2004 (29 MoReg 465-479). Typographical errors are corrected in section (7) and reprinted below. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held May 11, 2004 and the public comment period ended June 11, 2004. At the public hearing the department testified that the purpose of the rulemaking is to incorporate by reference improvements in accepted analytical methods for processing drinking water samples that have been made in recent years. It is necessary to adopt these requirements in order to ensure laboratories are using the best possible methods for analysis, and in order for primacy revision applications to be approved by EPA. Adopting the latest analytical methods enhances protection of public health by requiring the use of the best methods for testing drinking water for contamination. The statutory authority for this rulemaking is found in section 640.100 of the *Revised Statutes of Missouri*, which requires the Safe Drinking Water Commission to promulgate rules necessary for the implementation, administration and enforcement of the federal Safe Drinking Water Act. No comments were received. Two (2) typographical errors are corrected in section (7), which is reprinted here. With these changes, the rule is adopted as proposed.

10 CSR 60-5.010 Accepted and Alternate Procedures for Analyses

(7) The department may reduce the total number of samples a system must analyze by allowing the use of compositing. Compositing shall be conducted according to the following procedures incorporated by reference.

(A) Sample compositing procedures for inorganic contaminants in 40 CFR 141.23(a)(4) of the July 1, 2003 *Code of Federal Regulations* are incorporated by reference.

(B) Sample compositing procedures for volatile organic contaminants in 40 CFR 141.24(f)(14) of the July 1, 2003 *Code of Federal Regulations* are incorporated by reference.

(C) Sample compositing procedures for synthetic organic contaminants in 40 CFR 141.24(h)(10) of the July 1, 2003 *Code of Federal Regulations* are incorporated by reference.

(D) Sample compositing procedures for radiological contaminants in 40 CFR 141.26(a)(4) of the July 1, 2003 *Code of Federal Regulations* are incorporated by reference.

(E) Sample compositing procedures for lead and copper in 40 CFR 141.88(a)(1)(iv) *Code of Federal Regulations* are incorporated by reference.

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 50—General**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-50.040 Forms is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1054-1055). 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.180 Exemptions from Registration for Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1055). 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-54.195 Missouri Agricultural Cooperatives is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1055-1056). 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act**

ORDER OF RULEMAKING

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-55.010 Who May Request is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2004 (29 MoReg 1056-1057). 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 20—DEPARTMENT OF INSURANCE
Division 200—Financial Examination
Chapter 2—Reinsurance and Assumptions**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Insurance under section 374.045, RSMo 2000, the director amends a rule as follows:

20 CSR 200-2.100 Credit for Reinsurance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 849-850). 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: The department received two (2) comments in response to the notice of proposed rulemaking.

COMMENT: The first comment was from the department's Division of Financial Regulation, which recommended adopting the proposed amendment.

COMMENT: The second comment was from the Reinsurance Association of America (RAA). The RAA generally supported the proposed amendment. The RAA also suggested additional changes to 20 CSR 200-2.100 and rescission of 20 CSR 200-2.700.

RESPONSE: The department declines to adopt the additional suggested changes to 20 CSR 200-2.100. The additional suggested changes to 20 CSR 200-2.100 are not within the scope of the notice of proposed rulemaking. The department generally agrees, however, that the suggested changes would be beneficial because they would generally implement the amendments to section 375.246, RSMo, in HB 1568 (Laws 2002) and, accordingly, will propose to adopt similar amendments for that purpose.

The department also declines to rescind 20 CSR 200-2.700. Such rescission was not the subject of any prior notice of proposed rulemaking and, accordingly, may not be adopted at this time. In addition, the department believes that 20 CSR 200-2.700 still serves a useful purpose in measuring the proper amount of reserve credit for certain ceded reinsurance.

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

ACTIONS TAKEN ON 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 director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Lake City Credit Union 2112 S. 291 Hwy. Independence, MO 64057	Persons who are living or working in the zip codes of 64055, 64029 and 64075

**MISSOURI DIVISION OF CREDIT UNIONS
APPLICATION TO EXPAND THE FIELD OF MEMBERSHIP
OF LAKE CITY CREDIT UNION**

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The application to expand the field of membership was received by the Director, Division of Credit Unions on June 30, 2004.
2. The application was submitted in the required format and on June 30, 2004 deemed to be complete.
3. Lake City Credit Union by resolution of their Board of Directors adopted May 24, 2004 as found in the application will expand their field of membership by geographic areas (RSMo 370.081.4; 370.080.2).
4. Lake City Credit Union applied to expand their field of membership to include persons who are living or working in Zip Codes 64055, 64029 and 64075 as described in the resolution adopted by their Board of Directors on May 24, 2004. According to application the total population of the three Zip Codes is 51,419. Therefore provisions of RSMo 370.081.2 and 4 CSR 105-3.040 Exemptions from Limitations on Groups are applicable.
5. The Credit Union Commission took action by motion during their meeting on July 22, 2004 to find the application meets the criteria of 4 CSR 105-3.040 for an exemption from the limitations on groups.
6. After review of Lake City Credit Union's most recent Supervisory Examination Report and the June 2004 call report, the Director is satisfied that this credit union is operating in a safe and sound manner and there are no adverse conditions or regulatory concerns. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(A)).

7. Lake City Credit Union's net worth as reported on the June 2004 call report is 11.12%. The Director finds that Lake City Credit Union is adequately capitalized. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(B)).

8. After review of Lake City Credit Union's business plan submitted as part of the field of membership application, the June 2004 call report, and the most recent Supervisory Examination Report, the Director finds this credit union has the administrative capability and the financial resources to serve the proposed group. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(C)).

9. That no evidence was submitted as part of the application nor is the Director in possession of any information that any other group is interested in forming a new credit union to serve this group. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(D)).



John P. Smith, Director
Division of Credit Unions

Date: September 16, 2004

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
Northland Teachers Community Credit Union 6604 N. Oak Trafficway Gladstone, MO 64118	Persons who are living or working in the zip codes of 64153 & 64154.

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

EXPEDITED APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for October 25, 2004. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

09/07/04

#3680 RS: Branson Meadows Assisted Living
Branson (Taney County)
\$1,276,600, Modernize facility

09/10/04

#3681 HS: Research Medical Center
Kansas City (Jackson County)
\$3,925,000, Replace gamma knife

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by October 13, 2004. 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.

Schedule of Compensation as Required by Section 105.005, RSMo

<u>Office</u>	<u>RSMo Citation</u>	<u>Statutory Salary FY 2004</u>	<u>Statutory Salary FY 2005</u>
<u>Elected Officials</u>			
Governor	26.010	\$120,087	\$120,087
Lt. Governor	26.010	77,184	77,184
Attorney General	27.010	104,332	104,332
Secretary of State	28.010	96,455	96,455
State Treasurer	30.010	96,455	96,455
State Auditor	29.010	96,455	96,455
<u>General Assembly</u>			
Senator	21.140	31,351	31,351
Representative	21.140	31,351	31,351
Speaker of House	21.140	33,851	33,851
President Pro Tem of Senate	21.140	33,851	33,851
Speaker Pro Tem of the House	21.140	32,851	32,851
Majority Floor Leader of House	21.140	32,851	32,851
Majority Floor Leader of Senate	21.140	32,851	32,851
Minority Floor Leader of House	21.140	32,851	32,851
Minority Floor Leader of Senate	21.140	32,851	32,851
<u>State Tax Commissioners</u>	138.230	94,029	95,229
<u>Administrative Hearing Commissioners</u>	621.015	91,637	92,837
<u>Labor and Industrial Relations</u>			
<u>Commissioners</u>	286.005	94,029	95,229
<u>Division of Workers' Compensation</u>			
Legal Advisor	287.615	76,800	76,800 *
Chief Counsel	287.615	78,800	78,800 *
Administrative Law Judge	287.615	86,400	86,400 *
Administrative Law Judge in Charge	287.615	91,400	91,400 *
Director, Division of Workers' Compensation	287.615	93,400	94,600 *
<u>Public Service Commissioners</u>	386.150	94,029	95,229
	<u>RSMo Citation</u>	<u>Executive Level FY 2004</u>	<u>Executive Level FY 2005</u>
<u>Statutory Department Directors</u>			
Administration, Agriculture, Corrections, Economic Development, Labor and Industrial Relations, Natural Resources, Public Safety, Revenue, and Social Services	105.950	I	I
<u>Probation and Parole</u>			
Chairman	217.665	III	III
Board Members		IV	IV

*Division of Workers' Compensation salaries are tied to those of Associate Circuit Judges.

Schedule of Compensation as Required by Section 476.405, RSMo

	<u>RSMo Citation</u>	<u>Highest Salary FY 2004</u>	<u>Highest Salary FY 2005</u>
<u>Supreme Court</u>			
Chief Justice	477.130	\$125,500	\$125,500
Judges	477.130	123,000	123,000
<u>Court of Appeals</u>			
Judges	477.130	115,000	115,000
<u>Circuit Court</u>			
Circuit Court Judges	478.013	108,000	108,000
Associate Circuit Judges	478.018	96,000	96,000
<u>Juvenile Officers</u>			
Juvenile Officer	211.381	40,676	41,876
Chief Deputy Juvenile Officer		35,202	36,402
Deputy Juvenile Officer Class 1		31,235	32,435
Deputy Juvenile Officer Class 2		28,333	29,533
Deputy Juvenile Officer Class 3		25,732	26,932
<u>Court Reporters</u>			
	485.060	48,660	49,860
<u>Probate Commissioner</u>			
	478.266 & 478.267	108,000	108,000 *
Deputy Probate Commissioner	478.266	96,000	96,000 *
<u>Family Court Commissioner</u>			
	211.023 & 487.020	96,000	96,000 *
<u>Circuit Clerk</u>			
1st Class Counties	483.083	60,330	61,530
St. Louis City	483.083	100,267	101,467
Jackson, Jasper & Cape Girardeau	483.083	65,337	66,537
2nd & 4th Class Counties	483.083	54,249	55,449
3rd Class Counties	483.083	47,300	48,500
Marion-Hannibal & Palmyra	483.083	53,378	54,578
Randolph & Lewis	483.083	51,811	53,011

*Salaries are tied to those of Circuit and Associate Circuit Judges.

**Missouri Executive Pay Plan
Fiscal Year 2005**

Executive Level	Minimum	Maximum
I	\$77,148	\$112,356
II	\$70,704	\$102,804
III	\$64,836	\$94,128
IV	\$59,532	\$86,136

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

**Notice of Corporate Dissolution
To All Creditors of and
Claimants Against
C. Deeds, Inc.**

On July 17, 2001, C. Deeds, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on September 10, 2004.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at:

C. Deeds, Inc.
C/o VanOsdol, Magruder, Erickson & Redmond, P.C.
911 Main St., Ste. 2400
Kansas City, MO 64105

All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, and the date(s) on which the event(s) on which the claim is based occurred, a brief description of the nature of the debt or the basis for the claim.

NOTICE: Because of the dissolution of C. Deeds, Inc., any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication date of the two notices authorized by statute, whichever is published last.

Rule Changes Since Update to Code of State Regulations

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—27 (2002), 28 (2003) and 29 (2004). 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, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724 28 MoReg 1861
1 CSR 10-4.010	Commissioner of Administration		28 MoReg 1557		
1 CSR 15-3.350	Administrative Hearing Commission		29 MoReg 1048	This Issue	
1 CSR 15-3.380	Administrative Hearing Commission		29 MoReg 1049	This Issue	
1 CSR 15-3.420	Administrative Hearing Commission		29 MoReg 1049	This Issue	
1 CSR 15-3.440	Administrative Hearing Commission		29 MoReg 1049	This Issue	
1 CSR 15-3.480	Administrative Hearing Commission		29 MoReg 1050	This Issue	
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		This Issue		
1 CSR 20-5.025	Personnel Advisory Board and Division of Personnel		This Issue		
DEPARTMENT OF AGRICULTURE					
2 CSR 30-1.010	Animal Health		29 MoReg 584	29 MoReg 1316	
2 CSR 30-1.020	Animal Health		29 MoReg 584	29 MoReg 1316	
2 CSR 30-2.010	Animal Health	29 MoReg 1417	29 MoReg 1437		
2 CSR 30-2.020	Animal Health	29 MoReg 571	29 MoReg 584	29 MoReg 1369	
2 CSR 30-2.040	Animal Health	29 MoReg 572	29 MoReg 585	29 MoReg 1369	
2 CSR 30-2.060	Animal Health				29 MoReg 1480
2 CSR 30-3.020	Animal Health	29 MoReg 573	29 MoReg 586	29 MoReg 1369	
2 CSR 30-6.020	Animal Health	29 MoReg 573	29 MoReg 586	29 MoReg 1370	
		29 MoReg 1418	29 MoReg 1438		
2 CSR 70-40.015	Plant Industries		29 MoReg 1439		
2 CSR 70-40.025	Plant Industries		29 MoReg 1439		
DEPARTMENT OF CONSERVATION					
3 CSR 10-7.410	Conservation Commission		29 MoReg 1291		
3 CSR 10-7.440	Conservation Commission		N.A.	29 MoReg 1471	
3 CSR 10-7.450	Conservation Commission		29 MoReg 1091	29 MoReg 1472	
3 CSR 10-7.455	Conservation Commission		29 MoReg 890	29 MoReg 1316	
3 CSR 10-9.353	Conservation Commission		29 MoReg 1440		
3 CSR 10-9.442	Conservation Commission		N.A.	29 MoReg 1472	
3 CSR 10-9.565	Conservation Commission		29 MoReg 1440		
3 CSR 10-11.186	Conservation Commission		29 MoReg 1091	29 MoReg 1473	
3 CSR 10-12.130	Conservation Commission		29 MoReg 1092	29 MoReg 1473	
3 CSR 10-12.140	Conservation Commission		29 MoReg 1092	29 MoReg 1473	
3 CSR 10-12.155	Conservation Commission		29 MoReg 1092	29 MoReg 1473	
3 CSR 10-20.805	Conservation Commission		29 MoReg 1093	29 MoReg 1473	
			29 MoReg 1291		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 40-2.021	Office of Athletics		29 MoReg 1093	29 MoReg 1370	
4 CSR 40-5.030	Office of Athletics		29 MoReg 1094	29 MoReg 1370	
4 CSR 45-1.010	Athlete Agents	29 MoReg 1420	29 MoReg 1441		
4 CSR 65-1.020	Endowed Care Cemeteries		29 MoReg 1161R		
4 CSR 65-1.030	Endowed Care Cemeteries		29 MoReg 1161		
4 CSR 65-1.050	Endowed Care Cemeteries		29 MoReg 1162		
4 CSR 65-2.010	Endowed Care Cemeteries		29 MoReg 1162		
4 CSR 90-2.010	State Board of Cosmetology		29 MoReg 1292		
4 CSR 90-2.020	State Board of Cosmetology		29 MoReg 1299		
4 CSR 90-2.030	State Board of Cosmetology		29 MoReg 1299		
4 CSR 90-4.010	State Board of Cosmetology		29 MoReg 1300		
4 CSR 90-13.010	State Board of Cosmetology		29 MoReg 1303		
4 CSR 100	Division of Credit Unions				29 MoReg 920 29 MoReg 1061 29 MoReg 1322 29 MoReg 1480 This Issue
4 CSR 110-2.085	Missouri Dental Board		29 MoReg 1162		
4 CSR 110-2.111	Missouri Dental Board		29 MoReg 1163		
4 CSR 110-2.130	Missouri Dental Board		29 MoReg 890	This Issue	
4 CSR 110-2.170	Missouri Dental Board		This Issue		
4 CSR 110-2.180	Missouri Dental Board		This IssueR		
4 CSR 110-2.181	Missouri Dental Board		This IssueR		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 110-4.010	Missouri Dental Board		This Issue		
4 CSR 110-4.020	Missouri Dental Board		This Issue		
4 CSR 110-4.030	Missouri Dental Board		This Issue		
4 CSR 110-4.040	Missouri Dental Board		This Issue		
4 CSR 120-2.060	Missouri Dental Board		This Issue		
4 CSR 150-2.125	State Board of Registration for the Healing Arts		29 MoReg 781	29 MoReg 1317	
4 CSR 150-2.153	State Board of Registration for the Healing Arts		29 MoReg 781		
4 CSR 150-4.040	State Board of Registration for the Healing Arts		29 MoReg 785	29 MoReg 1317	
4 CSR 150-4.053	State Board of Registration for the Healing Arts		29 MoReg 785	29 MoReg 1317	
4 CSR 150-4.205	State Board of Registration for the Healing Arts		29 MoReg 785	29 MoReg 1317	
4 CSR 205-4.010	Missouri Board of Occupational Therapy		29 MoReg 1164		
4 CSR 220-3.040	State Board of Pharmacy		29 MoReg 970		
4 CSR 220-4.010	State Board of Pharmacy		29 MoReg 973		
4 CSR 220-4.020	State Board of Pharmacy		29 MoReg 973R		
4 CSR 230-1.010	State Board of Podiatric Medicine		29 MoReg 1444		
4 CSR 230-1.020	State Board of Podiatric Medicine		29 MoReg 1444		
4 CSR 230-1.030	State Board of Podiatric Medicine		29 MoReg 1444		
4 CSR 230-2.010	State Board of Podiatric Medicine		29 MoReg 1445		
4 CSR 230-2.020	State Board of Podiatric Medicine		29 MoReg 1446		
4 CSR 230-2.021	State Board of Podiatric Medicine		29 MoReg 1447		
4 CSR 230-2.022	State Board of Podiatric Medicine		29 MoReg 1447		
4 CSR 230-2.030	State Board of Podiatric Medicine		29 MoReg 1448		
4 CSR 230-2.041	State Board of Podiatric Medicine		29 MoReg 1450		
4 CSR 230-2.050	State Board of Podiatric Medicine		29 MoReg 1451		
4 CSR 230-2.065	State Board of Podiatric Medicine		29 MoReg 1452		
4 CSR 230-2.070	State Board of Podiatric Medicine		29 MoReg 1453		
4 CSR 240-3.020	Public Service Commission		29 MoReg 717	29 MoReg 1474	
4 CSR 240-3.510	Public Service Commission		29 MoReg 717	29 MoReg 1474	
4 CSR 240-3.520	Public Service Commission		29 MoReg 718	29 MoReg 1474	
4 CSR 240-3.525	Public Service Commission		29 MoReg 721	29 MoReg 1474	
4 CSR 240-3.530	Public Service Commission		29 MoReg 724	29 MoReg 1475	
4 CSR 240-3.535	Public Service Commission		29 MoReg 727	29 MoReg 1475W	
4 CSR 240-3.560	Public Service Commission		29 MoReg 730	29 MoReg 1475	
4 CSR 240-3.565	Public Service Commission		29 MoReg 730	29 MoReg 1476	
4 CSR 240-13.015	Public Service Commission		29 MoReg 731	29 MoReg 1317	
4 CSR 240-13.055	Public Service Commission		29 MoReg 786	29 MoReg 1371	
4 CSR 240-32.060	Public Service Commission		28 MoReg 2147		
4 CSR 240-33.160	Public Service Commission		29 MoReg 732	This Issue	
4 CSR 240-120.085	Public Service Commission		29 MoReg 1164		
4 CSR 240-120.135	Public Service Commission		29 MoReg 1167R		
4 CSR 240-121.185	Public Service Commission		29 MoReg 1167R		
4 CSR 240-123.075	Public Service Commission		29 MoReg 1167R		
4 CSR 240-123.095	Public Service Commission		29 MoReg 1167		
4 CSR 245-4.060	Real Estate Appraisers		29 MoReg 1170		
4 CSR 245-5.020	Real Estate Appraisers		29 MoReg 1173		
4 CSR 245-5.030	Real Estate Appraisers		29 MoReg 1175		
4 CSR 245-9.010	Real Estate Appraisers		29 MoReg 1175		
4 CSR 263-2.082	State Committee for Social Workers		29 MoReg 1175		
4 CSR 263-3.010	State Committee for Social Workers		29 MoReg 1180		
4 CSR 263-3.060	State Committee for Social Workers		29 MoReg 1180		
4 CSR 263-3.080	State Committee for Social Workers		29 MoReg 1180		
4 CSR 263-3.100	State Committee for Social Workers		29 MoReg 1181		
4 CSR 263-3.120	State Committee for Social Workers		29 MoReg 1182		
4 CSR 265-2.060	Division of Motor Carrier and Railroad Safety				29 MoReg 1323
4 CSR 267-4.020	Office of Tattooing, Body Piercing and Branding		This Issue		
4 CSR 270-4.042	Missouri Veterinary Medical Board		29 MoReg 1182		
4 CSR 270-4.050	Missouri Veterinary Medical Board		29 MoReg 1183		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-4.030	Division of Administrative and Financial Services				29 MoReg 1218
5 CSR 50-345.020	Division of School Improvement				29 MoReg 859
5 CSR 50-345.100	Division of School Improvement		29 MoReg 1183		
5 CSR 50-345.200	Division of School Improvement		29 MoReg 1186		
5 CSR 80-805.015	Teacher Quality and Urban Education		29 MoReg 791	This Issue	
5 CSR 80-805.016	Teacher Quality and Urban Education		29 MoReg 793R	This IssueR	
5 CSR 90-5.400	Vocational Rehabilitation		29 MoReg 1187		
5 CSR 90-5.460	Vocational Rehabilitation		29 MoReg 1187		
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20 CSR	Sovereign Immunity Limits				27 MoReg 41 27 MoReg 2319 28 MoReg 2265
20 CSR 10-1.020	General Administration		29 MoReg 1368		
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20 CSR 400-7.095	Life, Annuities and Health		29 MoReg 986		
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2 CSR 30-2.010	Health Requirements Governing the Admission of Livestock, Poultry and Exotic Animals Entering Missouri	29 MoReg 1417	March 1, 2005
2 CSR 30-6.020	Duties and Facilities of the Market/Sale Veterinarian	29 MoReg 1418	March 1, 2005
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4 CSR 45-1.010	Fees	29 MoReg 1420	March 7, 2005
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5 CSR 100-200.045	Temporary Restricted Certification in Education	29 MoReg 963	November 27, 2004
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9 CSR 10-31.014	Waiver of Standard Means Test for Children in Need of Mental Health Services	This Issue	March 13, 2005
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11 CSR 40-3.010	Fireworks—Licenses, Sales and Penalties	29 MoReg 1420	March 7, 2005
11 CSR 40-3.010	Fireworks—Licensing, Permits, Sales, Inspection, and Penalties	29 MoReg 1420	March 7, 2005
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11 CSR 50-2.311	Bumpers	29 MoReg 1426	March 9, 2005
11 CSR 50-2.320	School Bus Inspection	29 MoReg 1428	March 9, 2005
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13 CSR 35-80.010	Residential Foster Care Maintenance Methodology	Next Issue	March 30, 2005
13 CSR 35-80.020	Residential Care Agency Cost Reporting System	Next Issue	March 30, 2005
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13 CSR 40-2.375	Medical Assistance for Families	29 MoReg 1089	December 27, 2004
13 CSR 40-19.020	Low Income Home Energy Assistance Program	Next Issue	April 1, 2005
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13 CSR 70-10.015	Prospective Reimbursement Plan for Nursing Facility Services	29 MoReg 1155	December 15, 2004
13 CSR 70-10.080	Prospective Reimbursement Plan for HIV Nursing Facility Services	29 MoReg 1156	December 15, 2004
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	29 MoReg 1089	December 13, 2004
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	This Issue	March 18, 2005
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15 CSR 30-54.215	Accredited Investor Exemption	29 MoReg 1428	March 9, 2005
15 CSR 30-54.215	Accredited Investor Exemption	29 MoReg 1428	March 9, 2005
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15 CSR 40-3.120	Calculation and Revision of Property Tax Rates	Next Issue	April 1, 2005
15 CSR 40-3.130	Calculation and Revision of Property Tax Rates by School Districts Calculating a Separate Tax Rate for Each Sub-Class of Property	Next Issue	April 1, 2005
15 CSR 40-3.140	Calculation and Revision of Property Tax Rates by School Districts that Calculate a Single Property Tax Rate Applied to All Property	Next Issue	April 1, 2005
15 CSR 40-3.150	Calculation and Revision of Property Tax Rates by Political Subdivisions Other Than School Districts Calculating a Separate Property Tax Rate for Each Sub-Class of Property	Next Issue	April 1, 2005
15 CSR 40-3.160	Calculation and Revision of Property Tax Rates by Political Subdivision Other Than School Districts that Calculate a Single Property Tax Rate Applied to All Property	Next Issue	April 1, 2005

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15 CSR 60-14.010	Definitions	This Issue	March 10, 2005
15 CSR 60-14.020	Contract Procedures	This Issue	March 10, 2005
15 CSR 60-14.030	Documentation of Legal Practice	This Issue	March 10, 2005

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19 CSR 20-3.080	Description of Persons Qualified to Perform Percolation Tests, Soils Morphology Examinations in Determining Soil Properties for On-Site Sewage Disposal Systems and Installation of On-Site Wastewater Treatment Systems	This Issue	March 10, 2005
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<u>2004</u>			
04-01	Establishes the Public Safety Officer Medal of Valor, and the Medal of Valor Review Board	February 3, 2004	29 MoReg 294
04-02	Designates staff having supervisory authority over agencies	February 3, 2004	29 MoReg 297
04-03	Creates the Missouri Automotive Partnership	January 14, 2004	29 MoReg 151
04-04	Creates the Missouri Methamphetamine Education and Prevention Task Force	January 27, 2004	29 MoReg 154
04-05	Establishes a Missouri Methamphetamine Treatment Task Force	January 27, 2004	29 MoReg 156
04-06	Establishes a Missouri Methamphetamine Enforcement and Environmental Protection Task Force	January 27, 2004	29 MoReg 158
04-07	Establishes the Missouri Commission on Patient Safety and supercedes Executive Order 03-16	February 3, 2004	29 MoReg 299
04-08	Transfers the Governor's Council on Disability and the Missouri Assistive Technology Advisory Council to the Office of Administration	February 3, 2004	29 MoReg 301
04-09	Requires vendors to disclose services performed offshore. Restricts agencies in awarding contracts to vendors of offshore services	March 17, 2004	29 MoReg 533
04-10	Grants authority to Director of Department of Natural Resources to temporarily waive regulations during periods of emergency and recovery	May 28, 2004	29 MoReg 965
04-11	Declares regional state of emergency because of the need to repair electrical outages by various contractors, including a Missouri contractor. Allows temporary exemption from federal regulations	May 28, 2004	29 MoReg 967
04-12	Declares emergency conditions due to severe weather in all Northern and Central Missouri counties	June 4, 2004	29 MoReg 968
04-13	Declares June 11, 2004 to be day of mourning for President Ronald Reagan	June 7, 2004	29 MoReg 969
04-14	Establishes an Emancipation Day Commission. Requests regular observance of Emancipation Proclamation on June 19	June 17, 2004	29 MoReg 1045
04-15	Declares state of emergency due to lost electrical service in St. Louis region	July 7, 2004	29 MoReg 1159
04-16	Orders a special census be taken in the City of Licking	July 23, 2004	29 MoReg 1245
04-17	Declares that Missouri implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Florida	August 18, 2004	29 MoReg 1347
04-18	Accepts retrocession of federal jurisdiction over the St. Louis Army Ammunition Plant	August 25, 2004	29 MoReg 1349
04-19	Implements the EMAC with the State of Florida, activates the EMAC plan, and authorizes the use of the Missouri National Guard	September 10, 2004	29 MoReg 1430
04-20	Reestablishes the Poultry Industry Committee	September 14, 2004	29 MoReg 1432
04-21	Directs the creation of the Forest Utilization Committee within the Missouri Department of Conservation	September 14, 2004	29 MoReg 1434
<u>2003</u>			
03-01	Reestablishes the Missouri Lewis and Clark Bicentennial Commission	February 3, 2003	28 MoReg 296
03-02	Establishes the Division of Family Support in the Dept. of Social Services	February 5, 2003	28 MoReg 298
03-03	Establishes the Children's Division in the Dept. of Social Services	February 5, 2003	28 MoReg 300
03-04	Transfers all TANF functions to the Division of Workforce Development in the Dept. of Economic Development	February 5, 2003	28 MoReg 302
03-05	Transfers the Division of Highway Safety to the Dept. of Transportation	February 5, 2003	28 MoReg 304
03-06	Transfers the Minority Business Advocacy Commission to the Office of Administration	February 5, 2003	28 MoReg 306
03-07	Creates the Commission on the Future of Higher Education	March 17, 2003	28 MoReg 631
03-08	Lists Governor's staff who have supervisory authority over departments	September 4, 2003	28 MoReg 1556
03-09	Lists Governor's staff who have supervisory authority over departments	March 18, 2003	28 MoReg 633
03-10	Creates the Missouri Energy Policy Council	March 13, 2003	28 MoReg 634
03-11	Creates the Citizens Advisory Committee on Corrections	April 1, 2003	28 MoReg 705
03-12	Declares disaster areas due to May 4 tornadoes	May 5, 2003	28 MoReg 950
03-13	Calls National Guard to assist in areas harmed by the May 4 tornadoes	May 5, 2003	28 MoReg 952
03-14	Temporarily suspends enforcement of environmental rules due to the May 4th [et al.] tornadoes	May 7, 2003	28 MoReg 954
03-15	Establishes the Missouri Small Business Regulatory Fairness Board	August 25, 2003	28 MoReg 1477
03-16	Establishes the Missouri Commission on Patient Safety	October 1, 2003	28 MoReg 1760
03-17	Creates the Governor's Committee to End Chronic Homelessness	October 8, 2003	28 MoReg 1899

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03-18	Designates the Missouri State Highway Patrol within the Department of Public Safety as lead agency in state communications	December 10, 2003	29 MoReg 7
03-19	Creates the Public Safety Communications Committee	December 10, 2003	29 MoReg 9
03-20	Requires configuration of two-way radios used by agencies of the state of Missouri to include established interoperability channels as specified by the State Interoperability Executive Committee	December 10, 2003	29 MoReg 12
03-21	Closes state offices Friday, November 28 and Friday, December 26, 2003	October 24, 2003	28 MoReg 1989
03-22	Establishes the Missouri Sexual Offender Registration Task Force	December 10, 2003	29 MoReg 14
03-23	Adds the functions of a State Citizen Council to the Disaster Recovery Partnership	December 10, 2003	29 MoReg 16
03-24	Establishes the Governor's Commission on Hispanic Affairs	November 8, 2003	28 MoReg 2085
03-25	Requires state agencies to adopt cyber security policies and procedures. Designates the Office of Information Technology as principal forum to improve policies and procedures	December 10, 2003	29 MoReg 18
03-26	Reestablishes the Office of Information Technology as the mechanism for coordinating information technology initiatives for the state	December 10, 2003	29 MoReg 21
03-27	Use of Missouri products and services	December 2, 2003	28 MoReg 2209

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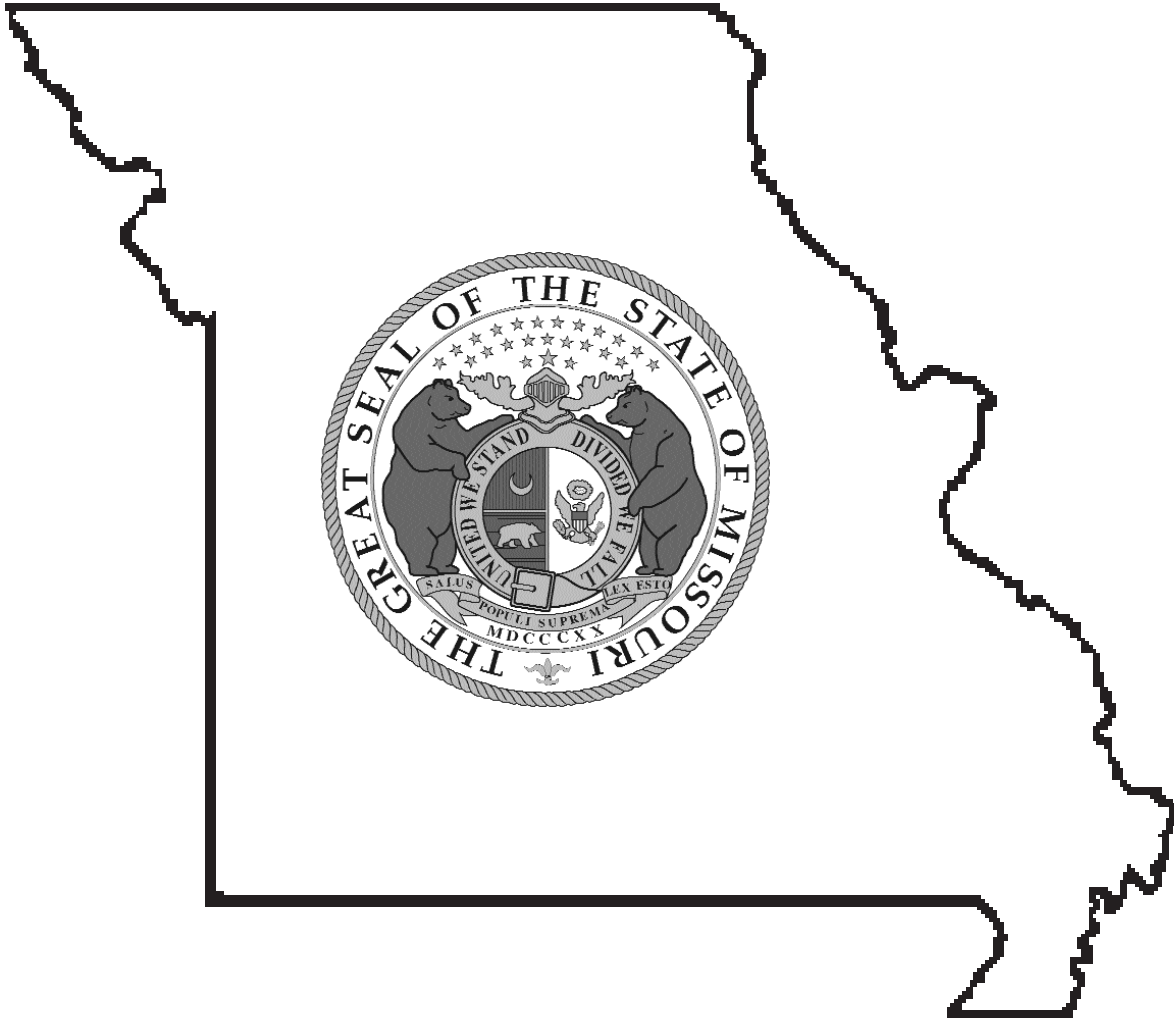
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