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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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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 <http://www.sos.mo.gov/adrules/pubsched.asp>

Missouri Participating Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Documents Law (section 181.100, RSMo Supp. 2004), are available in the listed participating libraries, as selected by the Missouri State Library:

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

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 within 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—The most recent version of the statute containing the section number and the date.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2004.

EXECUTIVE ORDER 05-31

WHEREAS, Executive Order 94-08 was issued on January 28, 1994, establishing the Missouri Community Service Commission; and

WHEREAS, in 1994, the General Assembly passed House Bill 1471, which ratified the creation of the Missouri Community Service Commission and established it within the Office of the Governor, and provided that the Governor may, by Executive Order, assign the Commission to the office of any executive department or statewide elected official; and

WHEREAS, pursuant to Executive Order 94-30 the Missouri Community Service Commission was assigned to the Office of the Lieutenant Governor. However, in 1997, House Bill 7 of the 89th General Assembly placed the Missouri Community Service Commission under the Department of Economic Development's budget; and the Department of Economic Development assumed responsibility for the Commission from the Office of the Lieutenant Governor at that time; and

WHEREAS, the Governor and the Department of Economic Development have jointly agreed that the Department of Economic Development would be the most appropriate place for the Commission to reside.

NOW, THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby assign the Missouri Community Service Commission, with all of its powers, duties and responsibilities, to the Department of Economic Development of the State of Missouri.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 14th day of September, 2005.

Matt Blunt
Governor

ATTEST:

Robin Carnahan
Secretary of State

**Executive Order
05-32**

WHEREAS, I have been advised by the Director of the State Emergency Management Agency that the Federal Emergency Management Agency (FEMA) is requesting assistance in relocating disaster victims from those States impacted by Hurricane Katrina to the State of Missouri; and

WHEREAS, FEMA has asked Missouri to provide any necessary support, to include, personnel, equipment, and resources, in order to provide for the efficient operation of this relocation effort; and

WHEREAS, this relocation effort is necessary to help relieve the condition of distress and hazard to the safety and welfare of our fellow Americans; and

WHEREAS, it is beyond the capabilities of the affected States to effectively handle the large numbers of evacuees; and

WHEREAS, the influx of large numbers of evacuees from the States impacted by Hurricane Katrina will have a significant impact on the citizens and resources of Missouri; and

WHEREAS, protection of the safety and welfare of the citizens of the State requires an invocation of the provisions of Sections 44.100 and 44.110, RSMo; and

WHEREAS, Section 105.267.1, RSMo, provides that an employee of an agency of the state of Missouri, who has been certified by the American Red Cross as a disaster service volunteer, may be granted leave from work with pay to participate in specialized disaster relief services for the American Red Cross, not to exceed a total of twenty-five full-time equivalent state employees for a total of one hundred twenty work hours per each employee in any fiscal year; and

WHEREAS, Section 105.267.4, RSMo, further provides that upon written order by the Governor, additional employees, not to exceed twenty-five full time equivalent state employees, may be granted the same type of leave described in Section 105.267.1 to participate in specialized disaster relief services for disasters occurring within this state.

NOW THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and Laws of the State of Missouri, including Sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri. I do hereby order that pursuant to Section 105.267.4, up to an additional twenty-five full time equivalent employees may be granted leave in accordance with Section 105.267 to participate in specialized disaster relief services for the American Red Cross, in assisting evacuees who have been relocated to Missouri.

This order shall terminate on October 31, 2005, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 16th day of September, 2005.



Matt Blunt
Governor

ATTEST:



Robin Carnahan
Secretary of State

EXECUTIVE ORDER
05-33

WHEREAS, the State of Missouri recognizes that all citizens have a right to live in safe communities; and

WHEREAS, 97% of offenders in custody of the Missouri Department of Corrections will someday be released from prison to live in those communities; and

WHEREAS, the State of Missouri recognizes that a good and responsible government is one that applies its resources in an efficient, effective, and coordinated effort to make every offender's transition from prison to community a successful one – not just for the offender, but for children, families, friends, neighbors, visitors, and businesses; and

WHEREAS, the Missouri Reentry Process (MRP) has demonstrated great promise in bringing State departments and community organizations together to work in unison toward this common and noble goal; and

WHEREAS, ongoing commitment to this process from all participating State departments is a requirement for its ultimate success; and

WHEREAS, all Missourians will surely benefit from that success.

NOW, THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by the power vested in me by the Laws and Constitution of the State of Missouri, do hereby order and direct the Department of Corrections to lead a permanent interagency steering team for the Missouri Reentry Process (MRP).

The steering team shall be comprised of senior leaders from the following state agencies, though membership shall not be limited to them:

- Department of Corrections
- Missouri Board of Probation and Parole
- Department of Mental Health
- Department of Social Services
- Department of Elementary and Secondary Education
- Department of Economic Development
- Department of Revenue
- Department of Health and Senior Services
- Office of State Courts Administrator

Membership shall also include community organizations representing crime victims, law enforcement, treatment providers, the faith community and any others deemed necessary to accomplish the mission set forth herein.

The Department of Corrections shall appoint a chairperson of the MRP steering team responsible for its oversight and direction.

The mission of the MRP Steering Team shall be to integrate successful offender reentry principles and practices in state agencies and communities resulting in partnerships that enhance offender self-sufficiency, reduce re-incarceration, and improve public safety.

The Department of Corrections shall, with its partner agencies, develop a comprehensive, statewide plan for the Missouri Reentry Process (MRP).

- The initial plan shall be developed and submitted to the Governor by January 1, 2006.
- There shall be subsequent annual reports that include outcomes, progress toward goals, and emerging issues.

This Executive Order shall expire on January 31, 2009, unless reauthorized by a later Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 21st day of September, 2005.



Matt Blunt
Governor

ATTEST:

Robin Carnahan
Secretary of State

**Executive Order
05-34**

WHEREAS, I have been advised by the Director of the State Emergency Management Agency that the Federal Emergency Management Agency (FEMA) is requesting assistance in relocating disaster victims from those States impacted by Hurricane Rita to the State of Missouri; and

WHEREAS, FEMA has asked Missouri to provide any necessary support, to include, personnel, equipment, and resources, in order to provide for the efficient operation of this relocation effort; and

WHEREAS, this relocation effort is necessary to help relieve the condition of distress and hazard to the safety and welfare of our fellow Americans; and

WHEREAS, it is beyond the capabilities of the affected States to effectively handle the large numbers of disaster victims; and

WHEREAS, the influx of large numbers of disaster victims from the States impacted by Hurricane Rita will have a significant impact on the citizens and resources of Missouri; and

WHEREAS, protection of the safety and welfare of the citizens of the State requires an invocation of the provisions of Section 41.480.2 RSMo.

NOW, THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and Laws of the State of Missouri, including Section 41.480.2 RSMo, order and direct the Adjutant General of the State of Missouri, or his designee, to forthwith call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and it is further ordered and directed that the Adjutant General or his designee, and through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized and directed by the Governor of this State..

This order shall terminate on October 31, 2005, unless extended in whole or in part.



ATTEST:

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of September, 2005.

Matt Blunt
Governor

Robin Carnahan
Secretary of State

**Executive Order
05-35**

WHEREAS, I have been advised by the Director of the State Emergency Management Agency that the Federal Emergency Management Agency (FEMA) is requesting assistance in relocating disaster victims from those States impacted by Hurricane Rita to the State of Missouri; and

WHEREAS, FEMA has asked Missouri to provide any necessary support, to include, personnel, equipment, and resources, in order to provide for the efficient operation of this relocation effort; and

WHEREAS, this relocation effort is necessary to help relieve the condition of distress and hazard to the safety and welfare of our fellow Americans; and

WHEREAS, it is beyond the capabilities of the affected States to effectively handle the large numbers of disaster victims; and

WHEREAS, the influx of large numbers of disaster victims from the States impacted by Hurricane Rita will have a significant impact on the citizens and resources of Missouri; and

WHEREAS, protection of the safety and welfare of the citizens of the State requires an invocation of the provisions of Section 44.100 and 44.110, RSMo.

NOW, THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and Laws of the State of Missouri, including Sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri. I do hereby direct that the Missouri State Emergency Operations Plan be activated.

I further authorize the use of state agencies to provide support to this relocation effort, as needed.

This order shall terminate on October 31, 2005, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of September, 2005.

A handwritten signature in black ink that reads "Matt Blunt". The signature is written in a cursive style with a large, prominent "M".

Matt Blunt
Governor

ATTEST:

A handwritten signature in black ink that reads "Robin Carnahan". The signature is written in a cursive style with a large, prominent "R".

Robin Carnahan
Secretary of State

**EXECUTIVE ORDER
05-36**

WHEREAS, the recent advance of Hurricane Rita across the Gulf of Mexico, its likely landfall in the States of Texas and Louisiana, and its probable movement across the southern United States will likely result in high winds, extreme tidal surges, heavy thunderstorms, torrential rains, and flooding across many areas within the States of Texas and Louisiana; and

WHEREAS, this severe natural disaster will likely result in extensive economic and human damage across Texas and Louisiana, including the loss of lives, the pervasive destruction of private and public property, the widespread interruption of electrical power to millions of public utility customers, and the evacuation and temporary relocation of persons from the coastal regions, which will eventually require the return of these displaced persons to their places of origin; and

WHEREAS, the extreme weather conditions caused by Hurricane Rita threaten to continue and to extend these destructive impacts across increasing areas of Texas and Louisiana as the hurricane moves inland; and

WHEREAS, these extreme weather conditions, and the resulting destruction of property, interruption of essential human services, and potential dangers to and loss of human life, will require a massive public and private response to provide immediate emergency assistance and continuing emergency relief to individual persons, businesses, and federal, state, and local governmental units in need of transportation for food, supplies, tools, equipment, medicine, public and private health care, law enforcement, security services, public utility services, sanitation and waste disposal, cleanup of debris, property restoration and reconstruction, and other necessities, which threatens to overload the available transportation systems to, from, and within these affected states; and

WHEREAS, the President of the United States of America has issued a Declaration of Regional Emergency within the meaning of Section 390.23(a)(1) of Title 49, Code of Federal Regulations, as a result of these severe weather conditions, which pose a threat to the public safety and health of persons residing within Texas and Louisiana, thereby authorizing exemption to Title 49 of the Code of Federal Regulations, Parts 390-399; and

WHEREAS, the safety and welfare of the inhabitants of the affected States of Texas and Louisiana, as well as any other affected state identified in future regional emergency declarations by the President of the United States or a governor of the affected state, resulting from Hurricane Rita, requires that operators of commercial motor carriers upon the public highways within Missouri, who are rendering assistance to the emergency efforts within the affected states, should be allowed more rapid and efficient travel to meet this emergency need for transportation of passengers and property; and

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of certain usual and necessary regulatory requirements for the drivers of commercial motor vehicles, while they are transporting property and passengers to assist in the relief efforts.

NOW THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby declare that I acknowledge the existence of a regional state of emergency, within the meaning of Title 49, Code of Federal Regulations, Section 390.23(a)(1), within the States of Texas and Louisiana, as well as any other affected state identified in future regional emergency declarations by the President of the United States or a governor of the affected state, resulting from the severe weather conditions accompanying Hurricane Rita, as described above; and

FURTHER, I direct that the commercial motor vehicle regulatory requirements regarding the purchase of trip permits for registration and fuel for commercial motor carriers engaged in interstate disaster relief efforts in any affected state identified in emergency declarations by the President of the United States or a governor of the affected state, resulting from the severe weather conditions accompanying Hurricane Rita, shall be waived; and

FURTHER, I direct that the issuance of overdimension and overweight permits by the Missouri Department of Transportation for commercial motor carriers engaged in interstate disaster relief efforts in any affected state identified in emergency declarations by the President of the United States or a governor of the affected state, resulting from the severe weather conditions accompanying Hurricane Rita, shall be subject to the following interim application requirements in obtaining such a permit:

The permittee will be required to supply:

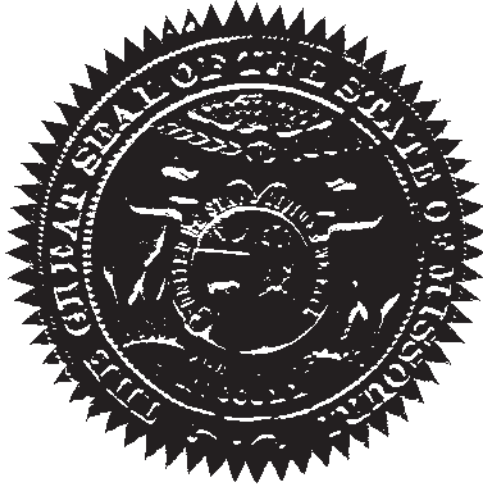
Year, Make and License plate number of the power unit and trailer;
Size, Make and Serial Number (last 4 digits) of commodity being hauled;
Origin, Destination and Consecutive Routing;
Overall Width, Height, Length and length of trailer and load only; and
Date of Movement.

The permit process can be expedited by calling:

800-877-8499
573-526-5314; or
573-526-5312.

However, this emergency declaration shall not suspend the applicability of the standard permit fee requirements; and

FURTHER, I direct that the effective date of this emergency declaration shall begin on September 23, 2005, and such emergency declaration shall continue in effect until the expiration date as set forth in the Declaration of Regional Emergency issued by the President of the United States of America, and the expiration dates of any emergency declarations issued by the governors of any state, resulting from the severe weather conditions accompanying Hurricane Rita, or November 23, 2005 at 12:01AM, whichever earlier occurs.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of September, 2005.

A handwritten signature in black ink that reads "Matt Blunt". The signature is written in a cursive style with a large, prominent "M".

Matt Blunt
Governor

ATTEST:

A handwritten signature in black ink that reads "Robin Carnahan". The signature is written in a cursive style with a large, prominent "R".

Robin Carnahan
Secretary of State