

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 or 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 2—DEPARTMENT OF AGRICULTURE
Division 30—Animal Health
Chapter 9—Animal Care Facilities**

ORDER OF RULEMAKING

By the authority vested in the director of agriculture under section 273.444 and 273.346, RSMo 2000, the director amends a rule as follows:

2 CSR 30-9.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2003, (28 MoReg 1085-1086). 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: Two (2) comments were received on the proposed changes. With both comments having similar opposition to the proposed changes, one (1) response follows this group of two (2) comments.

COMMENT: The proposed changes in (1)(T) regarding consent agreements and (14)(G) covering foster homes exceed the director's rulemaking authority. In (11)(B)1.I. requiring every broker or operator of an auction to maintain records on the name, mailing address, any USDA/ACFA license numbers of all people registering at the auction to buy animals, is an invasion of privacy without sufficient justification or authority under the ACFA statute.

COMMENT: The second commenter felt that the addition of section (T) should be placed in the Animal Care Facilities Act, RSMo

273.325 to 273.357 instead of this section. Also, there is not a clear definition of rescue group or foster home in the current regulations. In addition, this comment addressed concern that the removal of (13)(B)2. and (15)(C)3. is unenforceable as it stands.

RESPONSE AND EXPLANATION OF CHANGE: Settlement agreements expedite enforcement by seeking immediate action instead of a long legal process. A settlement agreement prior to the administrative process allows both parties to achieve resolution. Settlements are open record and available to the public for inspection. Due process is preserved since both parties have legal recourse to an administrative hearing.

In section 273.325, RSMo five (5) rescue groups are included in the definition of animal shelters. However, because of time and budgetary restraints the proposed change to subsection (14)(G) will be withdrawn and reviewed further at the Animal Care Facility Act Advisory committee meeting.

Auctions are defined in the law and are subject to regulations. Records of auctions are used to search unlicensed covered activity. Investigation and licensing covered activity is not an invasion of privacy nor does it exceed the authority of the ACFA statute. Therefore, we believe the director can make these changes to the regulations.

The removal of (13)(B)2. Holding Period and the removal of (15)(C)3. Procurement of Dogs and Cats By Licensees allows a shorter second holding period by licensees and allows animals to be moved between shelters and rescues more expeditiously.

2 CSR 30-9.020 Animal Care Facility Rules Governing Licensing, Fees, Reports, Record Keeping, Veterinary Care, Identification and Holding Period

(14) Miscellaneous.

(F) Handling of Animals.

1. Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm or unnecessary discomfort.

2. Physical abuse shall not be used to train, work or otherwise handle animals.

3. Deprivation of food or water shall not be used to train, work or otherwise handle animals; provided however, that the short-term withholding of food or water from animals by exhibitors is allowed by this rule as long as each of the animals affected receives its full dietary and nutrition requirements each day.

4. During public exhibition, any animal must be handled so there is minimal risk of harm to the animal and to the public, with sufficient distance or barriers, or both, between the animal and the general viewing public so as to assure the safety of animals and the public.

A. Performing animals shall be allowed a rest period between performances at least equal to the time for one (1) performance.

B. Young or immature animals shall not be exposed to rough or excessive public handling or exhibited for periods of time which would be detrimental to their health or well-being.

C. Drugs, such as tranquilizers, shall not be used to facilitate, allow or provide for public handling of the animals.

D. Animals shall be exhibited only for periods of time and under conditions consistent with their good health and well-being.

E. A responsible, knowledgeable and readily identifiable employee or attendant must be present at all times during periods of public contact.

F. During public exhibitions, dangerous animals such as lions, tigers or wolves must be under the direct control and supervision of a knowledgeable and experienced animal handler.

G. If public feeding of animals is allowed, the food must be provided by the animal facility and shall be appropriate to the type of animal and its nutritional needs and diet.

5. All euthanasia of animals shall be accomplished by a method approved by the 2000 edition, or later revisions, of the *American Veterinary Medical Association's Panel on Euthanasia*, as incorporated by reference in this rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Credit Unions under section 370.100, RSMo 2000, the director amends a rule as follows:

4 CSR 100-2.080 Fiscal and Financial Services is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2003 (28 MoReg 1279–1280). 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 Division of Credit Unions received two (2) comments on the proposed amendment.

COMMENT: The Missouri Credit Union Association whose membership is Missouri credit unions and one (1) credit union submitted comments in support of the proposed amendment.

RESPONSE: The Division of Credit Unions appreciates receiving the support of the Missouri credit unions in this effort.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2000, the Public Service Commission amends a rule as follows:

4 CSR 240-3.180 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 2, 2003 (28 MoReg 1024–1027). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

The first reports using the amended filing requirements will be due April 30, 2004, for the month ending March 31, 2004.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held July 9, 2003, and the written public comment period ended July 3, 2003. At the public hearing, the staff of the Public Service Commission of Missouri, testified in favor of the proposed amendment through Gay Fred, Tom Imhoff, Bob Berlin, and Tim Schwarz. John Coffman, the Public Counsel, provided written and oral comments; Mid-Missouri Counties Human Development Corporation appeared through Ivan Eames; and Kansas City Power & Light Company (KCPL) submitted written comments and appeared through Jim Fischer. The Commission staff, Public

Counsel, Mid-Missouri Human Development Corporation, and AmerenUE generally supported the proposed amendment.

COMMENT: KCPL comments in several places that it will incur costs to implement the amended rule, totaling twenty-four thousand dollars (\$24,000).

RESPONSE: The Commission notes that KCPL's projected costs are small, relative to its revenues; that utilities make frequent changes to information systems, the costs of which are included in rate cases; and that the information sought by the amended rule should be useful to all stakeholders in addressing the problems of low income customers.

COMMENT: All parties commented that "and known not to be receiving energy assistance" in section (1) was unclear.

RESPONSE AND EXPLANATION OF CHANGE: The Commission will reword the phrase to read "and not known to be receiving energy assistance." The Commission further notes that "disconnected" means a customer who is not currently receiving service, while "discontinued" means a customer whose service was disconnected for nonpayment of a bill. The Commission will further clarify subsection (1)(A) by rewriting it where paragraph (1)(A)1. asks for the total number of customers without service.

COMMENT: KCPL noted that the statistics reported under the rule might be misinterpreted.

RESPONSE: The Commission will note the limitations of the data, and differences between utilities, when releasing the reported information.

COMMENT: With respect to paragraphs (1)(C)1. and 2., KCPL noted that it might not know all of the sources of funds available to customers; and that use of the terms "pledged or paid" might lead to double counting of assistance.

RESPONSE AND EXPLANATION OF CHANGE: The Commission asks only for reporting of assistance known to the utility. Other sources would include the Salvation Army, civic organizations, and the like. The Commission indicates that it does not seek or want double counting of assistance by use of the word "or" between "pledged" and "paid."

To further clarify paragraph (1)(C)2., the Commission will reorder the list.

COMMENT: KCPL notes that subsection (1)(E) seeks different information than the current rule.

RESPONSE: KCPL is correct. The Commission believes that knowing the amount owed by payment troubled customers may help stakeholders in the formulation of policy to address the needs of low income customers.

COMMENT: KCPL questioned the meaning of "Other assistance" in paragraphs (1)(G)3. and (1)(H)3.

RESPONSE AND EXPLANATION OF CHANGE: The term "other assistance" means assistance customers received that is known to the utility. To further clarify, the Commission will add the phrase "known to the utility" to the phrases.

COMMENT: KCPL notes that it may not have the exact information sought by subsection (1)(J).

RESPONSE: The Commission is asking for the number of customers who apply for service or restoration of service, where the amount offered by the customer, including assistance, is insufficient to obtain service. The Commission does not ask for information that the utility does not have.

4 CSR 240-3.180 Submission of Electric Utility Residential Heat-Related Service Cold Weather Report

(1) Each utility providing heat-related utility service shall submit a report to the consumer services department of the commission for each calendar month no later than the twentieth day of the following month. The utility shall provide a copy of each report to the Office of the Public Counsel. The utility shall report for each operational district into which the utility has divided its Missouri service territory the number of days it was permitted to discontinue service under 4 CSR 240-13.055, and the utility shall separately report on the information listed below for customers receiving energy assistance and customers who are affected by 4 CSR 240-13.055 and not known to be receiving energy assistance. All information submitted shall be considered public information; however, no customer-specific information shall be reported or made public. Utilities providing both electric and gas service shall report the information separately for their gas-only territory:

(A) How many customers were:

1. Disconnected at the end of the period;
2. Of those disconnected, how many customers had service discontinued for non-payment during the period;
3. Of those discontinued during the period, how many customers were restored to service during the period.

(C) Of those customers reconnected during the period:

1. How many customers received energy assistance (pledged or paid) from:

A. Low Income Home Energy Assistance Program (LIHEAP);

B. Energy Crisis Intervention Program (ECIP);

C. Other sources known to the utility.

2. How much energy assistance was provided by:

A. LIHEAP;

B. ECIP;

C. Other sources known to the utility;

D. Customer.

(G) For how many customers during the period did the utility receive:

1. LIHEAP;

2. ECIP;

3. Other assistance known to the utility.

(H) How much cash did the utility receive on behalf of customers during the period from:

1. LIHEAP;

2. ECIP;

3. Others known to the utility.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2000, the Public Service Commission amends a rule as follows:

4 CSR 240-3.250 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 2, 2003 (28 MoReg 1028-1031). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

The first reports using the amended filing requirements will be due April 30, 2004, for the month ending March 31, 2004.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held July 9, 2003, and the written public comment period ended July 3, 2003. At the public hearing, the staff of the Public Service Commission of Missouri, testified in favor of the proposed amendment through Gay Fred, Tom Imhoff, Bob Berlin, and Tim Schwarz. John Coffman, the Public Counsel, provided written and oral comments; AmerenUE appeared through Jim Fischer and Laurie Karman; Missouri Gas Energy (MGE) entered written comments; Laclede Gas Company (Laclede) filed written comments and appeared through Rick Zucker; and Mid-Missouri Counties Human Development Corporation appeared through Ivan Eames. The Commission staff, Public Counsel, Mid-Missouri Human Development Corporation, and AmerenUE generally supported the proposed amendment.

COMMENT: All parties commented that “and known not to be receiving energy assistance” in section (1) was unclear.

RESPONSE AND EXPLANATION OF CHANGE: The Commission will reword the phrase to read “and not known to be receiving energy assistance.”

COMMENT: Laclede and MGE commented that subsection (1)(A) was unclear in the use of “disconnected” and “discontinued.”

RESPONSE AND EXPLANATION OF CHANGE: The Commission notes that “disconnected” means a customer who is not currently receiving service, while “discontinued” means a customer whose service was disconnected for nonpayment of a bill. The Commission will further clarify subsection (1)(A) by rewriting it where paragraph (1)(A)1. asks for the total number of customers without service.

COMMENT: With respect to paragraphs (1)(B)2. and (1)(D)2., MGE inquired what a non-cold weather rule pay agreement is.

RESPONSE: A non-cold weather rule pay agreement is an agreement between a gas utility and a customer for payment of a bill or part of a bill in more than one (1) current installment, other than as prescribed by 4 CSR 240-13.055.

COMMENT: With respect to paragraphs (1)(C)1. and 2., MGE asked the difference between “received” in paragraph (1)(C)2. and “provided by” in paragraph (1)(C)1.

RESPONSE: Paragraph (1)(C)1. asks for the number of customers who benefited from (received) assistance; while paragraph (1)(C)2. asks how much money each source group paid or pledged (provided).

COMMENT: With respect to paragraphs (1)(C)1. and 2., Laclede asked what “other” means.

RESPONSE AND EXPLANATION OF CHANGE: “Other” means a source of funds, known to the utility, for customers other than the government “LIHEAP” or “ECIP” programs. To further clarify paragraph (1)(C)2., the Commission will reorder the list.

COMMENT: Laclede questioned the meaning of “other assistance” in paragraph (1)(G)3. and (1)(H)3.

RESPONSE AND EXPLANATION OF CHANGE: The term “other assistance” means assistance customers received, that is known to the utility. To further clarify, the Commission will add the phrase “known to the utility” to the phrases.

4 CSR 240-3.250 Submission of Gas Utility Residential Heat-Related Service Cold Weather Report

(1) Each utility providing heat-related utility service shall submit a report to the consumer services department of the commission for each calendar month no later than the twentieth day of the following month. The utility shall provide a copy of each report to the Office of the Public Counsel. The utility shall report for each operational district into which the utility has divided its Missouri service territory the number of days it was permitted to discontinue service under

4 CSR 240-13.055, and the utility shall separately report on the information listed below for customers receiving energy assistance and customers who are affected by 4 CSR 240-13.055 and not known to be receiving energy assistance. All information submitted shall be considered public information; however, no customer-specific information shall be reported or made public. Utilities providing both electric and gas service shall report the information separately for their gas-only territory:

(A) How many customers were:

1. Disconnected at the end of the period;
2. Of those disconnected, how many customers had service discontinued for non-payment during the period;
3. Of those discontinued during the period, how many customers were restored to service during the period.

(C) Of those customers reconnected during the period:

1. How many customers received energy assistance (pledged or paid) from:

A. Low Income Home Energy Assistance Program (LIHEAP);

B. Energy Crisis Intervention Program (ECIP);

C. Other sources known to the utility.

2. How much energy assistance was provided by:

A. LIHEAP;

B. ECIP;

C. Other sources known to the utility;

D. Customer.

(G) For how many customers during the period did the utility receive:

1. LIHEAP;

2. ECIP;

3. Other assistance known to the utility.

(H) How much cash did the utility receive on behalf of customers during the period from:

1. LIHEAP;

2. ECIP;

3. Others known to the utility.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 40—Gas Utilities and Gas Safety Standards**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2000, the Public Service Commission adopts a rule as follows:

4 CSR 240-40.018 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 2, 2003 (28 MoReg 1032). 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 public hearing on this proposed rule was held July 10, 2003, and the public comment period ended July 3, 2003. At the public hearing, Warren Wood, Manager of the Energy Department of the Public Service Commission of Missouri, explained the development of the proposed rule and presented the Staff's responses to all written comments that had been provided to the Commission regarding the proposed rule through an exhibit that was marked Exhibit No. 1 and entered into the record. Jim Busch—an economist with the Office of the Public Counsel; Scott Glaeser—manager of natural gas supply and transportation for Ameren Energy Fuels and Services Company; Sean Gillespie—director of gas supply

planning and operations for the southern region of Aquila; Rob Hack—attorney for Missouri Gas Energy; Mike Pendergast—attorney for Laclede Gas Company; and Anita Randolph—director of the Department of Natural Resources' Energy Center all presented oral comments regarding the proposed rule at the public hearing.

COMMENT: Douglas E. Micheel, Esq., Senior Public Counsel, Office of the Public Counsel, on behalf of the Office of the Public Counsel, endorsed the proposed rule.

RESPONSE: No changes have been made to the proposed rule as a result of this comment.

COMMENT: Jim Busch, Economist for the Office of the Public Counsel, on behalf of the Office of the Public Counsel, endorsed the proposed rule. Mr. Busch also responded to some recommended changes that other parties would like to see made to the proposed rule. Mr. Busch expressed opposition to changing or removing the word "upward" regarding upward price volatility, the recommendation of adding index pricing to the proposed rule and that of adding NYMEX to section (2)(F) of the proposed rule where it lists futures contracts. Mr. Busch also expressed concern over adding energy efficiency to the rule since this rule is really structured as a supply side rule, and energy efficiency is a demand side concern. Also, in response to questions from the administrative law judge, Mr. Busch noted that "usage" as listed in the rule associated with usage volatility should remain in the proposed rule.

RESPONSE: No changes have been made to the proposed rule as a result of these comments.

COMMENT: Dean L. Cooper, Attorney, as attorney for Aquila, Inc. d/b/a Aquila Networks—MPS and Aquila Networks—L&P, endorsed the proposed rule. Aquila did note agreement with "technical drafting issues raised by other Missouri gas utilities," but did not recommend any specific changes to the rule.

RESPONSE: No changes have been made to the proposed rule as a result of this comment.

COMMENT: Sean Gillespie, director of gas supply planning and operations for the southern region of Aquila, on behalf of Aquila, endorsed the proposed rule and the comments that were provided by the other utilities, especially those of Ameren. Mr. Gillespie specifically endorsed the addition of NYMEX and OTC clarifications to the proposed rule, since there are a lot of tools available. Mr. Gillespie also noted that Aquila believes that adding energy efficiency to the rule is not appropriate since this rule deals with the supply side and not the demand side, but did note that they would be in support of a separate rulemaking. Mr. Gillespie also noted that weather hedges should be added to the rule, to remove any ambiguity.

RESPONSE: No changes have been made to the proposed rule as a result of these comments. The comments of AmerenUE, and the Commission's responses to those comments, are addressed below. The Commission has considered the addition of weather hedges to the proposed rule and believes that this tool is covered under the last provision of section (2) of the rule.

COMMENT: Brenda Wilbers, Program Director, Department of Natural Resources—Policy and Planning, on behalf of the Department recommended that section (2) of the rule be expanded to include energy efficiency programs and that a separate workgroup and rule be established to address energy efficiency programs.

RESPONSE: The Commission has considered these comments and notes that the second comment does not relate to a recommended change to this rule and will therefore not be addressed in this response. The first comment relates to broadening the language in section (2) of the proposed rule to include energy efficiency programs. The stated purpose of this rule is to provide "a statement of Commission policy that natural gas local distribution companies should undertake diversified natural gas purchasing activities as part

of a prudent effort to mitigate upward natural gas price volatility and secure adequate natural gas supplies for their customers.” While the Commission is generally supportive of the issues noted by the Department in its comments, this rule is structured to address supply side planning whereas energy efficiency is a demand side consideration. No changes to the proposed rule have been made as a result of these comments.

COMMENT: Anita Randolph, director of the Department of Natural Resources’ Energy Center, on behalf of the Department, stated that the proposed rule would benefit from the inclusion of the energy efficiency.

RESPONSE: No changes to the proposed rule have been made as a result of this comment. The issue addressed by Mrs. Randolph mirrors that of Mrs. Wilbers of the Department of Natural Resources and the Commission’s response to this issue is provided in the response to Mrs. Wilbers’ comments.

COMMENT: Warren Wood, Manager, Energy Department of the Public Service Commission, stated that the Staff has been very supportive of weatherization programs, energy conservation programs and low-income assistance programs that were structured appropriately. Further, Staff is supportive of initiatives for addressing energy efficiency programs. Staff cannot, however, recommend that the rule be expanded to include “Energy Efficiency Programs” as an option that natural gas utilities should pursue in their efforts “to minimize the impacts of market price spikes and provide a level of stability of delivered natural gas prices.” Staff does not believe that adding energy efficiency to section (2) of the rule is appropriate since this rule is directed at supply side planning issues and not demand side remedies.

RESPONSE: No changes to the proposed rule have been made as a result of these comments.

COMMENT: James M. Fischer, Attorney, as attorney for Union Electric Company d/b/a AmerenUE, endorsed the proposed rule, thanked the Commission for the opportunity to participate in the development of the proposed rule and suggested several changes. AmerenUE suggested that the following changes to the proposed rule would be appropriate:

1. That the rule specify that cash gains or losses associated with instruments used to mitigate price volatility be flowed through the PGA mechanism;
2. That “NYMEX” be inserted in front of “Futures Contracts” in section (2) of the proposed rule;
3. That section (2) of the proposed rule be expanded to include “Financial Swaps and Options from OTC Markets”;
4. That the pricing structures listed in section (2) of the proposed rule be expanded to include indexed contracts; and
5. That wherever “upward” appears in subsection (1)(C) of the proposed rule it should be replaced with the word “price.”

RESPONSE AND EXPLANATION OF CHANGE: The Commission has considered the comments made by AmerenUE and agrees that some changes to the proposed rule are appropriate.

AmerenUE’s first comment relates to specifically permitting a pass through of cost associated with natural gas price mitigation efforts in the PGA. The Commission agrees that this clarification is an appropriate addition to the rule and will add a sentence to the end of section (1)(B).

AmerenUE’s second comment relates to placing NYMEX in front of “Futures Contracts” in subsection (2)(F). The Commission cannot support this change to the rule as it could act to exclude other futures contracts that may currently be available or will develop in the market.

AmerenUE’s third recommended change was to add “Financial Swaps and Options from OTC Markets” to the options listed in section (2) of the rule. The Commission agrees that this is an appro-

priate addition to the rule and will change the list of options in section (2) of the proposed rule.

AmerenUE’s fourth recommended change is that the list of pricing structures, mechanisms and instruments in section (2) of the proposed rule should be expanded to include indexed contracts. The Commission has considered this recommendation and cannot support this change to the rule since section (2) of the rule is intended to provide a list of pricing structures, mechanisms and instruments that natural gas utilities should consider in developing purchasing plans that consider natural gas price volatility mitigation. The Commission’s exclusion of indexed contracts from the list in the rule under section (2) does not imply that index contracts are imprudent and/or inappropriate in a well-structured purchasing portfolio, just that the Commission does not consider them a purchasing mechanism for attempting to address upward price volatility.

AmerenUE’s fifth comment was that “upward” should be replaced with “price” where upward volatility is noted in subsection (1)(C). The Commission has considered this recommendation and cannot support this change to the rule since its purpose is to provide a clear “statement of Commission policy that natural gas local distribution companies should undertake diversified natural gas purchasing activities as part of a prudent effort to mitigate *upward* natural gas price volatility and secure adequate natural gas supplies for their customers” (*emphasis added*). Changing “upward” to “price” as recommended by AmerenUE is not consistent with the purpose of this rule. The Commission clarifies language in subsection (1)(C) by adding “price.”

COMMENT: Scott Glaeser, manager of natural gas supply and transportation for Ameren Energy Fuels and Services Company, on behalf of AmerenUE, noted that the rule should address the rate recovery of financial instrument in the PGA. Mr. Glaeser also noted that NYMEX should be added to the rule associated with futures contracts since this is the primary futures market for natural gas trading in the United States and Canada. Mr. Glaeser further recommended that over-the-counter markets (OTC) should be referenced in the proposed rule. Mr. Glaeser’s last comment was that energy efficiency is a demand side component and that this rulemaking is based on supply side price mitigation.

RESPONSE: No changes to the proposed rule have been made as a result of these comments. The issues addressed by Mr. Glaeser mirror those of Mr. Fischer that were provided on behalf of AmerenUE and the Commission’s responses to these issues are provided in the responses to AmerenUE’s comments.

COMMENT: Warren Wood, Manager, Energy Department of the Public Service Commission stated that the Staff is not opposed to providing clarification in the proposed rule regarding the pass through of cost related to volatility mitigation efforts in the PGA. Further, Staff is not opposed to adding financial swaps and options to section (2) of the rule. Staff believes that both of these recommended changes would provide clarification without distracting attention away from the focus of the proposed rule, which is to consider upward price volatility mitigation in purchasing strategies. Staff is, however, opposed to adding NYMEX to the reference to Futures Contracts in section (2) of the rule to avoid excluding other possible futures contracts that may currently be available or may be developed in the market in the future. Staff is also opposed to replacing “upward” with “price” wherever it appears in the rule. Staff believes that one of the primary concerns of customers being served by an LDC is that of high natural gas prices and/or sudden upward spikes in prices. The Policy Statement of the Natural Gas Commodity Price Task Force created after the winter of 2000–2001 confirms that the focus of this rule should be that of addressing upward price volatility, any efforts to change or dilute that purpose should be resisted by the Commission. Finally, Staff is also opposed to adding index contracts to section (2) of the rule since index contracts are generally not considered effective in addressing upward

price volatility, in fact they are the very contracts that tend to bring upward price volatility into an LDC's purchasing portfolio.

RESPONSE AND EXPLANATION OF CHANGE: In response to the recommended changes of AmerenUE, the Commission will change the proposed rule in a manner that addresses the Staff's comments.

COMMENT: James M. Fischer, Attorney, as attorney for Atmos Energy Corporation, Laclede Gas Company, and Missouri Gas Energy or "Missouri Gas Utilities," noted general support of the proposed rule and suggested several changes. The Missouri Gas Utilities suggested that the following changes to the proposed rule would be appropriate:

1. That the word "upward" should be removed from purpose clause and subsections (1)(A) and (1)(C) of the proposed rule;
2. That the rule specify that cost associated with instruments used to mitigate price volatility be flowed through the PGA mechanism;
3. That the pricing structures listed in section (2) of the proposed rule be expanded to include indexed contracts; and
4. That the reference to "management of price and/or usage volatility" under section (2) of the proposed rule either be revised to not include "usage volatility" or that usage volatility be better defined.

RESPONSE AND EXPLANATION OF CHANGE: The Commission has considered the comments made by the Missouri Gas Utilities and agrees that some changes to the proposed rule are appropriate.

Missouri Gas Utilities' first comment is that "upward" should be removed from the purpose clause and subsection (1)(A) and (1)(C) of the proposed rule. The Commission has considered this recommendation and cannot support this change to the rule since its purpose is to provide a clear "statement of Commission policy that natural gas local distribution companies should undertake diversified natural gas purchasing activities as part of a prudent effort to mitigate *upward* natural gas price volatility and secure adequate natural gas supplies for their customers" (*emphasis added*). Removing "upward" as recommended by the Missouri Gas Utilities is not consistent with the purpose of this rule or the Policy Statement of the Natural Gas Commodity Price Task Force that it is modeled after. The Commission clarifies the language in subsection (1)(C) by adding, "price".

Missouri Gas Utilities' second comment relates to specifically permitting a pass through of cost associated with natural gas price mitigation efforts in the PGA. The Commission agrees that this clarification is an appropriate addition to the rule and will add a sentence to the end of subsection (1)(B).

Missouri Gas Utilities' third recommended change is that the list of pricing structures, mechanisms and instruments in section (2) of the proposed rule should be expanded to include indexed contracts. The Commission has considered this recommendation and cannot support this change to the rule since section (2) of the rule is intended to provide a list of pricing structures, mechanisms and instruments that natural gas utilities should consider in developing purchasing plans that consider natural gas price volatility mitigation. The Commission's exclusion of indexed contracts from the list in the rule under section (2) does not imply that index contracts are imprudent and/or inappropriate in a well-structured purchasing portfolio, just that the Commission does not consider them a purchasing mechanism for attempting to address upward price volatility.

Missouri Gas Utilities fourth recommended change is that the reference to "management of price and/or usage volatility" under section (2) of the proposed rule either be revised to not include "usage volatility" or that usage volatility be better defined. The Commission has considered this recommendation and believes that the rule's purpose is best served by not changing this referenced language in section (2) of the proposed rule. The referenced provision in the rule is intended to be broad to be inclusive of any tools that now exist or may

be developed to address price and/or usage volatility. When customers, and the utility that serves them, are impacted by price volatility they are often also being impacted by usage volatility. The current language in the rule will permit utilities to consider the usage factor during the usage spikes that often accompany price spikes. Furthermore, making the language of the rule more specific in this area could result in excluding future mechanisms that may be developed in the market. For these reasons the Commission will not change the proposed rule's provisions in this area.

COMMENT: Warren Wood, Manager, Energy Department of the Public Service Commission stated that the staff is not opposed to providing clarification in the proposed rule regarding the pass through of cost related to volatility mitigation efforts in the PGA. Staff believes that this recommended change will provide clarification to the proposed rule. Staff is however opposed to removing references to "upward" wherever price volatility is discussed in the rule. Staff believes that one of the primary concerns of customers being served by an LDC is that of high natural gas prices and/or sudden upward spikes in prices. The Policy Statement of the Natural Gas Commodity Price Task Force created after the winter of 2000-2001 confirms that the focus of this rule should be that of addressing upward price volatility, any efforts to change or dilute that purpose should be resisted by the Commission. Staff is also opposed to adding index contracts to section (2) of the rule since index contracts are generally not considered effective in addressing upward price volatility, in fact they are the very contracts that tend to bring upward price volatility into an LDC's purchasing portfolio. Staff's final opposition to the Missouri Gas Utilities' comments relates to their recommendation to remove "usage volatility" from the provisions of section (2) of the proposed rule. Staff has considered this comment and believes that the intent of the reference to "Other tools utilized in the market for cost-effective management or price and/or usage volatility" is that this be a "catch all" for other tools that may exist now or be developed in the market for addressing volatility—both price and usage. Staff is currently aware of hedging contracts that are keyed off of weather indicators (i.e. Heating Degree-Days). This provides a means to address a portion of the usage volatility that can result from abnormally cold weather. When customers are impacted by price volatility they are often also being impacted by usage volatility. Staff believes the rule should include a reference to usage volatility provisions that gas utilities may be able to consider that would help them deal with this factor during price and/or usage spikes. Staff does not recommend that the language in (2)(G) be made more specific as this could result in the rule being too narrow and no longer applying to market instruments that may be developed in the future.

RESPONSE AND EXPLANATION OF CHANGE: In response to the recommended changes of the Missouri Gas Utilities', the Commission will change the proposed rule in a manner that addresses the Staff's comments.

COMMENT: Janet E. Wheeler, Attorney, as attorney for the Missouri Energy Development Association or "MEDA," noted MEDA's general support of the proposed rule, endorsed the comments filed by various utilities and noted that the proposed rule does not go as far as it could in providing the degree of firm regulatory guidance that may be necessary to produce the sort of benefits described.

RESPONSE: The Commission has responded to each of the suggested changes by the various utilities in the Commission's responses to each of those utilities' comments. No changes have been made to the proposed rule as a result of MEDA's comments.

COMMENT: Rob Hack, attorney for Missouri Gas Energy, clarified that weather derivatives are really designed to protect the margin revenue side of things and not the PGA. They are designed to protect revenue, not bills for customers. Mr. Hack does not see

weather derivatives as a real viable alternative to help the price volatility to customers.

RESPONSE: No changes to the proposed rule have been made to the proposed rule as a result of this comment.

COMMENT: Mike Pendergast, attorney for Laclede Gas Company, in regard to Mr. Hack's comments, noted that weather derivatives are primarily used for margin rather than for going out and trying to protect customers from unusually cold weather and that if this is to be addressed, it ought to be the subject of a separate proceeding. Mr. Pendergast also noted that simply putting the term "usage" in the rule does not adequately address the issue.

RESPONSE: No changes to the proposed rule have been made to the proposed rule as a result of these comments. The recommendation to remove "usage" from section (2) of the rule has been addressed above.

4 CSR 240-40.018 Natural Gas Price Volatility Mitigation

(1) Natural Gas Supply Planning Efforts to Ensure Price Stability.

(A) As part of a prudent planning effort to secure adequate natural gas supplies for their customers, natural gas utilities should structure their portfolios of contracts with various supply and pricing provisions in an effort to mitigate upward natural gas price spikes, and provide a level of stability of delivered natural gas prices.

(B) In making this planning effort, natural gas utilities should consider the use of a broad array of pricing structures, mechanisms, and instruments, including, but not limited to, those items described in (2)(A) through (2)(H), to balance market price risks, benefits, and price stability. Each of these mechanisms may be desirable in certain circumstances, but each has unique risks and costs that require evaluation by the natural gas utility in each circumstance. Financial gains or losses associated with price volatility mitigation efforts are flowed through the Purchased Gas Adjustment (PGA) mechanism, subject to the applicable provisions of the natural gas utility's tariff and applicable prudence review procedures.

(C) Part of a natural gas utility's balanced portfolio may be higher than spot market price at times, and this is recognized as a possible result of prudent efforts to dampen upward price volatility.

(2) Pricing Structures, Mechanisms and Instruments:

- (A) Natural Gas Storage;
- (B) Fixed Price Contracts;
- (C) Call Options;
- (D) Collars;
- (E) Outsourcing/Agency Agreements;
- (F) Futures Contracts;
- (G) Financial Swaps and Options from Over the Counter Markets; and
- (H) Other tools utilized in the market for cost-effective management of price and/or usage volatility.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.110 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 16, 2003

(28 MoReg 1095-1105). 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 Missouri Department of Natural Resources' Air Pollution Control Program (Air Program) received comments on the proposed amendment from thirteen sources: Armstrong Teasdale LLP, Associated General Contractors of Missouri, Inc. (AGC), Associated Industries of Missouri (AIM), Kansas City Health Department Air Quality Program, Springfield-Greene County Health Department Air Quality Control Program, City of St. Louis Air Pollution Control Program, Missouri Limestone Producers Association (MLPA), Patrick O'Driscoll—citizen, Regulatory Environmental Group for Missouri (REGFORM), Sierra Club of Missouri, St. Louis County Department of Health, St. Louis Regional Chamber & Growth Association (RCGA), and U.S. Environmental Protection Agency.

Due to the similarity in the following thirteen (13) comments, one (1) response that addresses these comments can be found at the end of these thirteen (13) comments.

COMMENT: Armstrong Teasdale LLP believes the Commission should fully evaluate the Program's financial situation in light of the recent budget reductions before authorizing an emission fee increase. If the Commission does authorize an emission fee increase, it should be limited to 2004 with a return to thirty-one dollars (\$31) in 2005.

COMMENT: The Kansas City Health Department Air Quality Program supports an emission fee increase. The emission fees provide a substantial portion of the funding for Kansas City Air Program activities. Emission fees are also important because federal funds have been essentially flat for the past few years with the federal government expecting funding to be acquired through regulated industry.

COMMENT: The U.S. Environmental Protection Agency supports an emission fee increase that is necessary to maintain the quality, bare bones operating permit program that industry expects and is entitled to. Without the fee increase, the Air Program may not meet its federal obligations.

COMMENT: REGFORM supports an emission fee increase to thirty-four dollars (\$34) which recognizes the Missouri Emission Inventory System credit of one dollar (\$1) collected for calendar year 2002. The pledge to support a thirty-four dollar (\$34) per ton emission fee is contingent upon the department working closely with regulated entities and their representatives to look at changes that can be made in the Program to bring the fee back down for the next year.

COMMENT: St. Louis Regional Chamber & Growth Association (RCGA) does not challenge an emission fee increase for 2003.

COMMENT: AIM discussed the emission fee situation, agreed with the position of RCGA, acknowledged REGFORM's position, and desired to be identified with the Armstrong Teasdale communications.

COMMENT: The Springfield-Greene County Health Department Air Quality Control Program supports an emission fee increase and the process used to establish the emission fee.

COMMENT: The City of St. Louis Air Pollution Control Program supports an emission fee increase to maintain current levels of protection and service.

COMMENT: The St. Louis County Department of Health supports an emission fee increase to maintain service delivery expected by the public.

COMMENT: The Sierra Club of Missouri supports an emission fee increase. In addition, they commented that the budget reductions incurred by the Missouri Department of Natural Resources and the Air Program have resulted in a leaner organization and that further funding reductions would impair the department's and Air Program's abilities to protect Missouri air quality. Also, all parties interested in breathing clean air need to work together to make a better case to

future General Assemblies about the importance of these programs to protect air quality.

COMMENT: MLPA supports an increase in the emission fee for one year so the Air Program can operate effectively.

COMMENT: Patrick O'Driscoll—citizen supports an emission fee increase to ensure that the air is fit to protect the children of our State as they participate in their outdoor athletic and recreation activities.

COMMENT: AGC supports an emission fee increase to thirty-four dollars (\$34) for 2003 to provide adequate funding of the Air Program. However, they believe the cost savings of permit streamlining are also part of the solution.

RESPONSE AND EXPLANATION OF CHANGE: The Air Program appreciates the business, citizen, governmental, and industry support for an emission fee increase to assist in maintaining a viable air pollution control program for the citizens of Missouri and their children. The emission fees support a quality air pollution control program and help the Air Program meet its federal obligations. The emission fees collected are also an important funding source to the local air agencies that provide air quality protection and service. Because the emission fee is set annually by statute, the fee being established with this rulemaking is for calendar year 2003. The emission fee process is reviewed annually in cooperation with the regulated community to establish an annual fee amount. After considering these comments and recent budget actions, the rule text has been revised to establish a thirty-four dollars and no cents (\$34.00) emission fee per ton of regulated pollutant to be collected for calendar 2003. The fiscal notes are revised to reflect this emission fee increase.

Due to the similarity in the following three (3) comments, one (1) response that addresses these comments can be found at the end of these three (3) comments.

COMMENT: Armstrong Teasdale LLP expressed the hope that the Commission was investigating the General Assembly's right to take the interest earned on permit fees as permit fees are supposed to be dedicated to the Air Program.

COMMENT: REGFORM encouraged the Commission and the Air Program to explore any language that can be added to the proposed amendment or any action that can be taken to diminish the likelihood that dedicated fee funds or the interest earned on those funds would be swept out of the fund and used for other purposes.

COMMENT: RCGA strongly urged the Commission to direct staff to review language governing the use of any existing or new fees to assure that those fees are held and applied for the use intended, for the benefit of the Air Program, and not made available for application to other general revenue purposes. AIM agreed with the RCGA comment.

RESPONSE: The Commission and the Air Program have and are continuing to review the recent actions of the General Assembly relative to the Air Program's fees and interest earned on the fees with the Attorney General's Office. No changes were made to the text as a result of these comments.

Due to the similarity in the following four (4) comments, one (1) response that addresses these comments can be found at the end of these four (4) comments.

COMMENT: Armstrong Teasdale LLP expressed disappointment that a 1997 white paper on Air Program operation improvements had not been responded to by the department or the Air Program. They feel that the permit by rule process is a step forward and other suggestions and ideas should be considered and possibly implemented.

COMMENT: RCGA indicated that there are efficiencies that can be achieved by reexamining the priorities and the operations of the Air Program that would result in potentially appreciable cost savings. AIM agreed with the RCGA comment.

COMMENT: MLPA commented that they have been historically interested in the efficiency of the Air Program and the permitting process and may provide written suggestions regarding these for the Commission and Air Program to consider. They want to continue to consider these kind of options.

COMMENT: AGC made specific comments on streamlining the permitting and the regulatory processes to reduce costs of the department. The specific comments relate to legislative repeal of operating permits for minor emissions sources and full implementation of the Managing for Results Task Force recommendations as presented to the department in March 2002.

RESPONSE: Although no formal response was made to the white paper, the Air Program is currently in the process of considering and implementing efficiencies from the white paper into the program's operation. The Missouri Results Initiative is an example of successful government/industry cooperation to review processes and recommend efficiency improvements. The permit-by-rule process has recently been introduced for small surface coating operations, small printing operations, and crematoriums and animal incinerators. In addition, actions are being considered to: 1) expand and market the exemption list for routine permits, 2) develop a form to determine if a permit is required, 3) create a document to certify that no permit is needed, and 4) accept major credit cards for payment of permit reviews. Although, no changes were made to the rule text as a result of these comments, action is being taken to streamline program processes, implement program efficiencies, and enhance program responsiveness.

Due to the similarity in the following two (2) comments, one (1) response that addresses these comments can be found at the end of these two (2) comments.

COMMENT: RCGA expects that the emission fee for the next year to be based on a collaborative, comprehensive review of the Air Program's operations.

COMMENT: AGC, AIM, and Armstrong Teasdale LLP commented that the department's Air Pollution Control Program should fully evaluate the program's financial situation in a cooperative manner with the regulated community. This evaluation should consider the recent budget reductions with the goal of lowering the emission fee for the next year.

RESPONSE: The Air Program is continually evaluating the Program's financial situation in relation to the recent and potential budget reductions. In addition, the Air Program plans to continue sharing relevant information with the regulated community via emission fee workgroup meetings relative to the annual emission fee. By state statute, the emission fees are set annually to fund the reasonable cost of administering the program. No changes were made to the text as a result of these comments.

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information

(3) General Provisions.

(D) Emission Fees.

1. Any air contaminant source required to obtain a permit under sections 643.010-643.190, RSMo, except sources that produce charcoal from wood, shall pay an annual emission fee, regardless of their EIQ reporting frequency, of thirty-five dollars and no cents (\$35.00) per ton of regulated air pollutant emitted starting with calendar year 2003 in accordance with the conditions specified in paragraph (3)(D)2. of this rule. For calendar year 2003, the fee shall be reduced by one dollar and no cents (\$1.00) per ton of regulated air pollutant emitted to reflect credit for fees collected for 2002 calendar year emissions for the Missouri Emission Inventory System project. Sources which are required to file reports once every five (5) years may use the information in their most recent EIQ to determine their annual emission fee.

2. General requirements.

A. The fee shall apply to the first four thousand (4,000) tons of each regulated air pollutant emitted. However, no air contaminant source shall be required to pay fees on total emissions of regulated air pollutants in excess of twelve thousand (12,000) tons in any calendar year. A permitted air contaminant source which emitted less than one (1) ton of all regulated pollutants shall pay a fee equal to the amount of one (1) ton.

B. The fee shall be based on the information provided in the facility's EIQ.

C. An air contaminant source which pays emissions fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

D. The fee imposed under paragraph (3)(D)1. of this rule shall not apply to carbon oxide emissions.

E. The fees shall be due April 1 each year for emissions produced during the previous calendar year.

F. The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire form or equivalent approved by the director.

G. For the purpose of determining the amount of air contaminant emissions on which the fees are assessed, a facility shall be considered one (1) source under the definition of section 643.078.2, RSMo, except that a facility with multiple operating permits shall pay emission fees separately for air contaminants emitted under each individual permit.

3. Fee collection. The annual changes to this rule to establish emission fees for a specific year do not relieve any source from the payment of emission fees for any previous year.

REVISED PUBLIC COST: This proposed amendment will result in an annualized aggregate gain in revenue of seven hundred fifty thousand thirty-six dollars (\$750,036) for the Department of Natural Resources. This gain in revenue takes into account an annualized aggregate cost of one hundred twenty-five thousand seven hundred thirty dollars (\$125,730) for other public entities. Note attached fiscal note for assumptions that apply.

REVISED PRIVATE COST: This proposed amendment will result in an annualized aggregate cost of seven hundred fifty thousand thirty-six dollars (\$750,036) for private entities. Note attached fiscal note for assumptions that apply.

**REVISED FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: 6 - Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process Information

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Misc. Public Entities (listed below)	\$125,730
Missouri Dept. of Natural Resources	\$750,036 Gain In Revenue

Cost estimates are reported as annualized aggregates.

III. WORKSHEET

	FY2004*	FY2005	FY2006	FY2007	FY2008	FY2009
EIQ Fees	\$1,334,334	\$1,347,678	\$1,361,154	\$1,374,766	\$1,388,513	\$1,402,399
	FY2010	FY2011	FY2012	FY2013	FY2014*	
	\$1,416,423	\$1,430,587	\$1,444,893	\$1,459,342	\$0	

Total Cost Over 10 Years \$13,960,088
Annualized Aggregate Cost \$1,396,009

	FY2004	EIQ Fee Costs FY2005**	Annualized Aggregate
EIQ Fees (\$34.00 Fee)	\$1,334,334	\$1,347,678	\$1,396,009

	FY2004	EIQ Fee Costs FY2005**	Annualized Aggregate
EIQ Fees (\$31.00 Fee)	\$1,214,159	\$1,226,301	\$1,270,279

Aggregate EIQ Fee Cost For This Amendment***	\$125,730
Increase In Public Entity Fee Revenue For This Amendment***	\$875,766
Resulting Gain In Public Entity Fee Revenue For This Amendment***	\$750,036

*See Assumption 3.

**The first full fiscal year for this rulemaking is FY2005.

*** Difference in annualized aggregate costs when raising \$31.00 fee to \$34.00 which is established from a \$35.00 fee with \$1.00 deducted for MoEIS.

List of Affected Entities:

Source Description	Number of Facilities
Gas & Electric	45
Sanitary Services	35
Hospitals	24
Rehabilitation Centers	2
Schools	9
Correctional Facility	5
National Security	6
Post Office	2
Transportation	3
Other	12
Totals	143

IV. ASSUMPTIONS

1. For the convenience of calculating this fiscal note over a reasonable time frame, the life of the rule is assumed to be ten (10) years although the duration of the rule is indefinite. If the life of the rule extends beyond ten years, the annual costs for additional years will be consistent with the assumptions used to calculate annual costs as identified in this fiscal note.
2. The public entity costs are fee collection estimates. The costs are based on the most recent data available to the department and are expected to be more accurate than previous fiscal notes for the same fiscal years.
3. All emission fees for calendar years are assumed to be submitted during the last six (6) months of the fiscal year. For example, costs for all calendar year 2003 emission fees are received by the Missouri Department of Natural Resources between January 1, 2004 and June 30, 2004.
4. Cost and affected entity estimates are based on data presently entered in the tracking systems of the Missouri Department of Natural Resources' Air Pollution Control Program. This data is subject to change as additional information is reviewed, updated, and entered.
5. The \$34.00 per ton fee for public entities is based on a fee of \$35.00 per ton of regulated air pollutant with the one-time credit of \$1.00 per ton of regulated air pollutant deducted for the Missouri Emission Inventory System (MoEIS) project.
6. The emission fees paid by public entities may vary depending on their current information and their chargeable emissions with fees remaining relatively constant. However, new controls decrease the amount of their emission fees.
7. The Emission Inventory Questionnaire (EIQ) fees are assumed to increase by 1% from FY2004 to FY2005.
8. Compliance and EIQ preparation costs reported on EIQs are not included in this fiscal note because these costs are not a result of this rulemaking. Compliance and preparation costs have been included in fiscal notes for the rulemakings that implemented these requirements.
9. The aggregate gain in public entity fee revenue for the Missouri Department of Natural Resources' Air Pollution Control Program is directly related to the difference in emission fees. The net gain in revenue is equivalent to the amount of gain realized by both public and private entities paying emission fees.

**REVISED FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process
Information

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2,573 Facilities (listed below)	Listed below	\$750,036

Cost estimates are reported as annualized aggregates.

III. WORKSHEET

	FY2004*	FY2005	FY2006	FY2007	FY2008	FY2009
EQ Fees	\$7,952,518	\$8,032,043	\$8,112,363	\$8,193,487	\$8,275,422	\$8,358,176

FY2010	FY2011	FY2012	FY2013	FY2014*
\$8,441,758	\$8,526,175	\$8,611,437	\$8,697,552	\$0

Total Cost Over 10 Years	\$83,200,931
Annualized Aggregate Cost	\$8,320,093

	FY2004	EQ Fee Costs FY2005**	Annualized Aggregate
EQ Fees (\$34.00 Fee)	\$7,952,518	\$8,032,043	\$8,320,093

	FY2004	EQ Fee Costs FY2005**	Annualized Aggregate
EQ Fees (\$31.00 Fee)	\$7,235,618	\$7,307,974	\$7,570,057

Total Aggregate Cost For This Amendment*** \$750,036

* See Assumption 3.

** The first full fiscal year for this rulemaking is FY2005.

*** Difference in annualized aggregate costs when raising \$31.00 fee to \$34.00 which is established

List of Affected Entities:

SIC Code	SIC Description	Number of Facilities
01	AGRICULTURAL PRODUCTION CROPS	0
02	AGRICULTURAL PRODUCTION LIVESTOCK AND ANIMAL SPECIALTIES	2
07	AGRICULTURAL SERVICES	46
10	METAL MINING	11
12	COAL MINING	5
14	MINING AND QUARRYING OF NONMETALLIC MINERALS, EXCEPT FUELS	348
15	BUILDING CONSTRUCTION GENERAL CONTRACTORS AND OPERATIVE	18
16	HEAVY CONSTRUCTION OTHER THAN BUILDING CONSTRUCTION	5
17	CONSTRUCTION SPECIAL TRADE CONTRACTORS	4
20	FOOD AND KINDRED PRODUCTS	129
21	TOBACCO PRODUCTS	1
22	TEXTILE MILL PRODUCTS	1
23	APPAREL AND OTHER FINISHED PRODUCTS MADE FROM FABRICS	2
24	LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE	67
25	FURNITURE AND FIXTURES	24
26	PAPER AND ALLIED PRODUCTS	22
27	PRINTING, PUBLISHING, AND ALLIED INDUSTRIES	66
28	CHEMICALS, BRIQUETS, PAINTS	157
29	PETROLEUM REFINING AND RELATED INDUSTRIES	130
30	RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS	56
31	LEATHER AND LEATHER PRODUCTS	6

SIC Code	SIC Description	Number of Facilities
32	STONE, CLAY, GLASS, AND CONCRETE PRODUCTS	338
33	PRIMARY METAL INDUSTRIES	55
34	FABRICATED METAL PRODUCTS, EXCEPT MACHINERY AND TRANSPORTATION	89
35	INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT	50
36	ELECTRONIC AND OTHER ELECTRICAL EQUIPMENT AND COMPONENTS	42
37	TRANSPORTATION EQUIPMENT	60
38	MEASURING, ANALYZING, AND CONTROLLING INSTRUMENTS	6
39	MISCELLANEOUS MANUFACTURING INDUSTRIES	21
40	RAILROAD TRANSPORTATION	0
41	LOCAL AND SUBURBAN TRANSIT AND INTERURBAN HIGHWAY PASSENGER	1
42	MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING	21
44	WATER TRANSPORTATION	4
45	TRANSPORTATION BY AIR	4
46	PIPELINES, EXCEPT NATURAL GAS	20
47	TRANSPORTATION SERVICES	3
48	COMMUNICATIONS	2
49	ELECTRIC, GAS, SANITARY SERVICES, AND LANDFILLS	120
50	WHOLESALE TRADE-DURABLE GOODS	22
51	WHOLESALE TRADE-NON-DURABLE GOODS	162
52	LUMBER/HARDWARE	1
54	FOOD STORES	0
55	AUTOMOTIVE DEALERS AND GASOLINE SERVICE STATIONS	2
57	HOME FURNITURE, FURNISHINGS, AND EQUIPMENT STORES	0

SIC Code	SIC Description	Number of Facilities
59	MISCELLANEOUS RETAIL	1
60	BANK	0
63	INSURANCE CARRIERS	0
65	REAL ESTATE	0
70	HOTELS, ROOMING HOUSES, CAMPS, AND OTHER LODGING PLACES	1
72	PERSONAL SERVICES AND DRY CLEANERS	379
73	BUSINESS SERVICES	5
75	AUTOMOTIVE REPAIR, SERVICES, AND PARKING	7
76	MISCELLANEOUS REPAIR SERVICES	4
80	HEALTH SERVICES	39
82	EDUCATIONAL SERVICES	7
83	NURSE HOME	2
84	MUSEUMS, ART GALLERIES, AND BOTANICAL AND ZOOLOGICAL GARDENS	0
87	ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT, AND RELATED	1
91	EXECUTIVE, LEGISLATIVE, AND GENERAL GOVERNMENT, EXCEPT FINANCE	0
92	CORRECTIONS	2
95	ADMINISTRATION OF ENVIRONMENTAL QUALITY AND HOUSING PROGRAMS	0
97	MILITARY	2
Total Facilities		2,573

IV. ASSUMPTIONS

1. For the convenience of calculating this fiscal note over a reasonable time frame, the life of the rule is assumed to be ten (10) years although the duration of the rule is indefinite. If the life of the rule extends beyond ten years, the annual costs for additional years will be consistent with the assumptions used to calculate annual costs as identified in this fiscal note.
2. The private entity costs are fee collection estimates. The costs are based on the most recent data available to the department and are expected to be more accurate than previous fiscal notes for the same fiscal years.

3. All emission fees for calendar years are assumed to be submitted during the last six (6) months of the fiscal year. For example, costs for all calendar year 2003 emission fees are received by the Missouri Department of Natural Resources between January 1, 2004 and June 30, 2004.
4. Cost and affected entity estimates are based on data presently entered in the tracking systems of the Missouri Department of Natural Resources' Air Pollution Control Program. This data is subject to change as additional information is reviewed, updated, and entered.
5. The \$34.00 per ton fee for private entities is based on a fee of \$35.00 per ton of regulated air pollutant with the one-time credit of \$1.00 per ton of regulated air pollutant deducted for the Missouri Emission Inventory System (MoEIS) project.
6. The emission fees paid by private entities may vary depending on their current information and their chargeable emissions with fees remaining relatively constant. However, new controls decrease the amount of their emission fees.
7. The Emission Inventory Questionnaire (EIQ) fees are assumed to increase by 1% from FY2004 to FY2005.
8. Compliance and EIQ preparation costs reported on EIQs are not included in this fiscal note because these costs are not a result of this rulemaking. Compliance and preparation costs have been included in fiscal notes for the rulemakings that implemented these requirements.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management Commission
Chapter 12—Hazardous Waste Fees and Taxes**

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under section 260.479 RSMo Supp. 2003, the commission amends a rule as follows:

10 CSR 25-12.010 Fees and Taxes is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2003 (28 MoReg pages 874–877). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on June 3, 2003, the department testified that section 260.479, RSMo establishes the category tax paid by generators of hazardous waste, including minimum annual amounts, individual site caps, and a company cap. Currently the minimum annual amount is fifty-one dollars and twenty-eight cents (\$51.28), the individual site caps are forty-one thousand and twenty dollars (\$41,020) or eighty-two thousand forty dollars (\$82,040) annually depending on the waste disposal method used, and the company cap is eighty-two thousand forty dollars (\$82,040) annually. The department further testified that the commission is authorized to increase these amounts annually, via the rulemaking process, by as much as 2.55%.

SUMMARY OF COMMENTS: Mr. Kevin Perry, President of the Regulatory Environmental Group For Missouri (REGFORM) testified on behalf of the members of his organization, which represents companies from all over Missouri strictly on environmental regulation issues. Mr. Perry also submitted written comments on behalf of REGFORM. In addition to REGFORM, two (2) other organizations submitted written comments expressing opposition to the proposed amendment. The Executive Director of Recycle Missouri, Inc. submitted written comments on behalf of his members and the Vice President of Government Affairs for Associated Industries of Missouri (AIM) submitted written comments on behalf of the AIM members.

COMMENT: For various reasons, REGFORM, Recycle Missouri, Inc., and AIM requested that the Department of Natural Resources and the members of the Hazardous Waste Management Commission consider not increasing the category tax as proposed and instead take the appropriate action to keep the tax at its current level. REGFORM pointed out that the financial hardships experienced by the department are just as serious as the difficulties experienced by its members who pay the tax and that additional taxes would only add to those difficulties. Additionally, each of the commenters pointed out that the same legislation that gave the commission the authority to increase the category tax included a provision that required the department to seek an annual appropriation of one (1) million dollars of general revenue to the Hazardous Waste Remedial Fund. The commitment to seek general revenue was in recognition of the fact that the fund supports projects and programs considered to benefit the general public. The department met its commitment to request the appropriation of general revenue but the legislature was unable to fulfill that request. The commenters pointed out that, not only has the legislature failed to appropriate the general revenue requested by the department, the General Assembly has actually withdrawn interest generated on the funds in the remedial fund to use for general revenue purposes. The commenters suggested that this indicates a

determination by the legislature that the purposes of the remedial fund are not a priority in relation to other needs of the state. Recycle Missouri, Inc. and AIM suggested that because there is no indication that the legislature wishes to raise taxes to increase general revenue the commission should also not increase taxes in this time of a struggling economy.

RESPONSE: The Hazardous Waste Program is experiencing financial hardships similar to those expressed by commenters and has been holding positions vacant in part to ease budgetary pressures. The program anticipates that failure to increase this fee could postpone filling of a technical position vacancy for an additional year. The consequences of this could include inability to conduct timely reviews on Brownfields/Voluntary Cleanup Program, Superfund, or permitting projects.

The commission acknowledges that business owners who pay the category tax are experiencing the same hardships that the state is experiencing. The commission also acknowledges that the annual appropriation of one (1) million dollars from general revenue to the remedial fund has not been available because of the state budget situation. However, even with the increase authorized by the commission last year, category tax revenues continue to fall short of projections while the need remains the same. Those projections were established by the legislature to represent the amount that those subject to the category tax should pay into the remedial fund. The lack of general revenue did not factor into the request to increase the category tax rates.

The commission is sensitive to the concerns of those paying the category tax, including the membership of REGFORM, Recycle Missouri, Inc., and AIM. The commission acknowledges that, when those paying the category tax into the remedial fund see those funds appropriated for general revenue purposes, it may seem that they are paying more than their share. Nevertheless, because the funding continues to fall short of projections that were agreed to and identified as necessary, no changes were made as a result of the testimony and comments in opposition to the proposed amendment.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 306.400 and 306.410, RSMo Supp. 2003, the director adopts a rule as follows:

12 CSR 10-23.456 Marine Application for Title is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 1, 2003 (28 MoReg 1189). 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 20—DEPARTMENT OF INSURANCE
Division 400—Life, Annuities and Health
Chapter 4—Long-Term Care**

ORDER OF RULEMAKING

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

20 CSR 400-4.100 Long-Term Care is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 15, 2003 (28 MoReg 777-778). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **January 1, 2004**.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE
Division 400—Life, Annuities and Health
Chapter 4—Long-Term Care**

ORDER OF RULEMAKING

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

20 CSR 400-4.100 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 15, 2003 (28 MoReg 778-807). Those sections with changes are reprinted here. This proposed rule becomes effective on **January 1, 2004**.

SUMMARY OF COMMENTS: The Missouri Department of Insurance (MDI) received three (3) comments on the proposed rule.

COMMENT: It was requested that the MDI retain language from section 15C of the National Association of Insurance Commissioners (NAIC) Model regulation, which addressed reporting requirements for long-term care insurers.

RESPONSE AND EXPLANATION OF CHANGE: The language contained in section 15C of the NAIC Model regulation will be added to the proposed rule as requested.

COMMENT: It was suggested that the regulation should be changed to give insurers additional time after the proposed regulation becomes effective to modify their forms and develop rates and actuarial support in consideration of the changes made by the regulation.

It was also suggested that the MDI clarify what documents and supporting information must be filed for currently approved forms.

RESPONSE AND EXPLANATION OF CHANGE: The language of the proposed regulation will be changed so that the effective date of the regulation will be January 1, 2004.

Because the request to clarify what the MDI will require for currently approved forms appears to ask for an interpretation of the proposed language and not a change in the wording of the proposed rule, no changes will be made.

COMMENT: It was pointed out that under the Department of Health and Senior Services regulations, an adult day care program must provide care to at least five (5) functionally impaired adults. The proposed rule sets that minimum at six (6) adults. Therefore, the proposed rule should be modified to be consistent with the licensing regulation that deals with the same type of program or facility.

RESPONSE AND EXPLANATION OF CHANGE: The proposed rule's definition of adult day care facility will be modified to be consistent with Missouri law dealing with adult day care facility licensing.

20 CSR 400-4.100 Long-Term Care Insurance

(1) Applicability and Scope.

(A) Except as otherwise specifically provided, this regulation applies to all long-term care insurance policies, including qualified

long-term care contracts and life insurance policies that accelerate benefits for long-term care delivered or issued for delivery in this state on or after January 1, 2004, by insurers, fraternal benefit societies, nonprofit health, hospital and medical service corporations, prepaid health plans, health maintenance organizations and all similar organizations. Certain provisions of this regulation apply only to qualified long-term care insurance contracts as noted.

(3) Policy Definitions. No long-term care insurance policy delivered or issued for delivery in this state shall use the terms set forth below, unless the terms are defined in the policy and the definitions satisfy the following requirements:

(C) "Adult day care" means a program for five (5) or more individuals, of social and health-related services provided during the day in a community group setting for the purpose of supporting frail, impaired elderly or other disabled adults who can benefit from care in a group setting outside the home.

(13) Reporting Requirements.

(C) Reported replacement and lapse rates do not alone constitute a violation of insurance laws or necessarily imply wrongdoing. The reports are for the purpose of reviewing more closely producer activities regarding the sale of long-term care insurance.

(D) Every insurer shall report, annually by June 30, the ten percent (10%) of its producers with the greatest percentages of lapses and replacements as measured by subsection (A) of this section, above. The required report is printed as Appendix G to this regulation, which is included herein.

(E) Every insurer shall report annually by June 30, by completing Appendix G, the number of lapsed policies as a percent of its total annual sales and as a percent of its total number of policies in force as of the end of the preceding calendar year.

(F) Every insurer shall report annually by June 30, by completing Appendix G, the number of replacement policies sold as a percent of its total annual sales and as a percent of its total number of policies in force as of the preceding calendar year.

(G) Every insurer shall report annually by June 30, for qualified long-term care insurance contracts, the number of claims denied for each class of business, expressed as a percentage of claims denied. The required report is printed as Appendix E to this regulation, which is included herein.

(H) Reports required under this section shall be filed with the director.

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 section 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Raytown-Lee's Summit Community Credit Union 10021 E. 66th Terrace Raytown, MO 64133	Those who live or work within the zip codes of the Raytown School District: 64055, 64133, 64138, 64052, 64129 and Lee's Summit School District: 64034, 64082, 64081, 64063, 64064, 64086

**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
Edison Credit Union 4200 E. Front Street Kansas City, MO 64120	Active or retired employees of: Townsend Communications, LLC., United Country Real Estate, Occu-Tec, Inc., O'Dell Service, North Kansas City Electric, TimberKing, Inc., Data Source, Inc., Custom Lighting Services Immediate family members and household of members.

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
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for the December 1, 2003, Certificate of Need meeting. These applications are available for public inspection at the address shown below:

Date Filed

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

08/13/03

#3514 HS: Select Specialty Hospital—St. Louis
St. Louis (St. Louis City)
\$3,460,654, Establish 36-bed long-term care hospital

09/05/03

#3537 HS: Southeast Missouri Hospital
Cape Girardeau (Cape Girardeau County)
\$2,700,000, Acquire radiosurgery system

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by October 22, 2003. 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.

Contractor Debarment List

Name of Contractor	Name of Officer and Title	Address	Date of Conviction	Debarment Period
Bruner Contracting Company	Cynthia Bruner	218 Delaware, Ste. 211 Kansas City, MO 64105	9/9/03	9/9/03-9/9/04
Cynthia Bruner	N/A	218 Delaware, Ste. 211 Kansas City, MO 64105	9/9/03	9/9/03-9/9/04

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—26 (2001), 27 (2002) and 28 (2003). 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
OFFICE OF ADMINISTRATION					
1 CSR 10	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 10-18.010	Commissioner of Administration	28 MoReg 1615	28 MoReg 1482		
1 CSR 15-3.320	Administrative Hearing Commission		28 MoReg 1266	28 MoReg 1841	
1 CSR 15-3.350	Administrative Hearing Commission		28 MoReg 1266	28 MoReg 1841	
1 CSR 20-2.015	Personnel Advisory Board and Division of Personnel		28 MoReg 1560		
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		28 MoReg 1560		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		28 MoReg 1561		
DEPARTMENT OF AGRICULTURE					
2 CSR 30-2.040	Animal Health		28 MoReg 711		
2 CSR 30-9.020	Animal Health		28 MoReg 1085	This Issue	
2 CSR 30-9.030	Animal Health		28 MoReg 1086		
2 CSR 70-13.030	Plant Industries	28 MoReg 1553	28 MoReg 1561		
2 CSR 100-6.010	Missouri Agriculture and Small Business Development Authority		28 MoReg 1762		
DEPARTMENT OF CONSERVATION					
3 CSR 10-1.010	Conservation Commission		28 MoReg 1483		
3 CSR 10-4.111	Conservation Commission		28 MoReg 1088	28 MoReg 1512	
3 CSR 10-5.352	Conservation Commission		28 MoReg 1267	28 MoReg 1718	
3 CSR 10-5.552	Conservation Commission		28 MoReg 1270	28 MoReg 1718	
3 CSR 10-5.553	Conservation Commission		28 MoReg 1273	28 MoReg 1718	
3 CSR 10-5.577	Conservation Commission		28 MoReg 1275	28 MoReg 1718	
3 CSR 10-5.578	Conservation Commission		28 MoReg 1277	28 MoReg 1719	
3 CSR 10-7.410	Conservation Commission		28 MoReg 1088	28 MoReg 1512	
3 CSR 10-7.440	Conservation Commission		N.A.	28 MoReg 1841	
3 CSR 10-7.455	Conservation Commission		28 MoReg 1089	28 MoReg 1512	
3 CSR 10-8.515	Conservation Commission		N.A.	28 MoReg 1512	
3 CSR 10-9.110	Conservation Commission		28 MoReg 1089	28 MoReg 1513	
3 CSR 10-9.442	Conservation Commission		N.A.	28 MoReg 1843	
3 CSR 10-11.160	Conservation Commission		28 MoReg 1089	28 MoReg 1513	
3 CSR 10-11.180	Conservation Commission		28 MoReg 1090	28 MoReg 1513	
			N.A.	28 MoReg 1513	
3 CSR 10-11.182	Conservation Commission		28 MoReg 1090	28 MoReg 1514	
			28 MoReg 1279	28 MoReg 1719	
3 CSR 10-11.186	Conservation Commission		28 MoReg 1091	28 MoReg 1514	
3 CSR 10-11.205	Conservation Commission		28 MoReg 1091	28 MoReg 1514	
3 CSR 10-12.110	Conservation Commission		28 MoReg 1092	28 MoReg 1514	
3 CSR 10-12.135	Conservation Commission		28 MoReg 1092	28 MoReg 1514	
			N.A.	28 MoReg 1719	
3 CSR 10-12.140	Conservation Commission		28 MoReg 1093	28 MoReg 1515	
			N.A.	28 MoReg 1719	
3 CSR 10-20.805	Conservation Commission		28 MoReg 1279	28 MoReg 1720W	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 30-3.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R		
4 CSR 30-3.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R		
4 CSR 30-3.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R		
4 CSR 30-3.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R		
4 CSR 30-3.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484		
4 CSR 30-4.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1762R 28 MoReg 1763		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 30-4.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1765		
4 CSR 30-5.140	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-5.150	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 30-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 30-16.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 852	28 MoReg 1515	
4 CSR 30-16.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 853	28 MoReg 1515	
4 CSR 30-16.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 854	28 MoReg 1515	
4 CSR 30-16.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 855	28 MoReg 1515	
4 CSR 30-16.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 855	28 MoReg 1516	
4 CSR 30-16.080	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 855	28 MoReg 1516	
4 CSR 30-16.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 856	28 MoReg 1516	
4 CSR 30-16.100	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 856	28 MoReg 1516	
4 CSR 60-1.040	State Board of Barber Examiners		28 MoReg 1487		
4 CSR 60-4.015	State Board of Barber Examiners		28 MoReg 1491		
4 CSR 70-1.010	State Board of Chiropractic Examiners		28 MoReg 1491R 28 MoReg 1492		
4 CSR 70-2.020	State Board of Chiropractic Examiners		28 MoReg 1492		
4 CSR 70-2.030	State Board of Chiropractic Examiners		28 MoReg 1492		
4 CSR 70-2.040	State Board of Chiropractic Examiners		28 MoReg 1492		
4 CSR 70-2.045	State Board of Chiropractic Examiners		28 MoReg 1495		
4 CSR 70-2.050	State Board of Chiropractic Examiners		28 MoReg 1495		
4 CSR 70-2.060	State Board of Chiropractic Examiners		28 MoReg 1496		
4 CSR 70-2.065	State Board of Chiropractic Examiners		28 MoReg 1499		
4 CSR 70-2.070	State Board of Chiropractic Examiners		28 MoReg 1499		
4 CSR 70-2.080	State Board of Chiropractic Examiners		28 MoReg 1500		
4 CSR 70-2.081	State Board of Chiropractic Examiners		28 MoReg 1501		
4 CSR 70-2.090	State Board of Chiropractic Examiners		28 MoReg 1502		
4 CSR 70-2.100	State Board of Chiropractic Examiners		28 MoReg 1505		
4 CSR 70-3.010	State Board of Chiropractic Examiners		28 MoReg 1506		
4 CSR 100	Division of Credit Unions				28 MoReg 1219 28 MoReg 1391 28 MoReg 1526 28 MoReg 1723 This Issue
4 CSR 100-2.080	Division of Credit Unions		28 MoReg 1279	This Issue	
4 CSR 115-1.040	State Committee of Dietitians		28 MoReg 1280		
4 CSR 150-2.080	State Board of Registration for the Healing Arts		28 MoReg 1507		
4 CSR 150-3.080	State Board of Registration for the Healing Arts		28 MoReg 1282		
4 CSR 150-3.170	State Board of Registration for the Healing Arts		28 MoReg 1284		
4 CSR 200-4.021	State Board of Nursing		28 MoReg 1286		
4 CSR 200-4.100	State Board of Nursing		28 MoReg 1286		
4 CSR 220-5.020	State Board of Pharmacy		28 MoReg 1177		
4 CSR 231-2.010	Division of Professional Registration		28 MoReg 1286		
4 CSR 232-3.010	Missouri State Committee of Interpreters		28 MoReg 1769		
4 CSR 240-3.155	Public Service Commission		28 MoReg 1507		
4 CSR 240-3.180	Public Service Commission		28 MoReg 1024	This Issue	
4 CSR 240-3.250	Public Service Commission		28 MoReg 1028	This Issue	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-3.265	Public Service Commission		This Issue		
4 CSR 240-3.440	Public Service Commission		This Issue		
4 CSR 240-3.650	Public Service Commission		This Issue		
4 CSR 240-32.180	Public Service Commission	This Issue			
4 CSR 240-32.190	Public Service Commission	This Issue			
4 CSR 240-40.018	Public Service Commission		28 MoReg 1032	This Issue	
4 CSR 250-3.020	Missouri Real Estate Commission		28 MoReg 1770		
4 CSR 250-8.160	Missouri Real Estate Commission		28 MoReg 1770		
4 CSR 250-10.010	Missouri Real Estate Commission		28 MoReg 1770		
4 CSR 267-4.020	Office of Tattooing, Body Piercing and Branding	28 MoReg 947			
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-261.010	Division of Administrative and Financial Services		28 MoReg 1180		
5 CSR 50-310.010	Division of School Improvement		28 MoReg 1039R	28 MoReg 1720R	
5 CSR 50-340.110	Division of School Improvement		28 MoReg 1039	28 MoReg 1720	
5 CSR 50-340.200	Division of School Improvement		28 MoReg 1040	28 MoReg 1720	
5 CSR 50-350.015	Division of School Improvement		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 50-360.010	Division of School Improvement		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 50-370.010	Division of School Improvement		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 60-120.020	Vocational and Adult Education		28 MoReg 1181		
5 CSR 60-900.050	Vocational and Adult Education		28 MoReg 1093		
5 CSR 70-742.160	Special Education		28 MoReg 1042R	28 MoReg 1721R	
5 CSR 80-800.200	Teacher Quality and Urban Education		28 MoReg 1771		
5 CSR 80-800.220	Teacher Quality and Urban Education		28 MoReg 1774		
5 CSR 80-800.230	Teacher Quality and Urban Education		28 MoReg 1776		
5 CSR 80-800.260	Teacher Quality and Urban Education		28 MoReg 1779		
5 CSR 80-800.270	Teacher Quality and Urban Education		28 MoReg 1782		
5 CSR 80-800.280	Teacher Quality and Urban Education		28 MoReg 1784		
5 CSR 80-800.290	Teacher Quality and Urban Education		28 MoReg 1786		
5 CSR 80-800.300	Teacher Quality and Urban Education		28 MoReg 1786		
5 CSR 80-800.350	Teacher Quality and Urban Education		28 MoReg 1787		
5 CSR 80-800.360	Teacher Quality and Urban Education		28 MoReg 1790		
5 CSR 80-800.370	Teacher Quality and Urban Education		28 MoReg 1793		
5 CSR 80-800.380	Teacher Quality and Urban Education		28 MoReg 1796		
5 CSR 80-800.400	Teacher Quality and Urban Education		28 MoReg 1800		
5 CSR 90-4.410	Vocational Rehabilitation		28 MoReg 864	28 MoReg 1568	
5 CSR 90-4.420	Vocational Rehabilitation		28 MoReg 864	28 MoReg 1568	
5 CSR 90-5.410	Vocational Rehabilitation		28 MoReg 864	28 MoReg 1568	
5 CSR 90-5.420	Vocational Rehabilitation		28 MoReg 867	28 MoReg 1568	
5 CSR 90-5.440	Vocational Rehabilitation		28 MoReg 869	28 MoReg 1569	
5 CSR 90-7.010	Vocational Rehabilitation		28 MoReg 1800		
5 CSR 90-7.100	Vocational Rehabilitation		28 MoReg 1801		
5 CSR 90-7.200	Vocational Rehabilitation		28 MoReg 1801		
5 CSR 90-7.320	Vocational Rehabilitation		28 MoReg 1802		
5 CSR 100-200.045	Missouri Commission for the Deaf and Hard of Hearing	28 MoReg 1554	28 MoReg 1563		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-6.010	Commissioner of Higher Education		28 MoReg 956	28 MoReg 1516	
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-3.040	Missouri Highways and Transportation Commission	28 MoReg 1173R	28 MoReg 1182R		
7 CSR 10-6.010	Missouri Highways and Transportation Commission		28 MoReg 958	28 MoReg 1843	
7 CSR 10-6.015	Missouri Highways and Transportation Commission		28 MoReg 958	28 MoReg 1843	
7 CSR 10-6.020	Missouri Highways and Transportation Commission		28 MoReg 960	28 MoReg 1844	
7 CSR 10-6.030	Missouri Highways and Transportation Commission		28 MoReg 960	28 MoReg 1844	
7 CSR 10-6.040	Missouri Highways and Transportation Commission		28 MoReg 961	28 MoReg 1845	
7 CSR 10-6.050	Missouri Highways and Transportation Commission		28 MoReg 963	28 MoReg 1845	
7 CSR 10-6.060	Missouri Highways and Transportation Commission		28 MoReg 963	28 MoReg 1845	
7 CSR 10-6.070	Missouri Highways and Transportation Commission		28 MoReg 964	28 MoReg 1845	
7 CSR 10-6.080	Missouri Highways and Transportation Commission		28 MoReg 966	28 MoReg 1845	
7 CSR 10-6.085	Missouri Highways and Transportation Commission		28 MoReg 967	28 MoReg 1845	
7 CSR 10-6.090	Missouri Highways and Transportation Commission		28 MoReg 968	28 MoReg 1846	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
7 CSR 10-6.100	Missouri Highways and Transportation Commission		28 MoReg 968	28 MoReg 1846	
7 CSR 10-17.010	Missouri Highways and Transportation Commission		28 MoReg 1563		
7 CSR 10-25.010	Missouri Highways and Transportation Commission	28 MoReg 1173	28 MoReg 1182		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-3.085	Division of Employment Security		28 MoReg 1661		
8 CSR 10-3.130	Division of Employment Security	28 MoReg 948	28 MoReg 969	28 MoReg 1519	
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9 CSR 10-5.200	Director, Department of Mental Health		28 MoReg 1094		
9 CSR 10-5.220	Director, Department of Mental Health	28 MoReg 847	28 MoReg 873	28 MoReg 1519	
9 CSR 10-7.090	Director, Department of Mental Health	28 MoReg 848	28 MoReg 873	28 MoReg 1519	
9 CSR 25-2.005	Fiscal Management		28 MoReg 1371		
9 CSR 25-2.105	Fiscal Management		28 MoReg 1372		
9 CSR 25-2.205	Fiscal Management		28 MoReg 1373R		
9 CSR 25-2.305	Fiscal Management		28 MoReg 1373		
9 CSR 25-2.405	Fiscal Management		28 MoReg 1375		
9 CSR 30-3.032	Certification Standards	28 MoReg 848	28 MoReg 874	28 MoReg 1519	
9 CSR 30-3.132	Certification Standards		28 MoReg 1376		
9 CSR 30-3.206	Certification Standards		28 MoReg 1508		
9 CSR 30-3.208	Certification Standards		28 MoReg 1508		
9 CSR 45-5.060	Division of Mental Retardation and Developmental Disabilities	28 MoReg 848	28 MoReg 874	28 MoReg 1520	
9 CSR 45-5.105	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1805		
9 CSR 45-5.110	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1805		
9 CSR 45-5.130	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1809		
9 CSR 45-5.140	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1812		
9 CSR 45-5.150	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1816		
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10 CSR 10-2.260	Air Conservation Commission		28 MoReg 1564		
10 CSR 10-6.020	Air Conservation Commission		28 MoReg 719	28 MoReg 1569	
10 CSR 10-6.050	Air Conservation Commission				28 MoReg 1586
10 CSR 10-6.060	Air Conservation Commission		28 MoReg 724	28 MoReg 1572	
10 CSR 10-6.061	Air Conservation Commission		28 MoReg 728	28 MoReg 1574	
10 CSR 10-6.062	Air Conservation Commission		28 MoReg 731	28 MoReg 1578	
10 CSR 10-6.065	Air Conservation Commission		28 MoReg 734	28 MoReg 1582	
10 CSR 10-6.070	Air Conservation Commission		28 MoReg 555	28 MoReg 1520	
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10 CSR 10-6.110	Air Conservation Commission		28 MoReg 1095	This Issue	
10 CSR 10-6.260	Air Conservation Commission		This Issue		
10 CSR 20-6.010	Air Conservation Commission		28 MoReg 1106		
10 CSR 25-12.010	Hazardous Waste Management Commission		28 MoReg 874	This Issue	
10 CSR 30-2.020	Land Survey		28 MoReg 878	28 MoReg 1521	
10 CSR 30-2.030	Land Survey		28 MoReg 879	28 MoReg 1522	
10 CSR 30-2.040	Land Survey		28 MoReg 879	28 MoReg 1522	
10 CSR 30-2.060	Land Survey		28 MoReg 880	28 MoReg 1522	
10 CSR 30-2.070	Land Survey		28 MoReg 880	28 MoReg 1522	
10 CSR 30-2.080	Land Survey		28 MoReg 880	28 MoReg 1522	
10 CSR 30-2.090	Land Survey		28 MoReg 881	28 MoReg 1522	
10 CSR 30-2.100	Land Survey		28 MoReg 881	28 MoReg 1523	
10 CSR 60-2.015	Public Drinking Water Program		28 MoReg 735	28 MoReg 1846	28 MoReg 1859
10 CSR 60-4.010	Public Drinking Water Program		28 MoReg 969		
10 CSR 60-4.020	Public Drinking Water Program		28 MoReg 736	28 MoReg 1846	
10 CSR 60-4.030	Public Drinking Water Program		28 MoReg 737	28 MoReg 1847	
10 CSR 60-4.040	Public Drinking Water Program		28 MoReg 739	28 MoReg 1847	
10 CSR 60-4.050	Public Drinking Water Program		28 MoReg 739	28 MoReg 1847	
10 CSR 60-4.055	Public Drinking Water Program		28 MoReg 744	28 MoReg 1848	
10 CSR 60-4.070	Public Drinking Water Program		28 MoReg 746	28 MoReg 1848	
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10 CSR 60-4.100	Public Drinking Water Program		28 MoReg 752	28 MoReg 1851	
10 CSR 60-5.010	Public Drinking Water Program		28 MoReg 973		
10 CSR 60-6.050	Public Drinking Water Program		28 MoReg 753	28 MoReg 1851	
10 CSR 60-7.010	Public Drinking Water Program		28 MoReg 753	28 MoReg 1851	
10 CSR 60-8.010	Public Drinking Water Program		28 MoReg 757R	28 MoReg 1851R	
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10 CSR 60-8.030	Public Drinking Water Program		28 MoReg 764	28 MoReg 1852	
10 CSR 60-9.010	Public Drinking Water Program		28 MoReg 776	28 MoReg 1857	
10 CSR 70-5.040	Soil and Water Districts Commission	28 MoReg 1369	This Issue		

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10 CSR 140-2.020	Division of Energy				28 MoReg 1526
10 CSR 140-2.030	Division of Energy				28 MoReg 1526
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11 CSR 10-5.010	Adjutant General	28 MoReg 1475	28 MoReg 1509		
11 CSR 40-6.010	Division of Fire Safety		28 MoReg 973	28 MoReg 1523	
11 CSR 40-6.020	Division of Fire Safety		28 MoReg 974	28 MoReg 1523	
11 CSR 40-6.031	Division of Fire Safety		28 MoReg 974	28 MoReg 1523	
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11 CSR 40-6.055	Division of Fire Safety		28 MoReg 978	28 MoReg 1524	
11 CSR 40-6.060	Division of Fire Safety		28 MoReg 980	28 MoReg 1524	
11 CSR 40-6.075	Division of Fire Safety		28 MoReg 980	28 MoReg 1524	
11 CSR 40-6.080	Division of Fire Safety		28 MoReg 980	28 MoReg 1524	
11 CSR 40-6.085	Division of Fire Safety		28 MoReg 981	28 MoReg 1524	
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11 CSR 45-9.030	Missouri Gaming Commission		28 MoReg 1106		
11 CSR 45-13.010	Missouri Gaming Commission		28 MoReg 1377		
11 CSR 45-13.020	Missouri Gaming Commission		28 MoReg 1377		
11 CSR 45-13.030	Missouri Gaming Commission		28 MoReg 1377		
11 CSR 45-13.045	Missouri Gaming Commission		28 MoReg 1378		
11 CSR 45-13.050	Missouri Gaming Commission		28 MoReg 1378		
11 CSR 45-13.051	Missouri Gaming Commission		28 MoReg 1379		
11 CSR 45-13.060	Missouri Gaming Commission		28 MoReg 1379		
11 CSR 45-13.070	Missouri Gaming Commission		28 MoReg 1380		
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11 CSR 45-30.540	Missouri Gaming Commission		28 MoReg 1110		
11 CSR 45-30.550	Missouri Gaming Commission		28 MoReg 1110		
11 CSR 50-2.010	Missouri State Highway Patrol		28 MoReg 1819		
11 CSR 50-2.020	Missouri State Highway Patrol		28 MoReg 1820		
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11 CSR 50-2.160	Missouri State Highway Patrol		28 MoReg 1820		
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11 CSR 50-2.270	Missouri State Highway Patrol		28 MoReg 1822		
11 CSR 50-2.320	Missouri State Highway Patrol		28 MoReg 1823		
11 CSR 50-2.340	Missouri State Highway Patrol		28 MoReg 1823		
11 CSR 75-13.010	Peace Officer Standards and Training Program		28 MoReg 1043	28 MoReg 1583	
11 CSR 75-13.090	Peace Officer Standards and Training Program		28 MoReg 1823		
11 CSR 75-14.030	Peace Officer Standards and Training Program		28 MoReg 1043	28 MoReg 1583	
11 CSR 75-14.080	Peace Officer Standards and Training Program		28 MoReg 1044	28 MoReg 1583	
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12 CSR 10-3.036	Director of Revenue		28 MoReg 1381R		
12 CSR 10-3.046	Director of Revenue		28 MoReg 1381R		
12 CSR 10-3.120	Director of Revenue		28 MoReg 1381R		
12 CSR 10-3.176	Director of Revenue		28 MoReg 1382R		
12 CSR 10-3.486	Director of Revenue		28 MoReg 1382R		
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12 CSR 10-3.838	Director of Revenue		28 MoReg 1382R		
12 CSR 10-23.050	Director of Revenue		28 MoReg 1383		
	<i>(Changed to 12 CSR 10-26.190)</i>				
12 CSR 10-23.190	Director of Revenue		28 MoReg 1110	28 MoReg 1857	
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12 CSR 10-23.300	Director of Revenue		28 MoReg 1383		
12 CSR 10-23.330	Director of Revenue		28 MoReg 1384		
12 CSR 10-23.370	Director of Revenue		28 MoReg 1384		
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12 CSR 10-23.436	Director of Revenue		28 MoReg 1385R		
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12 CSR 10-23.446	Director of Revenue		28 MoReg 981	28 MoReg 1524	
12 CSR 10-23.456	Director of Revenue		28 MoReg 1189	This Issue	
12 CSR 10-23.458	Director of Revenue		28 MoReg 1386		
12 CSR 10-24.090	Director of Revenue		28 MoReg 1661		
12 CSR 10-24.385	Director of Revenue		28 MoReg 1386		
12 CSR 10-24.390	Director of Revenue		28 MoReg 1386		
12 CSR 10-24.430	Director of Revenue		28 MoReg 1664		
12 CSR 10-26.120	Director of Revenue		28 MoReg 1664		
12 CSR 10-26.180	Director of Revenue		28 MoReg 1110	28 MoReg 1857	
	<i>(Changed from 12 CSR 10-23.190)</i>				
12 CSR 10-26.190	Director of Revenue		28 MoReg 1383		
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12 CSR 10-110.900	Director of Revenue		28 MoReg 881	28 MoReg 1584W	
12 CSR 10-111.010	Director of Revenue		28 MoReg 886	28 MoReg 1584W	
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13 CSR 40-2.380	Division of Family Services	28 MoReg 1421	28 MoReg 1423		
13 CSR 40-19.020	Division of Family Services	This Issue	This Issue		
13 CSR 40-31.025	Division of Family Services		28 MoReg 34		

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13 CSR 70-4.070	Division of Medical Services		28 MoReg 1511		
13 CSR 70-10.015	Division of Medical Services	This Issue	This Issue		
13 CSR 70-10.080	Division of Medical Services	This Issue	This Issue		
13 CSR 70-10.110	Division of Medical Services	This Issue	This Issue		
13 CSR 70-15.110	Division of Medical Services	28 MoReg 1023 28 MoReg 1755T 28 MoReg 1755	28 MoReg 1044	28 MoReg 1722	
13 CSR 70-40.010	Division of Medical Services	28 MoReg 397T	28 MoReg 1824 28 MoReg 650	28 MoReg 1525	
13 CSR 70-98.010	Division of Medical Services		28 MoReg 1111		
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15 CSR 30-8.030	Secretary of State		This Issue		
15 CSR 30-12.010	Secretary of State		This Issue		
15 CSR 30-50.010	Secretary of State	28 MoReg 1616	28 MoReg 1664		
15 CSR 30-50.020	Secretary of State	28 MoReg 1617	28 MoReg 1665		
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15 CSR 30-50.040	Secretary of State	28 MoReg 1618	28 MoReg 1667		
15 CSR 30-51.010	Secretary of State	28 MoReg 1619	28 MoReg 1668		
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15 CSR 30-51.145	Secretary of State	28 MoReg 1627	28 MoReg 1675		
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15 CSR 30-51.160	Secretary of State	28 MoReg 1628	28 MoReg 1676		
15 CSR 30-51.165	Secretary of State	28 MoReg 1630	28 MoReg 1678		
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15 CSR 30-51.170	Secretary of State	28 MoReg 1632	28 MoReg 1679		
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15 CSR 30-52.010	Secretary of State	28 MoReg 1633	28 MoReg 1681		
15 CSR 30-52.015	Secretary of State	28 MoReg 1633	28 MoReg 1681		
15 CSR 30-52.020	Secretary of State	28 MoReg 1634	28 MoReg 1682		
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15 CSR 30-52.300	Secretary of State	28 MoReg 1638	28 MoReg 1686		
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15 CSR 30-54.020	Secretary of State	28 MoReg 1643	28 MoReg 1689		
15 CSR 30-54.030	Secretary of State	28 MoReg 1643R	28 MoReg 1690R		
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15 CSR 30-54.080	Secretary of State	28 MoReg 1645R	28 MoReg 1692R		
15 CSR 30-54.090	Secretary of State	28 MoReg 1646R	28 MoReg 1692R		
15 CSR 30-54.100	Secretary of State	28 MoReg 1646	28 MoReg 1693		
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15 CSR 30-54.140	Secretary of State	28 MoReg 1648R	28 MoReg 1695R		
15 CSR 30-54.150	Secretary of State	28 MoReg 1648	28 MoReg 1695		
15 CSR 30-54.160	Secretary of State	28 MoReg 1649R	28 MoReg 1696R		
15 CSR 30-54.170	Secretary of State	28 MoReg 1649	28 MoReg 1696		
15 CSR 30-54.183	Secretary of State	28 MoReg 1650	28 MoReg 1696		
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15 CSR 30-55.040	Secretary of State	28 MoReg 1657	28 MoReg 1703		
15 CSR 30-55.050	Secretary of State	28 MoReg 1658	28 MoReg 1703		
15 CSR 30-55.060	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.070	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.080	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.090	Secretary of State	28 MoReg 1659	28 MoReg 1704		
15 CSR 30-55.100	Secretary of State	28 MoReg 1659	28 MoReg 1705		
15 CSR 30-55.110	Secretary of State	28 MoReg 1659	28 MoReg 1705		
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15 CSR 30-80.010	Secretary of State	28 MoReg 949	28 MoReg 982	28 MoReg 1525	
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16 CSR 10-4.012	The Public School Retirement System of Missouri		28 MoReg 1706		
16 CSR 10-4.014	The Public School Retirement System of Missouri		28 MoReg 1707		
16 CSR 10-5.010	The Public School Retirement System of Missouri		28 MoReg 1709		
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16 CSR 50-2.035	The County Employees' Retirement Fund		28 MoReg 1047	28 MoReg 1585	
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16 CSR 50-20.030	The County Employees' Retirement Fund		28 MoReg 1713		
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19 CSR 10-33.040	Office of the Director	28 MoReg 1247	28 MoReg 1287		
19 CSR 15-4.060	Division of Senior Services	28 MoReg 1756	28 MoReg 1837		
19 CSR 20-28.010	Division of Environmental Health and Communicable Disease Prevention		This Issue		
19 CSR 30-82.015	Division of Health Standards and Licensure	28 MoReg 1756	28 MoReg 1837		
19 CSR 30-82.080	Division of Health Standards and Licensure	28 MoReg 1757	28 MoReg 1838		
19 CSR 30-83.010	Division of Health Standards and Licensure	28 MoReg 1758	28 MoReg 1839		
19 CSR 30-85.042	Division of Health Standards and Licensure	28 MoReg 1758	28 MoReg 1839		
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19 CSR 60-50	Missouri Health Facilities Review Committee				28 MoReg 1859 This Issue
19 CSR 60-50.300	Missouri Health Facilities Review Committee	28 MoReg 106R 28 MoReg 106	28 MoReg 157R 28 MoReg 157 28 MoReg 1189	28 MoReg 1139W 28 MoReg 1139W	28 MoReg 1860
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19 CSR 60-50.420	Missouri Health Facilities Review Committee	28 MoReg 111R 28 MoReg 112	28 MoReg 161R 28 MoReg 161 28 MoReg 1196	28 MoReg 1140W 28 MoReg 1140W	28 MoReg 1860
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19 CSR 60-50.700	Missouri Health Facilities Review Committee	28 MoReg 117R 28 MoReg 117	28 MoReg 166R 28 MoReg 166 28 MoReg 1205	28 MoReg 1142W 28 MoReg 1142W 28 MoReg 1858	
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20 CSR	Medical Malpractice				26 MoReg 599 27 MoReg 415 28 MoReg 489
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20 CSR 10-1.020	General Administration		This Issue		
20 CSR 200-1.025	Financial Examination		28 MoReg 1713		
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20 CSR 400-4.100	Life, Annuities and Health		28 MoReg 777R 28 MoReg 778	This IssueR This Issue	
20 CSR 400-7.200	Life, Annuities and Health		28 MoReg 1715		
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Emergency Rules in Effect as of November 3, 2003

Publication

Expires

Office of Administration

Commissioner of Administration

1 CSR 10-18.010 Retirement Policy 28 MoReg 1615 March 9, 2004

Division of Facilities Management

1 CSR 35-1.050 Public Use of State Facilities Next Issue April 15, 2004

1 CSR 35-2.030 Administration of the Leasing Process Next Issue April 15, 2004

Department of Agriculture

Plant Industries

2 CSR 70-13.030 Program Participation, Fee Payment and Penalties 28 MoReg 1553 February 16, 2004

Department of Economic Development

Public Service Commission

4 CSR 240-32.180 Definitions—Caller Identification Blocking Service This Issue April 2, 2004

4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service This Issue April 2, 2004

Department of Elementary and Secondary Education

Missouri Commission for the Deaf and the Hard of Hearing

5 CSR 100-200.045 Provisional Restricted Certification in Education 28 MoReg 1554 February 14, 2004

Department of Transportation

Missouri Highways and Transportation Commission

7 CSR 10-3.040 Division of Relocation Costs 28 MoReg 1173 February 26, 2004

7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers 28 MoReg 1173 February 26, 2004

Department of Natural Resources

Soil and Water Districts Commission

10 CSR 70-5.040 Cost-Share Rates and Reimbursement Procedures 28 MoReg 1369 January 14, 2004

Department of Public Safety

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11 CSR 10-5.010 Missouri Veterans' Recognition Program 28 MoReg 1475 February 17, 2004

Department of Social Services

Division of Family Services

13 CSR 40-2.310 Requirements as to Eligibility for Temporary Assistance 28 MoReg 1421 January 27, 2004

13 CSR 40-2.380 Grandparents as Foster Parents 28 MoReg 1421 January 27, 2004

13 CSR 40-19.020 Low Income Home Energy Assistance Program This Issue March 28, 2004

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13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services This Issue March 28, 2004

13 CSR 70-10.080 Prospective Reimbursement Plan for HIV Nursing Facility Services This Issue March 28, 2004

13 CSR 70-10.110 Nursing Facility Reimbursement Allowance This Issue March 28, 2004

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15 CSR 30-80.010	Redaction of the Social Security Numbers and Date of Birth from Business Entity Filings	28 MoReg 949	November 6, 2003

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19 CSR 10-33.040	Electronic Reporting of Patient Abstract Data by Hospitals for Public Syndromic Surveillance	28 MoReg 1247	January 2, 2004
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19 CSR 15-4.060	State Long-Term Care Ombudsman Program	28 MoReg 1756	March 19, 2004
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19 CSR 30-82.015	Long-Term Care Receiverships	28 MoReg 1756	March 19, 2004
19 CSR 30-82.060	Hiring Restrictions—Good Cause Waiver	Next Issue	April 22, 2004
19 CSR 30-82.080	Nursing Facility Quality of Care Improvement Program	28 MoReg 1757	March 19, 2004
19 CSR 30-83.010	Definitions of Terms	28 MoReg 1758	March 19, 2004
19 CSR 30-85.042	Administration and Resident Care Requirements for New and Existing Intermediate Care and Skilled Nursing Facilities	28 MoReg 1758	March 19, 2004
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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	This Issue

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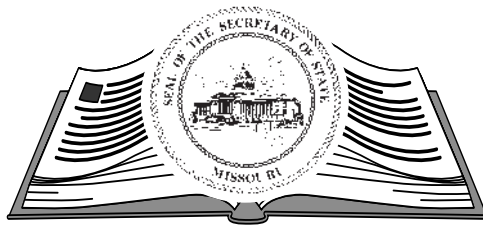
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