

Volume 31, Number 4
Pages 273–366
February 15, 2006

SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

The *Missouri Register* is an official publication of the state of Missouri, under the authority granted to the secretary of state by sections 536.015, RSMo Supp. 2005 and 536.033, RSMo 2000. Reproduction of rules is allowed; however, no reproduction shall bear the name *Missouri Register* or "official" without the express permission of the secretary of state.

The *Missouri Register* is published semi-monthly by

SECRETARY OF STATE

ROBIN CARNAHAN

Administrative Rules Division

James C. Kirkpatrick State Information Center

600 W. Main

Jefferson City, MO 65101

(573) 751-4015

DIRECTOR

BARBARA WOOD

.

EDITORS

BARBARA MCDUGAL

JAMES MCCLURE

.

ASSOCIATE EDITORS

CURTIS W. TREAT

SALLY L. REID

.

PUBLISHING STAFF

WILBUR HIGHBARGER

JACQUELINE D. WHITE

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

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

MISSOURI REGISTER

Office of the Secretary of State

Administrative Rules Division

PO Box 1767

Jefferson City, MO 65102

The *Missouri Register* and *Code of State Regulations* (CSR) are now available on the Internet. The Register address is <http://www.sos.mo.gov/adrules/moreg/moreg.asp> and the CSR is <http://www.sos.mo.gov/adrules/csr/csr.asp>. These websites contain rulemakings and regulations as they appear in the Registers and CSR. These websites do not contain the official copies of the Registers and CSR. The official copies remain the paper copies published by the Office of the Secretary of State pursuant to sections 536.015 and 536.031, RSMo Supp. 2005. While every attempt has been made to ensure accuracy and reliability, the Registers and CSR are presented, to the greatest extent practicable as they appear in the official publications. The Administrative Rules Division may be contacted by e-mail at rules@sos.mo.gov.

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



IN THIS ISSUE:

EMERGENCY RULES

Department of Agriculture
 Animal Health277

Department of Health and Senior Services
 Division of Environmental Health and Communicable
 Disease Prevention277

EXECUTIVE ORDERS279

PROPOSED RULES

Office of Administration
 Personnel Advisory Board and Division of Personnel285

Department of Economic Development
 State Committee of Dietitians286
 State Board of Registration for the Healing Arts292
 State Committee for Social Workers309

Department of Transportation
 Missouri Highways and Transportation Commission314

Department of Public Safety
 Division of Fire Safety318
 Division of Alcohol and Tobacco Control321

Department of Health and Senior Services
 Division of Regulation and Licensure324

ORDERS OF RULEMAKING

Department of Agriculture
 Plant Industries338

Department of Public Safety
 Missouri State Highway Patrol338

Elected Officials
 Secretary of State339

Department of Insurance
 Licensing339

IN ADDITIONS

Department of Health and Senior Services
 Missouri Health Facilities Review Committee340

CONTRACTOR DEBARMENT LIST341

DISSOLUTIONS342

SOURCE GUIDES

RULE CHANGES SINCE UPDATE345
EMERGENCY RULES IN EFFECT352
EXECUTIVE ORDERS354
REGISTER INDEX356

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
December 1, 2005 December 15, 2005	January 3, 2006 January 17, 2006	January 29, 2006 January 29, 2006	February 28, 2006 February 28, 2006
January 3, 2006 January 17, 2006	February 1, 2006 February 15, 2006	February 28, 2006 February 28, 2006	March 30, 2006 March 30, 2006
February 1, 2006 February 15, 2006	March 1, 2006 March 15, 2006	March 31, 2006 March 31, 2006	April 30, 2006 April 30, 2006
March 1, 2006 March 15, 2006	April 3, 2006 April 17, 2006	April 30, 2006 April 30, 2006	May 30, 2006 May 30, 2006
April 3, 2006 April 17, 2006	May 1, 2006 May 15, 2006	May 31, 2006 May 31, 2006	June 30, 2006 June 30, 2006
May 1, 2006 May 15, 2006	June 1, 2006 June 15, 2006	June 30, 2006 June 30, 2006	July 30, 2006 July 30, 2006
June 1, 2006 June 15, 2006	July 3, 2006 July 17, 2006	July 31, 2006 July 31, 2006	August 30, 2006 August 30, 2006
July 3, 2006 July 17, 2006	August 1, 2006 August 15, 2006	August 31, 2006 August 31, 2006	September 30, 2006 September 30, 2006
August 1, 2006 August 15, 2006	September 1, 2006 September 15, 2006	September 30, 2006 September 30, 2006	October 30, 2006 October 30, 2006
September 1, 2006 September 15, 2006	October 2, 2006 October 16, 2006	October 31, 2006 October 31, 2006	November 30, 2006 November 30, 2006
October 2, 2006 October 16, 2006	November 1, 2006 November 15, 2006	November 30, 2006 November 30, 2006	December 30, 2006 December 30, 2006
November 1, 2006 November 15, 2006	December 1, 2006 December 15, 2006	December 31, 2006 December 31, 2006	January 30, 2007 January 30, 2007

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

Missouri Participating Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Documents Law (section 181.100, RSMo Supp. 2005), are available in the listed participating libraries, as selected by the Missouri State Library:

Jefferson County Library PO Box 1486, 3021 High Ridge High Ridge, MO 63049-1486 (314) 677-8689	Learning Resources Center Mineral Area College PO Box 1000 Park Hills, MO 63601-1000 (573) 431-4593	Missouri Western State College Hearnes Learning Resources Ctr. 4525 Downs Drive St. Joseph, MO 64507-2294 (816) 271-5802	Library University of Missouri-Rolla 1870 Miner Circle Rolla, MO 65409-0060 (573) 341-4007
Jefferson College Library 1000 Viking Drive Hillsboro, MO 63050-2441 (314) 789-3951 ext. 160	Cape Girardeau Public Library 711 N. Clark Cape Girardeau, MO 63701-4400 (573) 334-5279	Library North Central Missouri College PO Box 111, 1301 Main Street Trenton, MO 64683-0107 (660) 359-3948 ext. 325	Lebanon-Laclede County Library 135 Harwood Ave. Lebanon, MO 65536-3017 (417) 532-2148
St. Louis Public Library 1301 Olive St. St. Louis, MO 63103-2389 (314) 539-0376	Kent Library Southeast Missouri State University One University Plaza Cape Girardeau, MO 63701-4799 (573) 651-2757	Missouri Southern State University Spiva Library 3950 East Newman Road Joplin, MO 64801-1595 (417) 625-9342	University Library Southwest Baptist University 1600 University Ave. Bolivar, MO 65613-2597 (417) 328-1631
St. Louis University Law Library 3700 Lindell Blvd. St. Louis, MO 63108-3478 (314) 977-2742	Riverside Regional Library PO Box 389, 204 South Union St. Jackson, MO 63755-0389 (573) 243-8141	Missouri State Library 600 West Main, PO Box 387 Jefferson City, MO 65102-0387 (573) 751-3615	Barry-Lawrence Regional Library 213 6th St. Monett, MO 65708-2147 (417) 235-6646
Eden Theological Seminary/ Webster University Eden/Webster Library 475 East Lockwood Ave. St. Louis, MO 63119-3192 (314) 961-2660 ext. 7812	Rutland Library Three Rivers Community College 2080 Three Rivers Blvd. Poplar Bluff, MO 63901-2393 (573) 840-9656	Missouri State Archives 600 West Main, PO Box 778 Jefferson City, MO 65102-0778 (573) 526-6711	Lyons Memorial Library College of the Ozarks General Delivery Point Lookout, MO 65726-9999 (417) 334-6411 ext. 3551
Thomas Jefferson Library University of Missouri-St. Louis 8001 Natural Bridge Road St. Louis, MO 63121-4499 (314) 516-5084	James C. Kirkpatrick Library Central Missouri State University 142 Edwards Library Warrensburg, MO 64093-5020 (660) 543-4149	Elmer Ellis Library University of Missouri-Columbia 106 B Ellis Library Columbia, MO 65211-5149 (573) 882-0748	Garnett Library Southwest Missouri State University 304 Cleveland West Plains, MO 65775-3414 (417) 255-7945
Washington University Washington University Law Library Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 14 West 10th Street Kansas City, MO 64105 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
St. Louis County Library 1640 S. Lindbergh Blvd. St. Louis, MO 63131-3598 (314) 994-3300 ext. 247	Law Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	Daniel Boone Regional Library PO Box 1267, 100 West Broadway Columbia, MO 65205-1267 (573) 443-3161 ext. 359	Meyer Library Southwest Missouri State University PO Box 175, 901 S. National Springfield, MO 65804-0095 (417) 836-4533
Maryville University Library 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494	University of Missouri-Kansas City Miller Nichols Library 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125	
St. Charles City-County Library Middendorf-Kredell Branch 2750 Hwy K O'Fallon, MO 63366-7859 (636) 978-7997	B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841	Central Methodist College Smiley Memorial Library 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6279	
Truman State University Pickler Memorial Library 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

HOW TO CITE RULES AND RSMo

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

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

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

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

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

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

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 30—Animal Health
Chapter 2—Health Requirements for Movement of
Livestock, Poultry and Exotic Animals**

EMERGENCY RULE

2 CSR 30-2.014 Import Restrictions of Beef Cattle, Bison and Cervids from the State of Minnesota

PURPOSE: The purpose of this emergency rule is to restrict the movement of cattle, bison and cervids from tuberculosis high-incidence states, that may have been exposed to tuberculosis and become reactors and spreaders of the disease.

EMERGENCY STATEMENT: The United States Department of Agriculture (USDA) and the Minnesota Department of Agriculture have identified beef herds in the state of Minnesota that are affected by tuberculosis. Bovine tuberculosis is a serious bacterial disease that affects not only livestock, but also deer and other wildlife and is a threat to public health, safety, and welfare as it is transmissible to humans.

In light of potential threat to the public health, the agency has weighed the compelling governmental interest against the due process rights of the public to notice and comment. Without additional restrictions, tuberculosis could be introduced into livestock and

wildlife and cause a significant economic loss to the state due to trade restrictions and producer cost of additional testing for export.

The scope of this rule is limited to the circumstances, which created this emergency and complies with the protection extended in the *Missouri and United States Constitutions*. In developing this rule, the agency has encouraged discussion with interested parties and provided them the opportunity to offer their comments. The agency believes this emergency rule to be fair to all persons and parties under the circumstances. This emergency rule was filed on January 6, 2006, effective January 16, 2006, expires July 5, 2006.

(1) All cattle and bison entering Missouri from Minnesota, including movement to a Missouri livestock market, must obtain an entry permit and must meet one of the following requirements:

(A) All sexually intact cattle six (6) months of age and older:

1. Test negative to an official tuberculosis test within sixty (60) days prior to entering; or

2. Originate from a tuberculosis accredited free herd (date of last test and accreditation number must be listed on the Certificate of Veterinary Inspection);

3. Must obtain an entry permit;

(B) All sexually intact cattle or bison less than six (6) months of age, not accompanied by their dam, must meet the following requirements:

1. Originate from a herd that has tested negative to an official tuberculosis test within twelve (12) months prior to entering (date of last test must be listed on the Certificate of Veterinary Inspection); or

2. Originate from a tuberculosis accredited free herd (date of last test and accreditation number must be listed on the Certificate of Veterinary Inspection);

3. Must obtain an entry permit;

(C) Steers and spayed heifers do not require an official tuberculosis test but must:

1. Be officially identified prior to entry; and

2. Be listed individually by official identification on a Certificate of Veterinary Inspection; and

3. Must obtain an entry permit.

(2) Cervids must meet the requirements of the *Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999*, as incorporated by reference, published by USDA, Veterinary Services, Animal Health Program, 4700 River Road, Unit 36, Riverdale, MD 20737-1231; telephone (301) 734-6954; e-mail www.aphis.usda.gov/lpa/pubs/umr.html. This rule does not incorporate any subsequent amendments or additions. Cervids must also meet Missouri's entry requirements.

AUTHORITY: section 267.645, RSMo 2000. Emergency rule filed Jan. 6, 2006, effective Jan. 16, 2006, expires July 5, 2006.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 20—Division of Environmental Health
and Communicable Disease Prevention
Chapter 20—Communicable Diseases**

EMERGENCY AMENDMENT

19 CSR 20-20.080 Duties of Laboratories. The Department of Health and Senior Services proposes to add section (4).

PURPOSE: This amendment sets forth the amended laboratory requirements regarding reporting of culture and sensitivity testing on humans in Missouri imposed by the Missouri Nosocomial Infection Control Act of 2004 as included in Senate Bill No. 1279 passed by

the Second Regular Session of the 92nd General Assembly, as determined by the Infection Control Advisory Panel as defined in the law.

EMERGENCY STATEMENT: *During the Second Regular Session of the 92nd General Assembly, House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1279 was passed. This legislation was passed to encourage health care facilities to take appropriate actions to decrease the risk of infection. The legislation required hospitals to report data on nosocomial infection incidence rates to the Department of Health and Senior Services (DHSS). The legislation also required hospitals to have procedures for monitoring compliance with infection control regulations and standards including the surveillance of personnel's hand washing. The legislation required the DHSS to promulgate rules establishing standards for the hospitals' infection control programs by July 1, 2005. Additionally, the law requires every laboratory performing culture and sensitivity testing on humans in Missouri to submit data on health care associated infections to the department in a manner determined by the designated advisory panel. By evaluating antibiotic sensitivity patterns from specimens submitted to laboratories throughout the state, antibiotic resistance patterns can be monitored by the Department of Health and Senior Services.*

Drug-resistant bacteria are a growing threat to all people, especially in health care settings. Each year nearly two (2) million patients in the United States get an infection in a hospital. Of those patients, about ninety thousand (90,000) die as a result of their infection. More than seventy percent (70%) of the bacteria that cause hospital-associated infections are resistant to at least one (1) of the drugs most commonly used to treat them. Persons infected with drug-resistant organisms are more likely to have longer hospital stays and require treatment with second- or third-choice drugs that may be less effective, more toxic, and/or more expensive. Monitoring resistance trends from health care facilities throughout the state will allow emerging resistance patterns to be evaluated with the goal of implementing control measures in a timely manner to prevent or reverse the resistance trends.

In order to determine the types of infections to report, when and how the reports to the public will be made, and the manner in which lab reporting will be made, the law required the development of an Advisory Panel. The panel met several times in order to meet the bill's deadlines, however during the process the Chairman of the Advisory Panel retired and the initial laboratory reporting requirements changed because of a newly published scientific document (Clinical Laboratory Standards Institute Guideline MA39-A2). The Advisory Panel reviewed the changed proposal and unanimously passed it. However the timing of the meetings and publication of the new Guideline caused the rules publication to be delayed. All other components of the bill were addressed in rules already published. In addition, laboratories generally calculate and publish these antibiograms on a calendar year cycle (Jan. 1–Dec. 31). If the rule were to be delayed the earliest an antibiogram could be available would be in 2008 as collection of the data would be delayed until January of 2007.

As a result, the Department of Health and Senior Services finds an immediate danger to the public health, safety and welfare and a compelling governmental interest, which requires this emergency action. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health and Senior Services believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed January 4, 2006, effective January 14, 2006, expires July 3, 2006.

this service. The data submitted should be in the format of antibiograms as defined by the Clinical and Laboratory Standards Institute (CLSI), M39-A2, Analysis and Presentation of Cumulative Antimicrobial Susceptibility Test Data. Only data from the first unique isolate from each patient should be included. Duplicate cultures must be excluded when compiling these antibiograms. The antibiograms for the preceding year are to be sent to MDHSS by July 1 of the following year (i.e., 2006 data, January 1, 2006–December 31, 2006, will be due on July 1, 2007).

AUTHORITY: *sections 192.006, RSMo 2000 and 192.020, RSMo Supp. 2005. This rule was previously filed as 13 CSR 50-101.090. Original rule filed July 15, 1948, effective Sept. 13, 1948. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Jan. 4, 2006, effective Jan. 14, 2006, expires July 3, 2006.*

(4) Every laboratory performing culture and sensitivity testing on human specimens in Missouri for health care facilities shall annually report these results to the Missouri Department of Health and Senior Services (MDHSS) for each facility provided

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2005.

EXECUTIVE ORDER 05-47

WHEREAS, on December 14, 2005, AmerenUE's Taum Sauk Upper Reservoir failed causing significant flooding and environmental damage in Reynolds County, Missouri; and,

WHEREAS, on December 14, 2005, I issued Executive Order 05-44 declaring a state of emergency from the resulting flood; and,

WHEREAS, equipment is needed immediately to remove and properly dispose of flood debris and aid in cleanup efforts; and,

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

NOW THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby direct that the issuance of overdimension and overweight permits by the Missouri Department of Transportation for commercial motor carriers engaged in cleanup efforts in Reynolds County resulting from the Taum Sauk Upper Reservoir failure shall be subject to the following interim application requirements:

The permittee will be required to supply:

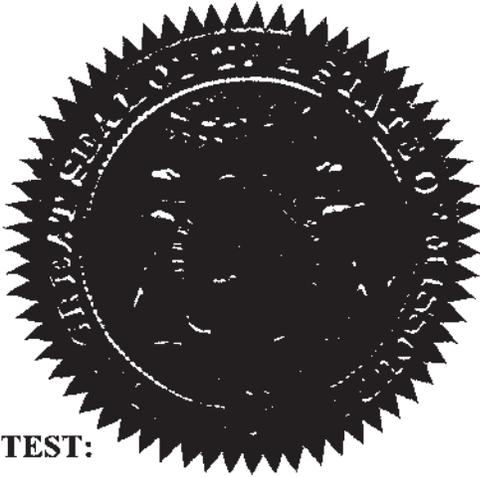
Year, Make and License plate number of the power unit and trailer;
Size, Make and Serial Number (last 4 digits) of commodity being hauled;
Origin, Destination and Consecutive Routing;
Overall Width, Height, Length and length of trailer and load only; and
Date of Movement.

The permit process can be expedited by calling:

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

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

FURTHER, I direct that the effective date of these interim application requirements shall begin on December 29, 2005, and shall continue in effect until March 1, 2006, unless extended in whole or in part.



ATTEST:

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 29th day of December, 2005.

A handwritten signature in cursive script that reads "Matt Blunt".

Matt Blunt
Governor

A handwritten signature in cursive script that reads "Robin Carnahan".

Robin Carnahan
Secretary of State

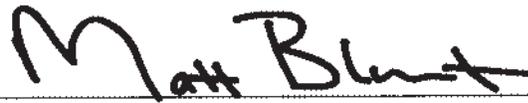
**EXECUTIVE ORDER
06-01**

WHEREAS, Section 105.454(5), RSMo, requires the Governor to designate those members of his staff who have supervisory authority over each department, division or agency of the state government.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF MISSOURI, by virtue and authority vested in me by the Constitution and laws of the State of Missouri, do hereby designate the following members of my staff as having supervisory authority over the following departments, divisions or agencies:

Office of Administration	Ken McClure
Department of Agriculture	Rob Monsees
Department of Conservation	Rob Monsees
Department of Corrections	Terry Jarrett
Department of Economic Development	Ken McClure
Department of Elementary and Secondary Education	Rob Monsees
Department of Health and Senior Services	Tom Deuschle
Department of Higher Education	Rob Monsees
Department of Insurance	Terry Jarrett
Department of Labor and Industrial Relations	Tom Deuschle
Department of Mental Health	Ken McClure
Department of Natural Resources	Rob Monsees
Department of Public Safety	Terry Jarrett
Department of Revenue	Ken McClure
Department of Social Services	Tom Deuschle
Department of Transportation	Chuck Pryor
Missouri Housing Development Commission	Rob Monsees
Boards Assigned to the Governor	Ken McClure
Unassigned Boards and Commissions	Ken McClure

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 10th day of January, 2006.



Matt Blunt
Governor

ATTEST:



Robin Carnahan
Secretary of State

EXECUTIVE ORDER

06-02

WHEREAS, the State of Missouri has two separate retirement systems for state employees with similar benefit provisions; and

WHEREAS, it is in the best interest of the State of Missouri to seek a fiscally responsible solution providing future cost containment and eliminating ineffective duplication of benefit plan administration; and

WHEREAS, Executive Order 05-22, establishing the State Retirement Consolidation Commission ("Commission") was issued on August 26, 2005; and

WHEREAS, the Commission was tasked with analyzing the current benefit structure to ensure that retirement plans are providing financial security in an equitable and cost-effective manner in the best interest of the State of Missouri; and

WHEREAS, the Commission was required to terminate operations on December 31, 2005 and prepare a final report, furnishing clear and concise policy recommendations and legislative proposals for consideration in the second regular session of Ninety-Third General Assembly, and submit it to the Governor by that same date.

WHEREAS, the Co-Chairmen of the Commission have informed me that, in order to provide the required final report, the Commission will need to gather more information and financial data necessitating an extension of the December 31, 2005 deadline to terminate operations and issue the report.

NOW THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby extend the deadline for the State Retirement Consolidation Commission to issue its final report and terminate operations to March 1, 2006.

Executive Order 05-22 shall remain effective as to all other provisions not specifically modified herein.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 11th day of January, 2006.

Matt Blunt
Governor

ATTEST:

Robin Carnahan
Secretary of State