

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 33—Service and Billing Practices for Telecommunications Companies

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 209.251, RSMo Supp. 2008 and sections 209.253, 209.255, 209.257, 209.258, 209.259, 386.040, 386.250, 392.185(1), (2), (3), and (8), and 392.470, RSMo 2000, the commission adopts a rule as follows:

4 CSR 240-33.170 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 3, 2008 (33 MoReg 1942-1945). 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 December 3, 2008, and the public comment period ended December 3, 2008. Three (3) written comments were received and one (1) person testified at the hearing. Written comments were received from Comcast Phone of Missouri, LLC (Comcast), the VON Coalition, and the staff of the Missouri Public Service Commission (staff). The person testifying at the hearing was John

VanEschen on behalf of the staff. The staff supports the proposed rule; Comcast and the VON Coalition oppose it.

COMMENT #1: Comcast asserts that no rule is necessary. The staff asserts that a rule is necessary. Although it is true that the Relay Missouri Fund has operated since 1991 without a rule, the lack of a rule leaves the commission without any tools to ensure compliance with timely remission requirements.

RESPONSE: The commission agrees with staff that properly promulgated rules are important for ensuring compliance with statutory mandates concerning the Missouri Relay Fund. No change is necessitated by this comment.

COMMENT #2: Comcast asserts that the commission lacks the authority to mandate the content of a Voice-over-Internet Protocol (VoIP) provider's bill. Staff asserts that a clear description of the Relay Missouri Surcharge is necessary to avoid confusion.

RESPONSE AND EXPLANATION OF CHANGE: 2008's Senate Bill 1779, which took effect on August 28, 2008, exempts most telecommunications companies from the billing requirements in the commission rules. As those waivers are separately listed in most company tariffs, the inclusion of a uniform billing requirement in the proposed rule will serve only to cause carriers to make additional requests to amend the list of waivers to include section (1), but will not result in any greater billing clarity. Therefore, the last sentence of section (1) will be deleted, as set forth fully below. However, the commission encourages the use of the phrase "Relay Missouri Surcharge" on customer bills, so that the description is consistent among carriers.

COMMENT #3: Comcast asserts that the proposed rule needs to address confidential treatment of information submitted pursuant to the rule.

RESPONSE: The commission disagrees. Section 386.480, RSMo 2000, already provides protection of information provided to the commission or its staff by companies to which the proposed rule would apply. Furthermore, 4 CSR 240-3.540(4) provides a mechanism whereby a telecommunications company that believes information contained in its annual report is non-public may protect that information by following the procedure set forth in the rule. No change will be made as a result of this comment.

COMMENT #4: Comcast asserts that the proposed rule's definition of "interconnected VoIP service provider" should be the same as in section 386.020(23) RSMo 2000.

RESPONSE: The commission disagrees. The proposed rule does not contain a definition of "interconnected VoIP service provider"; as such, the statutory definition fully applies. No change will be made as a result of this comment.

COMMENT #5: In support of the proposed language, staff comments that the definition of "location" is necessary to prevent confusion and disparate treatment as the statute limits application of the surcharge to no more than one hundred (100) lines per location.

RESPONSE: The commission agrees. No change is necessitated by this comment.

COMMENT #6: In support of the proposed language, staff comments that clarification that the surcharge is not subject to tax, as set forth in section 209.255, RSMo 2000, is necessary.

RESPONSE: The commission agrees. No change is necessitated by this comment.

COMMENT #7: In support of the proposed language, staff comments that reiteration of the *de minimus* exception, as set forth in section 209.257, RSMo 2000, is necessary.

RESPONSE: The commission agrees. No change is necessitated by this comment.

COMMENT #8: In support of the proposed language, staff comments that establishment of a deadline for remitting the surcharge is reasonable and necessary to limit disparate treatment and to assist in enforcing the remittance obligation.

RESPONSE: The commission agrees. No change is necessitated by this comment.

COMMENT #9: Staff questions the ability of the commission to assess a one and one-half percent (1.5%) late fee on delinquent remittances.

RESPONSE AND EXPLANATION OF CHANGE: Section 209.255.1, RSMo 2000, allows the commission to establish a rate recovery mechanism to recover the costs of implementing and maintaining the program. As those carriers who make untimely remittances, or fail to remit, raise the cost incurred to maintain the fund, it would seem reasonable to establish a mechanism by which those carriers that increase the costs are responsible for paying those costs. However, the same section further provides that the commission "shall not vary the amount of the surcharge between telephone companies. . ." In light of the requirement that all companies remit the same amount per access line, the late fee cannot be implemented without additional statutory clarification from the legislature. Therefore, subsections (4)(A), (B), and (C) will be deleted as set forth below.

COMMENT #10: Staff comments that the proposed rule provides that the Relay Missouri Statement information will be located at a stated location on the commission's website. Staff believes that language should be removed from the rule to allow the information to be placed at multiple locations on the commission's website.

RESPONSE AND EXPLANATION OF CHANGE: The proposed deletion in section (5) is reasonable, and the location language will be removed, as fully set forth below.

COMMENT #11: In support of the proposed language, staff comments that it is important to clarify in the rule that companies that are not required to remit surcharge funds need not submit the Relay Missouri Statement.

RESPONSE: The commission agrees. No change is necessitated by this comment.

COMMENT #12: Comcast asserts that proposed section (8) precludes submission of the information required therein through an affiliated competitive local exchange telecommunications company, as is presently permitted. Staff notes that proposed section (7) specifically allows remittance through an affiliate, as long as separate Relay Missouri Statements, for each remitting company, are provided.

RESPONSE: The commission agrees with staff. To the extent that annual reports are presently filed by affiliates on a consolidated basis, nothing in section (8) precludes such a filing. However, such consolidated reports will be required to separately identify the information required in section (8). No change is necessitated by this comment.

COMMENT #13: The VON Coalition asserts that the commission lacks the authority to regulate VoIP providers, that the commission cannot ascertain the jurisdictional nature of calls made over VoIP networks, and that the FCC has indicated that states cannot regulate VoIP services or providers. Any attempted regulation is contrary to public policy in that it would stifle consumer benefits and slow broadband deployment.

RESPONSE: The commission disagrees with the VON Coalition's characterization of the FCC's recent decisions, as they are neither as

sweeping nor as definitive as the VON Coalition asserts. The application of the surcharge has absolutely nothing to do with the jurisdictional nature of the communications made in any given account. No review as to the jurisdictional nature of the underlying use of the line is made by any company, nor is intrastate use a prerequisite to assessment by either the FCC or the Missouri legislature under section 209.251, *et seq.*

In addition, the commission notes that section 392.550, RSMo, gives it specific authority to require VoIP providers to collect and remit the Relay Missouri Surcharge.

No change is necessitated by this comment.

COMMENT #14: The VON Coalition asserts that applying a surcharge is sometimes impossible to assess, when some members of the VON Coalition do not render monthly bills to their service subscribers, and some members render no bills.

RESPONSE AND EXPLANATION OF CHANGE: It is clear from the VON Coalition's comments that some VoIP providers do not charge anything after the initial fee, but some render bills annually or some other regularly scheduled billing other than monthly. For those providers who do render bills, an assessment equal to the surcharge for each month of service shall be applied. This amount, assuming it is greater than the *de minimus* exception, shall be remitted to the commission within thirty (30) days after the last day of the calendar month in which the surcharge was collected. For those providers who do not render any bill after the initial service fee, as they cannot assess the surcharge, the *de minimus* exemption applies. Section (3) will be amended accordingly, as set forth below.

4 CSR 240-33.170 Relay Missouri Surcharge Billing and Collections Standards

(1) A telecommunications company providing basic local telecommunications service or an interconnected Voice-over-Internet Protocol service provider shall apply a monthly surcharge to each customer bill as described in this rule.

(3) Pursuant to section 209.257, RSMo 2000, a company shall deduct and retain a certain portion of the total surcharge amount collected each month to recover the billing, collecting, remitting, and administrative costs attributed to the surcharge. The amount a company may retain is known as the "retention amount" and is determined by order of the Missouri Public Service Commission (commission) during a surcharge review. If the monthly amount collected is equal to or less than a minimum flat dollar retention amount set by the commission, the company may simply retain the amount collected from the surcharge. In such situations, the company will not be reimbursed for the difference between the surcharge revenue collected and the minimum retention amount. For companies that bill on a cycle other than monthly, an assessment equal to the surcharge for each month of service shall be applied to customers' bills, so that the remittance to the fund would be the same as if the customers were billed on a monthly basis.

(4) After deducting the retention amount described in section (3), the net revenue collected from the surcharge shall be remitted to the commission no later than thirty (30) days after the last day of the calendar month in which the surcharges were collected.

(5) A company shall compile and submit to the commission a monthly Relay Missouri Statement when remitting surcharge revenues pursuant to section (4) above. The form for compiling the Relay Missouri Statement is electronically available on the commission's website. The Relay Missouri Statement shall include the following information:

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.190, RSMo Supp. 2008, and section 288.220.5, RSMo 2000, the division withdraws a proposed amendment as follows:

8 CSR 10-5.010 Appeals to an Appeals Tribunal is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2008 (33 MoReg 1865-1866). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received six (6) comments on the proposed amendment. The Joint Committee on Administrative Rules held a hearing on February 12, 2009.

RESPONSE: As a result, the department is withdrawing this proposed amendment.

COMMENT #1: Robert E. Jones, Bill Froke, and Bonnie Keaton requested that the wording “and, or, their representative or agent” be added to subsection (2)(B). The individuals state that without the additional language attorneys, agents, and other representatives cannot appear on behalf of parties.

RESPONSE: The term representative is defined in subsection (2)(G) of the proposed amendment to this rule. Representatives act on behalf of a party with regard to an unemployment appeal. As a representative of a party, an agent, employer representative, or an attorney could appear and participate in an appeal hearing. The comments will be considered in a future proposed amendment.

COMMENT #2: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state the proposed change to subsection (2)(F) including the Division of Employment Security as a party to hearings before the division’s appeals tribunal exceeds the regulation authority granted to the division by the legislature. The individuals state that nowhere in Chapter 288, RSMo, is the division given the authority to expand the definition of party. They state further that sections 288.070, 288.130, and 288.160, RSMo, identify the employers, claimants, and employing units who may be parties to the appeals process. The individuals note that the first mention of the division being a “party” is in section 288.200.1, RSMo.

RESPONSE: In the case *Haggard v. Division of Employment Security*, 238 S.W.3d 151, 154-55 (Mo. banc 2007) the Missouri Supreme Court indicated that the Division of Employment Security is entitled to representation before the division’s appeals tribunal. In the case *Dubinsky Bothers, Inc. v. Industrial Commission of Missouri*, 373 S.W.2d 9, 13-14 (Mo. banc 1963) the Missouri Supreme Court held that the division had an independent right of appeal because it was charged with administration of the employment security law and charged with defending the unemployment trust fund. Appeals referees are representatives of the Division of Employment Security designated by the division director to serve on an appeals tribunal. Section 288.030.1(24), RSMo. Further, section 288.190.3, RSMo, provides that, unless appealed, the decision of the appeals tribunal is deemed the final decision of the division. Based upon the foregoing, the division is clearly a party to proceedings before the appeals tribunal. The comments will be considered in a future proposed amendment.

COMMENT #3: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state that the proposed change to subsection

(2)(E) defining participant is unnecessary and confusing. They state that the regulation is drastically simplified by leaving the term “participant” out completely, and simplifying terms to only “parties, witnesses, representatives, and agents.” Additionally, the individuals state that the term “participant” as a term of art is without authority in the statutes referenced, 288.190, RSMo Supp. 2008, and 288.200.5, RSMo. They also state that “use of the term ‘participant’ rather than the more specific terms ‘party,’ ‘representative,’ ‘witness,’ or ‘agent’ creates rights and consequences not contemplated by law and inconsistent with the provisions of Chapter 288, RSMo.” They state that “only parties defined by statute have rights granted by those statutes and the division does not have authority to extend those rights to others.”

RESPONSE: The use of the term “participant” simplifies the rules. The term is defined one (1) time and may be used to refer to any entity or individual taking part in a hearing. It is simpler to refer to participant instead of referring to all entities and individuals to which the provision applies such as “party, representative, agent, and witness.” Additionally, the term “participants” may be used to refer collectively to all of these individuals and entities. Furthermore, the Division of Employment Security has regulatory authority to define the term participant with regard to hearings before the appeals tribunal. Section 288.190.2, RSMo, provides that the conduct of hearings shall be in accordance with regulations prescribed by the division and such regulations do not have to conform to common law, statutory rules of evidence, or technical rules of procedure. Finally, the rule is procedural in nature. The rule does not extend or confer substantive rights in contravention of Chapter 288, RSMo. The comments will be considered in a future proposed amendment.

COMMENT #4: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke noted that the proposed change to subsection (2)(J) limits the term witnesses to those who testify. They indicate that witnesses endorsed on the telephone register and individuals who are not called to testify because their testimony is repetitive or immaterial are still witnesses. The individuals state that the proposed change to subsection (2)(J) creates an absurd result and is contrary to the case *Houcks v. American Food and Vending Enterprises, Inc.*, 247 S.W.3d 66.

RESPONSE: The Division of Employment Security has regulatory authority to define the term witness with regard to hearings before the appeals tribunal. Section 288.190.2, RSMo, provides that the conduct of hearings shall be in accordance with regulations prescribed by the division. Parties routinely list individuals on the telephone register who are not competent to be witnesses and who could never serve as a witness in the hearing. Furthermore, the proposed amendment to subsection (2)(J) is not contrary to the case *Houcks v. American Food and Vending Enterprises, Inc.*, 247 S.W.3d 66 (Mo. App. 2008). The court in *Houcks v. American Food and Vending Enterprises, Inc.* did not construe a division rule. The issue decided by the *Houcks v. American Food and Vending Enterprises, Inc.* court was whether the claimant had preserved her due process claim. The comments will be considered in a future proposed amendment.

COMMENT #5: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the proposed change to subsection (3)(A) permitting an employee of an employing unit to file an appeal is contrary to Missouri Supreme Court Rule 5.29 which requires that the employee be in the full-time employment of the entity and in a managerial capacity. They also note that the same language is used in the proposed change to subsection (3)(D).

RESPONSE: In the case *Reed v. Labor and Industrial Relations Commission*, 789 S.W.2d 19, 22-23 (Mo. banc 1990), the Missouri Supreme Court recognized the different degree of legal skill and knowledge required in hearings before the division’s appeals tribunal and beyond. Based upon the court’s decision in *Reed v. Labor and Industrial Relations Commission*, it appears that the filing of an appeal to the appeals tribunal does not fall within Missouri Supreme Court Rule 5.29 regarding representation in an employment security

proceeding. Therefore, an employee of an employing unit may file an appeal to the appeals tribunal. The comments will be considered in a future proposed amendment.

COMMENT #6: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke noted that the requirement in subsection (3)(A) that an appeal be signed is contrary to current case law, citing *Rector v. Kelly*, 183 S.W.3d 256.

RESPONSE: In the case *Rector v. Kelly*, 183 S.W.3d 256 (Mo. App. 2005), the Missouri Court of Appeals held that, due to inconsistencies in the Division of Employment Security's rules, appeals to the division's appeals tribunal were not required to be signed by the appealing party. The comments will be considered in a future proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.190, RSMo Supp. 2008, and section 288.220.5, RSMo 2000, the division withdraws a proposed amendment as follows:

8 CSR 10-5.015 Appeal Hearings and Procedures is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2008 (33 MoReg 1866-1868). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received thirteen (13) comments on the proposed amendment. The Joint Committee on Administrative Rules held a hearing on February 12, 2009.

RESPONSE: As a result, the department is withdrawing this proposed amendment.

COMMENT #1: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke ask the question does changing the word "The" to "A" in subsection (1)(C) mean that anyone who is a hearing officer may take those actions or should it be "the" hearing officer to whom the case is assigned and who will be evaluated under the federal criteria on decisions such as this?

RESPONSE: Generally, the hearing officer assigned to the case will take the actions set forth in subsection (1)(C). However, if the assigned hearing officer is not available or the case has not been assigned to a hearing officer, any hearing officer, such as the supervising hearing officer, may schedule the case for an in-person hearing. The comments will be considered in a future proposed amendment.

COMMENT #2: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke ask the question, given the use of the word "participant" in the proposed amendment to subsection (1)(D), is the location or manner of scheduling to depend upon the location of parties or the location of participants, such as witnesses, or attorneys? They state that this creates the possibility of additional calls, the amount of public cost for which could, and reasonably would, exceed five hundred dollars (\$500). Further, Robert E. Jones, Bill Froke, and Bonnie Keaton state that the word "participant" needs to be removed and replaced with the word "party." The individuals also state that the wording of the subsection needs clarification as to whether the subsection is referring to aerial miles or driving miles.

RESPONSE: The amendment to subsection (1)(D) would allow any

participant in a hearing to appear by telephone if the participant is located more than fifty (50) miles from the hearing site. This is consistent with the division's current practice to allow parties and witnesses located more than fifty (50) miles from the hearing site to participate in the hearing by telephone. The amendment brings the rule into conformity with current division practice. Therefore, the amendment will not result in additional telephone calls and higher public costs. Furthermore, the word mile as used in the rule would have its plain and ordinary meaning. Therefore, further clarification of the subsection is not necessary. The comments will be considered in a future proposed amendment.

COMMENT #3: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state with regard to the proposed amendment to section (5) that delaying the mailing of the copies of the file until the notice of hearing is mailed increases the potential for postponement requests and results in the failure to meet time lapse and the loss of hearing slots. The individuals further state that the public costs exceed five hundred dollars (\$500).

RESPONSE: Currently, in particular types of cases, it is the division's practice to mail copies of the documents in the appeals file to the parties with the notice of hearing. This practice has not resulted in an increase in postponement requests. Furthermore, the division's current rules under 8 CSR 10-5.015(1) require the division to provide copies of the documents in the appeals file to the parties. The proposed amendment merely changes the timing of that mailing. Therefore, the proposed amendment will not increase the public costs. The comments will be considered in a future proposed amendment.

COMMENT #4: Robert E. Jones, Bill Froke, and Bonnie Keaton requested a wording change to the proposed amendment to section (5). The individuals request that the wording of the section be changed to read "Notice of Hearing shall be mailed . . . attorney who has entered their appearance, and any authorized agent who has a properly submitted authorization from a party." The individuals further request that the word "will" in the last sentence of the section be changed to "shall."

RESPONSE: The requested change in wording would not affect the substance of the section. Additionally, the requested wording change would not enhance the clarity of the section. The comments will be considered in a future proposed amendment.

COMMENT #5: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the proposed change to section (7) is unnecessary and subject to abuse by the parties and hearing officers. The individuals state that the parties are given notice of the appeal and a copy of the appeals tribunal hearing pamphlet. They state that the pamphlet advises parties to begin preparing their cases immediately. Therefore, there should be no excuse for a party to fail to have his or her evidence available when the notice of hearing arrives so that the evidence can be timely supplied as instructed. The individuals state that the new language provides an additional means to abuse the system, create additional delays, postponements, and continuances.

RESPONSE: The proposed amendment of section (7) acknowledges that there are times in which, despite his or her good faith and diligent effort, a party is unable to timely supply evidence to the hearing officer and all parties prior to the hearing. In those situations, the hearing officer will have the discretion to grant the party a continuance of the hearing. To obtain such a continuance, the party will have to demonstrate that he or she made a good faith and diligent effort to supply the evidence in a timely manner. Given the required showing, such continuances should be infrequently granted by the hearing officers. The comments will be considered in a future proposed amendment.

COMMENT #6: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state that the proposed amendment to subsection (9)(A) is contrary to Missouri Supreme Court Rule 5.29(c).

They state that, under Missouri law, the phrase “other business entity authorized by law” includes sole proprietors.

RESPONSE: The individuals do not specifically set forth the Missouri law, court cases, or statutes to which they are referring. Sole proprietors are individuals. Missouri Supreme Court Rule 5.29(b) pertains to the representation of individuals in employment security proceedings. The proposed amendment to subsection (9)(A) is consistent with Missouri Supreme Court Rule 5.29. The comments will be considered in a future proposed amendment.

COMMENT #7: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the language in subsection (9)(C) is in conflict with earlier changes made in 8 CSR 10-5.010.

RESPONSE: The individuals do not specifically identify the proposed changes to 8 CSR 10-5.010 that they are referencing. Section (9) pertains to participation and representation in hearings before the division’s appeals tribunal. Representation in hearings before the appeals tribunal constitutes the practice of law in the state of Missouri. See *Haggard v. Division of Employment Security*, 238 S.W.3d 151 (Mo. banc 2007). The language used in subsection (9)(C) is consistent with Missouri Supreme Court Rule 5.29 regarding representation before the appeals tribunal. The comments will be considered in a future proposed amendment.

COMMENT #8: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke note that under the proposed amendment to subsection (9)(E) employer representatives are not required to file an intent to represent. However, attorneys are required to file an entry of appearance and agents are required to file an authorization signed by the claimant or sole proprietor. The individuals ask why are employer representatives treated differently? The individuals state that the reason for requiring any representative to give notice of their intent to participate is to give the division the proper point of contact and alert the representative to prepare in a timely manner and know what their role as a representative entails. They assert that the requirement reduces the length and costs of hearings. However, they acknowledge that no data exists to support this assertion. Finally, the individuals state that the proposed change removes the appearance that all parties are treated the same with similar expectations.

RESPONSE: Employer representatives are not treated the same as agents and attorneys because they are not similarly situated. Pursuant to Missouri Supreme Court Rule 5.29, employer representatives must be officers or full-time managerial employees of the business entity. This fact puts the employer representatives in a different position than agents and attorneys. Generally, the employers, as business entities, must be represented in every case. Conversely, as individuals, claimants may represent themselves. Claimants do not have to appear through a representative. Therefore, the requirement to file a notice of intent to represent placed a disproportionate burden on employers. In addition, the requirement created a significant amount of confusion among employers. Finally, the requirement to file a notice of intent to represent did not create efficiencies for the division in setting cases. The comments will be considered in a future proposed amendment.

COMMENT #9: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the language in subsection (9)(F) is in conflict with earlier changes made in 8 CSR 10-5.010 and 8 CSR 10-5.015.

RESPONSE: The individuals do not specifically identify the proposed changes to 8 CSR 10-5.010 and 8 CSR 10-5.015 that they are referencing. The proposed change to subsection (9)(F) deletes the phrase “notice of intent” and replaces the phrase with the term “authorization.” The proposed change is consistent with other proposed changes to 8 CSR 10-5.010 and 8 CSR 10-5.015. The comments will be considered in a future proposed amendment.

COMMENT #10: Robert E. Jones, Bill Froke, and Bonnie Keaton requested a change in the wording of the proposed amendment to sub-

section (9)(G). The individuals request that the word “participants” be removed and replaced with the phrase “witnesses, representatives, and agents.” They also state paragraph (9)(G)8. should begin with the word “Anyone” instead of “Any participant.”

RESPONSE: The requested change in wording would not affect the substance of the subsection. Additionally, the requested wording change would not enhance the clarity of the subsection. The comments will be considered in a future proposed amendment.

COMMENT #11: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state that addition of the phrase “to which an objection has been made” in the proposed amendment to paragraph (10)(B)4. will lead to the admission of repetitive, irrelevant, and privileged evidence where no objection is made. They state that the proposed amendment will prolong hearings and increase transcript costs. Further, the individuals state that the proposed amendment is contrary to federal requirements for appeal hearings. In addition, Robert E. Jones, Bill Froke, and Bonnie Keaton requested a change in the wording of the proposed amendment to subsection (10)(B). The individuals request that the wording in paragraph (10)(B)4. to read “A party, attorney, representative, or agent may advise . . .”

RESPONSE: The current rule appears to require the hearing officer to make a formal ruling regarding the admissibility of every piece of evidence presented at the hearing. The proposed amendment clarifies that the hearing officer is required to make a formal ruling regarding the admissibility of evidence to which an objection has been made by a party or representative. The proposed amendment does not alter the sentence in paragraph (10)(B)4. regarding the inadmissibility of irrelevant, immaterial, privileged, or unduly repetitious evidence. As such the proposed amendment is in conformity with federal requirements regarding unemployment insurance appeal hearings. In addition, the proposed amendment will not prolong hearings or increase transcription costs. Lastly, the requested wording change to paragraph (10)(B)4. would not affect the substance of the paragraph. Additionally, the requested wording change would not enhance the clarity of the paragraph. The comments will be considered in a future proposed amendment.

COMMENT #12: Robert E. Jones, Bill Froke, and Bonnie Keaton requested a change in the wording of the proposed amendment to subsection (11)(B). The individuals request that the word “participants” be removed and replaced with the phrase “parties, attorney, representatives, agents, or witnesses.”

RESPONSE: The requested change in wording would not affect the substance of the subsection. Additionally, the requested wording change would not enhance the clarity of the subsection. The comments will be considered in a future proposed amendment.

COMMENT #13: Robert E. Jones, Bill Froke, and Bonnie Keaton requested a change in the wording of the proposed amendment to subsection (11)(C). The individuals state that the added language is confusing and needs to be simplified. They also request that the phrase “but in any event” be changed to read “but no later than.”

RESPONSE: The requested change in wording would not affect the substance of the subsection (11)(C). Further the proposed amendment to subsection (11)(C) is sufficiently clear as to be understandable to an ordinary person. Additionally, the requested wording change would not enhance the clarity of the subsection. The comments will be considered in a future proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.190, RSMo Supp. 2008, and section 288.220.5, RSMo 2000, the division withdraws a proposed amendment as follows:

8 CSR 10-5.030 Telephone Hearings Before an Appeals Tribunal is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2008 (33 MoReg 1868-1869). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received fourteen (14) comments on the proposed amendment. The Joint Committee on Administrative Rules held a hearing on February 12, 2009.

RESPONSE: As a result, the department is withdrawing this proposed amendment.

COMMENT #1: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the listed purpose itself is incorrect and inconsistent with the actions taken in the prior sections.

RESPONSE: It is assumed that the comment is directed at the purpose statement for the proposed amendment. The purpose statement for the amendment accurately reflects the purpose of the amendment. No changes have been made to the rule as a result of this comment.

COMMENT #2: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke stated that the deletion of the provision in subsection (1)(A) regarding the mailing of copies of documents in the appeals file to the parties would save a significant amount of money. The individuals state that the fiscal note showing a public cost of less than five hundred dollars (\$500) is inaccurate. The individuals noted that, pursuant to 8 CSR 10-2.020, claimants are currently entitled to copies of material necessary to prepare for the hearing without cost to the claimants. However, employers and employing units are not entitled to copies of those documents without cost. Therefore, deletion of the provision to mail copies of documents from the appeals file to the parties would place the procedure in the same status as was the case when hearings were conducted in person.

RESPONSE: Pursuant to Missouri and federal law, the division must afford all parties to an appeal a reasonable opportunity for a fair hearing (section 288.190, RSMo, and 42 U.S.C. 503). To ensure that all parties to a telephone hearing have the opportunity for a fair hearing, all parties to the case and the hearing officer must have copies of the same documents and material in their possession at the time of the hearing. Therefore, it is necessary for the division to mail copies of documents from the appeals file to all parties in the case. Currently, 8 CSR 10-5.015(1) requires the division to provide copies of documents from the appeals file to the parties in each case. The amendment changes the timing of that mailing. The amendment does not increase the public cost. The comments will be considered in a future proposed amendment.

COMMENT #3: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke stated that the proposed change to subsection (1)(A) will increase confusion during the hearing in narrowing the issues, as irrelevant documentation is always included in the contents of the file and is always mailed to the parties. Further, the individuals state that the terms “contents,” “appeals file,” and “with the notice of hearing” should be defined.

RESPONSE: The appeals file is assembled by employees of the Division of Employment Security. Generally, an appeals file contains documents relevant to the issue that was appealed. Currently, pursuant to 8 CSR 10-5.015(1), the division mails copies of those documents to the parties in each case. The amendment changes the timing of that mailing. Therefore, the amendment will not increase confusion in the hearings. Further, the rule is sufficiently clear to inform

the parties as to the procedure followed by the division. The comments will be considered in a future proposed amendment.

COMMENT #4: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the amendment to subsection (1)(A) will exclude anyone appearing in a representative capacity from being able to use copies of the documents the division mails parties. They further state that the term “party” is specifically defined as not including representatives, agents, or attorneys. They maintain that the amendment is specific and you cannot read into the law that which is not written. The individuals also state that the automatic use of the documents will also increase hearing time and costs to the state.

RESPONSE: Representatives of parties are acting on behalf of the parties, and, as such, the representatives will be able to offer, as exhibits, the documents mailed to the parties by the division. Furthermore, section 288.190.2, RSMo, requires the appeals tribunal to include in the record and consider as evidence all records of the division that are material to the issues in the hearing. The amendment to subsection (1)(A) is consistent with this existing statutory requirement and, therefore, the amendment will not increase hearing times or public costs. The comments will be considered in a future proposed amendment.

COMMENT #5: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the term “known representatives” as used in subsection (1)(B) has no meaning. The individuals ask what is the problem with using the language on the notice of telephone hearing regarding mailing potential exhibits to the address and referee listed on the front of the notice. The individuals further state that “claimants should not be mailing copies to actuaries.”

RESPONSE: The term “representative” is defined in section (2) of rule 8 CSR 10-5.010. A representative is acting on behalf of a party to the case. Therefore, the amendment requires the other parties to mail copies of potential exhibits to any such representative of which the parties have knowledge. The language in the proposed amendment clearly apprises the parties of their responsibility to fax, mail, or deliver copies of potential exhibits to representatives of which the parties have knowledge. Furthermore, pursuant to Missouri Supreme Court Rule 5.29, an actuarial firm cannot represent a party in an employment security proceeding before the Division of Employment Security. Therefore, an actuarial firm does not fall within the definition of “representative” in section (2) of rule 8 CSR 10-5.010. The comments will be considered in a future proposed amendment.

COMMENT #6: Robert E. Jones, Bill Froke, and Bonnie Keaton state that the language in subsection (1)(C) is not consistent with other language in the regulations and, therefore, the purpose as described.

RESPONSE: The individuals do not set forth or reference any such inconsistent language. The change to subsection (1)(C) is consistent with the language used in rest of the amendment. The change to subsection (1)(C) is also consistent with the purpose statement of the amendment. The comments will be considered in a future proposed amendment.

COMMENT #7: Robert E. Jones, Bill Froke, and Bonnie Keaton stated that the added language in subsection (2)(B) is not necessary and defeats the purpose by adding the verbiage. The individuals requested that the wording of subsection (2)(B) be changed to read, “. . . shall not be binding on other parties, who may present evidence by telephone.” The individuals state that “‘party’ is defined; ‘to the proceeding’ is redundant.”

RESPONSE: The requested change in wording would not affect the substance of subsection (2)(B). Additionally, the requested wording change would not enhance the clarity of the subsection. The change to subsection (2)(B) is also consistent with the purpose statement of the proposed amendment. The comments will be considered in a future proposed amendment.

COMMENT #8: Robert E. Jones, Bill Froke, and Bonnie Keaton stated that the first occurrence of the word “telephone” in subsection (2)(C) is unnecessary since the sentence already includes information the number was provided for the telephone hearing.

RESPONSE: The requested change in wording would not affect the substance of subsection section (2)(C). Additionally, the requested wording change would not enhance the clarity of the subsection. The comments will be considered in a future proposed amendment.

COMMENT #9: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state that the proposed amendment to subsection (2)(D) is contrary to case law.

RESPONSE: The individuals do not cite any court cases to support their contention that the proposed amendment to subsection (2)(D) is contrary to case law. Section 288.190.2, RSMo, provides that the conduct of hearings shall be in accordance with regulations prescribed by the division and such regulations do not have to conform to common law, statutory rules of evidence, or technical rules of procedure. The comments will be considered in a future proposed amendment.

COMMENT #10: Robert E. Jones, Bill Froke, and Bonnie Keaton requested a change in the wording of the proposed amendment to subsection (2)(D). The individuals state that the wording of the proposed amendment is confusing and contradictory within the paragraph. They also state that the phrase “at least one” is indecisive and not definite enough to constitute a direction as required by law. Further, the individuals state that the language regarding set asides of dismissals is redundant as dismissals are covered in 8 CSR 10-5.040. The individuals state that subsection (2)(D) should be divided into two (2) parts.

RESPONSE: The wording of the proposed amendment to subsection (2)(D) is sufficiently clear as to be understandable by an ordinary person. The requested change in wording would not affect the substance of the subsection. Additionally, the requested wording change would not enhance the clarity of the subsection. The comments will be considered in a future proposed amendment.

COMMENT #11: Robert E. Jones, Bill Froke, and Bonnie Keaton requested that the wording of subsection (2)(E) be changed to simplify and clarify the subsection.

RESPONSE: The wording of the proposed amendment to subsection (2)(E) is sufficiently clear as to be understandable by an ordinary person. The requested change in wording would not affect the substance of the subsection. Additionally, the requested wording change would not enhance the clarity of the subsection. The comments will be considered in a future proposed amendment.

COMMENT #12: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke asked whether the proposed amendment to subsection (2)(E) was intended to provide “all ‘participants’ access to Workforce Development offices for hearings?” The individuals state that “the law only requires that parties have access.”

RESPONSE: Missouri career centers, which are under the jurisdiction of the Division of Workforce Development, are free public employment offices. See section 288.030.1(16), RSMo. All participants to unemployment insurance hearings would have access to these free public employment offices. The comments will be considered in a future proposed amendment.

COMMENT # 13: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state that the proposed change to subsection (3)(B) will adversely affect time lapse.

RESPONSE: The proposed change to subsection (3)(B) should not significantly impact case time lapse. An objection by a party to a witness’s use of notes to refresh his or her memory is rare. Even if a party did object to the witness’s use of notes to refresh his or her memory, the hearing officer would have discretion whether or not to

continue the hearing in order for the party sponsoring the witness to provide copies of the notes to the opposing party. The comments will be considered in a future proposed amendment.

COMMENT #14: Robert E. Jones, Bill Froke, and Bonnie Keaton requested a wording change to subsection (3)(D). The individuals state that subsection (3)(D) should be divided into two (2) parts.

RESPONSE: The requested change in wording would not affect the substance of subsection (3)(D). Additionally, the requested wording change would not enhance the clarity of the subsection. The comments will be considered in a future proposed amendment.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.190, RSMo Supp. 2008, and section 288.220.5, RSMo 2000, the division withdraws a proposed amendment as follows:

8 CSR 10-5.040 Orders of an Appeals Tribunal is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2008 (33 MoReg 1869). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received one (1) comment on the proposed amendment. The Joint Committee on Administrative Rules held a hearing on February 12, 2009.

RESPONSE: As a result, the department is withdrawing this proposed amendment.

COMMENT: Bonnie Keaton, Thomas C. Williams, Robert E. Jones, and Bill Froke state that the provision in section (2) requiring a hearing on both the merits as well as the threshold issue of whether the appellant had good cause for failing to appear at the prior hearing, when it is clear during the hearing that the appellant cannot prevail on the threshold issue, will result in increased costs for hearing, transcripts, and personnel without producing any benefit. The individuals suggest that the fiscal note pertaining to this proposed amendment should reflect that the amendment will result in significant costs to the public in excess of five hundred dollars (\$500).

RESPONSE: Currently, when a dismissal order of an appeals tribunal is set aside due to the appellant’s failure to appear at the prior hearing, it is the division’s practice to schedule a new hearing to take evidence on both the threshold issue of the appellant’s failure to appear at the prior hearing and the merits of the case. The division’s current practice is based upon judicial economy. If the appellant should prevail on the threshold issue, either at the appeals tribunal or on further appeal, a decision can be issued on the merits of the case without the parties having to attend a second hearing. The amendment brings the regulation in to conformity with the division’s current practice. Therefore, the amendment will not increase costs to public entities. The comments will be considered in a future proposed amendment.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.190, RSMo Supp. 2008, and section 288.220.5, RSMo 2000, the division withdraws a proposed amendment as follows:

8 CSR 10-5.050 Decisions of an Appeals Tribunal is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2008 (33 MoReg 1869-1870). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received five (5) comments on the proposed amendment. The Joint Committee on Administrative Rules held a hearing on February 12, 2009.

RESPONSE: As a result, the department is withdrawing this proposed amendment.

COMMENT #1: Robert E. Jones, Bill Froke, and Bonnie Keaton requested that the word “competent” be added before the word “evidence” in section (2).

RESPONSE: The word “competent” is unnecessary. Section 18 of Article V of the *Missouri Constitution* requires administrative decisions, where a hearing is required by law, to be supported by competent and substantial evidence on the whole record. Subsection 3 of section 288.190, RSMo, requires the Division of Employment Security’s appeals tribunal to provide parties with a reasonable opportunity for a fair hearing. Therefore, the decisions are constitutionally required to be supported by competent and substantial evidence on the whole record. The comments will be considered in a future proposed amendment.

COMMENT #2: Robert E. Jones, Bill Froke, and Bonnie Keaton requested that the wording of section (3) be changed to read, “and the method by which to file the Application.”

RESPONSE: The requested change in wording would not affect the substance of the section. Additionally, the requested wording change would not enhance the clarity of the section. The comments will be considered in a future proposed amendment.

COMMENT #3: Robert E. Jones, Bill Froke, and Bonnie Keaton requested that the wording of section (5) be changed to “remove the wordiness, simplify, and clarify” the section. The individuals further requested that the placement of the sentences within the section be changed.

RESPONSE: The wording of section (5) of the proposed amendment is sufficiently clear as to be understandable to an ordinary person. The requested change in wording would not affect the substance of the section. Additionally, the requested wording change would not enhance the clarity of the section. The comments will be considered in a future proposed amendment.

COMMENT #4: Robert E. Jones, Bill Froke, and Bonnie Keaton noted that section (5) does not contain a requirement of any cause to set aside a decision. The individuals stated that “at a minimum, a prima facie showing of good cause should be required.”

RESPONSE: Subsections 3 and 4 of section 288.190, RSMo, grant the Division of Employment Security’s appeals tribunal, on its own motion or the motion of a party, the authority to reconsider any decision. In addition, those subsections set forth the standard for granting reconsideration. The appeals tribunal may reconsider a decision “when it appears that such reconsideration is essential to the accomplishment of the object and purpose” of the employment security law. Therefore, it is unnecessary to set forth a standard for setting aside a decision in section (5) of the rule. The comments will be considered in a future proposed amendment.

COMMENT #5: Robert E. Jones, Bill Froke, and Bonnie Keaton state that section (5) “will result in additional hearings and costs.” The individuals further state that “a fiscal note appears to be in order as the costs will exceed \$500 in the aggregate.”

RESPONSE: Section (5) of the rule will not increase the number of hearings or increase the costs to private or public entities. Subsections 3 and 4 of section 288.190, RSMo, grants the Division of Employment Security’s appeals tribunal the authority to reconsider any decision. Section (5) of the rule is consistent with the tribunal’s existing statutory authority to reconsider decisions. The comments will be considered in a future proposed amendment.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 1—Organization and Administration**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-1.090 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2317-2318). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-5.053 Policies is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2318). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-5.100 Chip Specifications is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2318–2319). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 6—Operation of the Riverboat**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission rescinds a rule as follows:

11 CSR 45-6.040 Five Hundred Dollar-Loss Limit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2319). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed rescission was held on January 6, 2009, and the public comment period ended on December 31, 2008. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 8—Accounting Records and Procedures; Audits**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

**11 CSR 45-8.120 Handling of Cash at Gaming Tables
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2319–2320). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. At the public hearing no comments were received. Written comments were received from the Missouri Gaming Association on behalf of the industry.

COMMENT #1: In the written comments submitted by the Missouri Gaming Association, they requested a change to subsection (1)(B), to delete “in a tone of voice calculated to be heard by the patron and the casino supervisor” and insert “to the patron and the casino supervisor” in its place. Judging the tone of a dealer or box person’s voice would be extremely difficult and subject to interpretation. This should be left up to each individual property.

RESPONSE: Portions of the rule addressed in this comment were not included in the proposed amendment officially filed by the commission. The commission recommends this issue be addressed in a separate amendment at a later date. No changes have been made to the rule as a result of this comment.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-9.010 Definition of Licensee is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2320). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-9.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2320). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. At the public hearing no comments were received. Written comments were received from the Missouri Gaming Association (MGA) on behalf of the industry.

COMMENT #1: MGA requested a change to section (1). Section (1) restricts a licensee to carrying out said regulation only if directed by the commission to do so. The industry would like the phrase “if so directed by the commission” to be deleted from section (1).

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees to clarify the intent of the language in section (1). This

change expanded the definition of licensee to allow the commission to require licensees, other than Class B licensees, to submit internal controls.

COMMENT #2: MGA in their written comments requested the deletion of the new language in subsection (1)(C). The industry feels this has the potential of facilitating a process that permits properties to be treated differently.

RESPONSE: The commission disagrees with this comment. The commission shall require licensees, other than Class B licensees, to establish internal controls when appropriate in order to monitor their procedures. No change was made.

11 CSR 45-9.020 Objectives of an Internal Control System

(1) Each Class B licensee and other licensees as directed by the commission shall establish an internal control system that includes the following:

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 9—Internal Control System

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-9.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2320–2322). Those sections with changes are reprinted here. Additionally, changes have been made to the *Minimum Internal Control Standards* (MICS) as adopted by reference in this rule. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. At the public hearing no comments were received. Written comments were received from the Missouri Gaming Association (MGA) and commission staff.

General Comments:

COMMENT #1: MGA in a general comment requested in the MICS Chapters E, H, and R, that contain references to coins, coin drops, token(s), hoppers, total fills, drop buckets, and other related terms no longer relevant be deleted throughout the MICS, as appropriate.

RESPONSE: The portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. The commission agrees with all comments and they shall be addressed in the next MICS Chapters E, H, and R rewrite.

The following comments pertain to MICS Chapter B:

COMMENT #2: MGA commented on MICS Chapter B §2.03: There has been previous discussion on MICS Chapter B §2.03. It is our understanding an escort can change as it is not uncommon to have a shift change halfway through a drop. When this occurs, the key log entry may not always reflect the escort change. In the event that someone checks the log and discovers that the replacement's name is missing, we would like the commission's assurance that this will not result in an infraction. The language does not appear to provide this flexibility.

RESPONSE AND EXPLANATION OF CHANGE: The commis-

sion has considered the comment and to preclude the misinterpretation of the requirement MICS Chapter B §2.03 has been modified.

COMMENT #3: MGA commented on MICS Chapter B §3.01: In this section, the requirement to include the key access list in the internal controls (ICs) is restrictive and will result in increased emergency approval requests. Please delete "and included in Chapter B of the Internal Control System." Also in MICS Chapter B §3.01(A)(2), please delete the requirement to include a key identifier/stamp on the key. It would be difficult to develop a meaningful identification system as requested and is likely to cause significant confusion.

RESPONSE AND EXPLANATION OF CHANGE: The commission has considered the comment and amended the language. The commission disagrees with the deletion of the requirement to include a key identifier. The key identifier is critical to key accountability—one must be able to identify the keys.

COMMENT #4: MGA commented on MICS Chapter B §4.02: The language restricting issuance to the "count team lead" is concerning as some of the smaller properties do not have a "lead." Please add "/or designee" after count team lead to address this.

RESPONSE: The commission disagrees with this comment. The MGC does not want to lower the standards set forth in the MICS. These job duties should be performed by the supervisor of the count team. MICS Chapter A §1.06 allows for employees to perform the duties of their supervisor as a "dual rate." A property could address their "staffing problems" by using this mechanism, if they designated certain individuals as "dual-rate employees." MICS Chapter A §1.06 details the documentation that is required. Checking out keys cannot be used as documentation to determine who is performing as lead count representative on a given day. It is MGC's expectation that one individual shall be responsible for supervising the count team and its activities. No changes have been made to the rule as a result of this comment.

COMMENT #5: MGA noted there are several comments related to MICS Chapter B §7.01 as follows: (I) delete "Change Cart Key;" (O) please further define what a "Controller Key" is; (X) delete "Hard;" (Y) delete "Weigh Scale Calibration Key;" and (BB) is there a need for EGD Top Box to be a sensitive key?

RESPONSE AND EXPLANATION OF CHANGE: The commission has considered the comment and considers it well-founded. The proposed amendment has been modified. The commission will delete (I) Change Cart Key, (X) Hard Count Room Keys and (Y) Weigh Scale Calibration Key. The definition of Controller Key is to adjust progressive jackpot meters or access critical program storage media (CPSM) game programs. The Top Box Key is needed because there are games that have a Random Number Generator located in the Top Box which must be secured.

COMMENT #6: Commission staff commented on MICS Chapter B §7.01(C) to delete the "EGD Drop Door Key" that was used to grant access to the drop compartment, which housed coin overflow from the above hopper. As of December 19, 2008, all Missouri casinos are one hundred percent (100%) coinless; therefore, they do not contain or house any coin within the drop compartment.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment and adopts the change.

The following comments pertain to MICS Chapter D:

COMMENT #7: MGA commented that the procedures contained in MICS Chapter D §6.06 are inconsistent with the procedures in MICS Chapter R. We would request one (1) procedure for all forms. RESPONSE: Portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter D rewrite.

COMMENT #8: MGA's concern in MICS Chapter D §10.04(B) is similar to the comment previously mentioned in 11 CSR 45-8.120(1)(B). Judging the tone of a dealer or box person's voice would be extremely difficult and subject to interpretation. This should be left up to the discretion of each individual property.

RESPONSE: The portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter D rewrite.

COMMENT #9: MGA requested additional language by adding "at minimum" before "a matching wager" in MICS Chapter D §10.06. This will allow patrons to use a coupon that exceeds the value of a wager instead of restricting the amount to an equal wager.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment and adopts the change.

The following comments pertain to MICS Chapter E:

COMMENT #10: MGA noted there are several comments related to MICS Chapter E §4.04 as follows: change the second tier jackpot amount from "\$1,200-\$4,999" to "\$1,200-\$10,000;" delete the third tier entirely; change the fourth tier jackpot amount from "\$10,000.01-\$24,999" to "\$10,000.01-\$49,999.99;" and change the fifth tier jackpot amount from "\$25,000 +" to "\$50,000 +"

RESPONSE: The portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter E rewrite.

COMMENT #11: MGA requested a change in MICS Chapter E §4.12 which specifies a position above slot supervisor to sign overrides. Please add "/or designee" after "slot supervisor" as some of the smaller properties do not have the staffing to keep a position above a slot supervisor on the clock at all times.

RESPONSE: The commission disagrees with this comment. A casino may write in for a variance to allow another position to be able to sign overrides. Overrides have to be controlled at a high level of supervision. No changes have been made to the rule as a result of this comment.

COMMENT #12: MGA commented in MICS Chapter E §11.02(D), slot wallets contain no more than ten thousand dollars (\$10,000) and can be used to pay out on jackpots under five thousand dollars (\$5,000). Please increase the payout ability to ten thousand dollars (\$10,000) to be consistent with the maximum dollar value in the slot wallet.

RESPONSE: Portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter E rewrite.

COMMENT #13: MGA commented in MICS Chapter E §14.27 "Section" G needs to be changed to "Chapter" G.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment and adopts the change in Chapter E §14.27, and also makes the same change in Chapter E §16.21.

COMMENT #14: MGA commented—after previous discussion on the removal of MICS Chapter E §14.34—we would like to reiterate our desire to restore our ability to utilize cashier generated tickets. MGA is willing to discuss options that could provide acceptable controls to ensure transparency.

RESPONSE AND EXPLANATION OF CHANGE: The commission has considered the comment and decided to allow cashier generated tickets in limited circumstances. The commission amended the language to add limits of minimum amounts that can be generated.

The increased limit will be able to trigger a Multiple Transaction Log (MTL).

COMMENT #15: MGA requested in MICS Chapter E §15.06, the word "critical" needs to be removed from "critical sensitive keys."

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment, since the word "critical" was removed throughout MICS Chapter B, and adopts the change.

COMMENT #16: MGA commented that currently, MICS Chapter E §15.09 states the maximum ticket value that can be paid out by a kiosk is one thousand dollars (\$1,000) in U.S. currency. We would like to see an increased amount.

RESPONSE: Portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter E rewrite.

The following comments pertain to MICS Chapter H:

COMMENT #17: MGA questioned a statement in MICS Chapter H §5.05. If there is more than one (1) main bank cashier working during a shift, each cashier shall participate in the incoming count and the outgoing count for that shift. We feel this should be left up to each individual property as there will be instances that an employee is not able to complete his/her shift due to illness, which could result in an infraction according to this language. In addition, this removes the flexibility to cut back on staffing needs during a slot shift.

RESPONSE: The commission disagrees with this comment, as it further clarifies existing regulations and expectations for main bank accountability. No change was made.

COMMENT #18: MGA requested a change in MICS Chapter H §13.02. Currently, chips, tokens and tickets totaling up to one thousand dollars (\$1,000) may be redeemed by mail; we would like to see an increased amount such as two thousand five hundred dollars (\$2,500). Also, the word "tokens" needs to be removed as previously mentioned in a generalized request.

RESPONSE: The portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter H rewrite.

COMMENT #19: MGA commented about a previous discussion on MICS Chapter H §15.03, which deals with generic real rewards. Currently, marketing employees do not have access to the main bank. However, the language indicates if the coupons are stored in the main bank, they shall be locked in a secure area and the key to the area must be only accessible to marketing employees. This is conflicting. We would request that for properties choosing to store their coupons in the main bank, marketing employees be afforded an ability to access the main bank with an acceptable security escort.

RESPONSE: The commission disagrees with the comments. Properties that choose to store their coupons in the main bank may allow in their internal control standards marketing employees the ability to access the main bank with an acceptable security escort. No change was made.

COMMENT #20: MGA commented the language contained in MICS Chapter H §15.16 dealing with the redemption of promotional tickets/coupons is excessive and creates a triple check. Please delete the underlined portion beginning with "The main bank . . ." and ending with "reimbursing the cashier."

RESPONSE: The commission disagrees with the comment since each person involved must verify the transaction in order to have true accountability.

COMMENT #21: The commission staff requested cashier generated

tickets be deleted in MICS Chapter H §16.10 and §16.11 to match their deletion in MICS Chapter E.

RESPONSE AND EXPLANATION OF CHANGE: The commission has considered the comment and decided to allow cashier generated tickets in limited circumstances. The commission amended the language in MICS Chapter H §16.10 to add limits of minimum amounts that can be generated. The increased limit will be able to trigger a Multiple Transaction Log (MTL).

The commission will not delete the language in MICS Chapter H §16.11. It will remain part of the rule.

The following comments pertain to MICS Chapter I:

COMMENT #22: Commission staff recommended the following changes be made to the proposed MICS Chapter I §8.02(F)(8) and (9)—delete both ticket generated devices and cashier generated tickets.

RESPONSE AND EXPLANATION OF CHANGE: The commission has considered the comment and will delete MICS Chapter I §8.02(F)(8)—ticket-generating devices (TGDs) since these are slot machines.

The commission will not delete the language as proposed in MICS Chapter I §8.02(F)(9) pertaining to cashier generated tickets. It will remain part of the rule.

The following comments pertain to MICS Chapter J:

COMMENT #23: Commission staff noted in MICS Chapter J §1.13 that it should be revised by deleting “through the turnstile.” With the use of new technology, casinos may not have turnstiles.

RESPONSE AND EXPLANATION OF CHANGE: The commission has considered the comment and amended the language of the rule.

COMMENT #24: Commission staff commented on MICS Chapter J asking for clarification of MICS Chapter J §2.02 with regard to who will be swiping the ticket of admission. Also, add the language as contained in MICS Chapter J regarding ticketing representatives.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment and adopts the changes.

COMMENT #25: The commission staff would like to add the following from the emergency verbiage in MICS Chapter J §2.03 to this chapter: “Should a ticketing representative not be available to post at any turnstile, the turnstile shall be immediately closed.” This will be required if casinos use cards.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment and adopts the changes.

The following comments pertain to MICS Chapter N:

COMMENT #26: MGA commented on the language in MICS Chapter N §1.07 which states security personnel is not required for hand-paid jackpots less than one thousand two hundred dollars (\$1,200). According to commission variance #0645-07 dated 10/30/07, movement of hand-paid jackpots less than five thousand dollars (\$5,000) are permitted without security personnel. However, in consideration of our request to increase the second tier jackpot amount in MICS Chapter E §4.04 from “\$1,200–\$4,999” to “\$1,200–\$10,000.” Please increase the amount from “less than \$1,200” to “up to \$10,000” to be consistent.

RESPONSE: The portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter N rewrite.

The following comments pertain to MICS Chapter P:

COMMENT #27: Commission staff recommends changes to be made to the proposed MICS Chapter P, Excluded Persons. The reason for the change to MICS Chapter P §2.09 is to require the inci-

dent to be reported to the local prosecutor, while in reality an MGC agent would do this. The casino just needs to be available to participate in the proceedings of the case. This original language reflects the language in the *Code of State Regulations* (CSRs), but is not consistent with currently accepted procedures.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment and adopts the changes.

The following comments pertain to MICS Chapter R:

COMMENT #28: MGA commented there are several items to delete in the Forms Index as follows: EGD Hopper Fill Slip; EGD Sweeps Log; Weigh Scale Calibration Module Access Log; and Weigh Scale Tape. Also, is Token Inventory Ledger necessary or should it be deleted?

RESPONSE: The portions of the rule addressed in the comment were not included in the proposed amendment officially filed by the commission. No changes have been made to the rule as a result of this comment. This shall be addressed in the next MICS Chapter R rewrite.

11 CSR 45-9.030 Minimum Internal Control Standards

(4) The commission shall adopt and publish minimum standards for internal control procedures that in the commission’s opinion satisfy 11 CSR 45-9.020, as set forth in MICS Chapter B–Key Controls, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter B does not incorporate any subsequent amendments or additions as adopted by the commission on January 14, 2009.

(6) The commission shall adopt and publish minimum standards for internal control procedures that in the commission’s opinion satisfy 11 CSR 45-9.020, as set forth in MICS Chapter D–Table Games (Live Games), which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter D does not incorporate any subsequent amendments or additions as adopted by the commission on January 14, 2009.

(7) The commission shall adopt and publish minimum standards for internal control procedures that in the commission’s opinion satisfy 11 CSR 45-9.020, as set forth in MICS Chapter E–Electronic Gaming Devices (EGDs), which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter E does not incorporate any subsequent amendments or additions as adopted by the commission on January 14, 2009.

(10) The commission shall adopt and publish minimum standards for internal control procedures that in the commission’s opinion satisfy 11 CSR 45-9.020, as set forth in MICS Chapter H–Casino Cashiering, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter H does not incorporate any subsequent amendments or additions as adopted by the commission on January 14, 2009.

(11) The commission shall adopt and publish minimum standards for internal control procedures that in the commission’s opinion satisfy 11 CSR 45-9.020, as set forth in MICS Chapter I–Casino Accounting, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter I does not incorporate any subsequent amendments or additions as adopted by the commission on January 14, 2009.

(12) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in MICS Chapter J—Admissions, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter J does not incorporate any subsequent amendments or additions as adopted by the commission on January 14, 2009.

(18) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in MICS Chapter P—Excluded Persons, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter P does not incorporate any subsequent amendments or additions as adopted by the commission on January 14, 2009.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-9.040 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2322–2323). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. At the public hearing no comments were received. Written comments were received from the Missouri Gaming Association (MGA) on behalf of the industry.

COMMENT #1: MGA requested a change to section (1). Section (1) restricts a licensee to carrying out said regulation only if directed by the commission to do so. The industry would like the phrase “if so directed by the commission” to be deleted from section (1).
RESPONSE AND EXPLANATION OF CHANGE: The commission agrees to clarify the intent of the language in section (1). This change expanded the definition of licensee to allow the commission to require licensees, other than Class B licensees, to submit internal controls. The commission shall require licensees, other than Class B licensees, to establish internal controls when appropriate in order to monitor their procedures.

11 CSR 45-9.040 Commission Approval of Internal Control System

(1) Each Class B licensee and other licensees as directed by the commission shall describe, in a manner that the commission may approve or require, its administrative and accounting procedures in detail in a written system of internal control. Each written system must include a detailed narrative description of the administrative and accounting procedures designed to satisfy the requirements of 11 CSR 45-9.020 and 11 CSR 45-9.030(1). Additionally, this description shall include a separate section for the following:

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-11.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2323–2326). No changes have been made to the text of the proposed amendment; however, a change has been made to the form attached to this regulation and is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. At the public hearing no comments were received. Written comments were received from the Missouri Gaming Association (MGA) on behalf of the industry.

COMMENT #1: MGA requested on both the Deposit Adjustment Form and the Claim For Refund Or Credit Form to change “Class A” to “Class B.”

RESPONSE AND EXPLANATION OF CHANGE: The Deposit Adjustment Form is being deleted from the regulation as proposed, since it is no longer used. The Claim For Refund Or Credit Form will be updated to reflect submission of the form by Class B licensees.

11 CSR 45-11.020 Deposit Account—Taxes and Fees



MISSOURI GAMING COMMISSION
P.O. BOX 1847
3417 KNIPP DRIVE
JEFFERSON CITY, MISSOURI 65102
CLAIM FOR REFUND OR CREDIT FORM

FOR COMMISSION USE ONLY
DATE RECEIVED
CLAIM NUMBER

CLAIMANT

This form is submitted by _____, a Class B licensee ("Licensee"), in compliance with 11 CSR 45-11.110, to the Missouri Gaming Commission ("Commission") as a claim for refund or credit for tax or fee liability. In submitting this form, Licensee states the following:

- The tax or fee, penalty or interest, listed below has been paid by reason other than clerical error or mistake on the part of the Commission:

Gaming Date: _____ Type of Tax or Fee: _____

Tax or Fee Amount Paid: \$ _____

Tax or Fee Amount Due: \$ _____

Amount of Overpayment: \$ _____

Reason for overpayment: _____

- This claim for refund or credit is being filed in duplicate and amended returns for all periods involved in the overpayment are attached hereto.
- This claim for refund or credit is being filed within three (3) years from the date of overpayment, as determined under 11 CSR 45-11.110(1).
- Pursuant to 11 CSR 45-11.110(2), Licensee is requesting the following action by the Commission (please check one):
 - Issuance of a credit memorandum in the amount of overpayment, which may be applied in satisfaction of subsequent tax or fee liability.
 - Issuance of a refund on the amount of overpayment. A refund shall only be available if a credit cannot be taken on the next return filed with the Commission.
- Licensee acknowledges that a refund, in accordance with 11 CSR 45-11.110(5)(A), may be made with interest as determined by Section 32.065, RSMo, and that a credit, in accordance with 11 CSR 45-11.110(5)(B), shall be made without interest.

SIGNATURE

The undersigned declares this claim and any attached information supporting the claim is true, complete, and accurate and hereby acknowledges that, in accordance with Sections 313.812.14(1), and 313.830.4, RSMo, any holder of a Missouri gaming license who knowingly makes a false statement to the Commission, its agents, or employees is subject to discipline, including but not limited to fine, suspension, and revocation.

(NAME)

(SIGNATURE)

(POSITION)

(DATE)

FOR COMMISSION USE ONLY

COMMISSION ACTION

Upon review of this claim and any attached information supporting the claim, the Commission has taken the following action:

Approval Of The Claim In The Following Amounts: Refund/Credit Total: \$ _____

Denial Of Claim: A request for a hearing to review a denial may be filed within 30-days from the date of denial. The hearing would be governed by 11 CSR 45-13.

Explanation: _____

(AUTHORIZED SIGNATURE)

(DATE)

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2008, the commission amends a rule as follows:

11 CSR 45-11.050 Admission Fee is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2008 (33 MoReg 2326). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on January 6, 2009, and the public comment period ended on December 31, 2008. No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 20—Pharmacy Program**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.201 and 338.505, RSMo Supp. 2008, the division amends a rule as follows:

**13 CSR 70-20.320 Pharmacy Reimbursement Allowance
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2008 (33 MoReg 1871-1873). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF
AND CLAIMANTS AGAINST THE BERKSHIRE COMPANY**

On January 28, 2009, The Berkshire Company, a Missouri corporation (the "Company"), filed its Resolution to Dissolve Affidavit with the Missouri Secretary of State. The dissolution and termination of the Company was effective on February 5, 2009.

The Company requests that all persons and entities with claims against the Company present them in accordance with this notice.

All claims against the Company must be in writing and must include the name, address and telephone number of the claimant, the amount of the claim or other relief demanded, the basis of the claim, the date or dates on which the events occurred which provide a basis for the claim, and copies of any available document supporting the claim. All claims should be mailed to Michael E. Long, Stinson Morrison Hecker LLP, 168 North Meramec Avenue, Suite 400, St. Louis, Missouri 63105.

Any claim against the Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**NOTICE OF CORPORATE DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
BRANDON BROTHERS FAIR-WAY FURNITURE CO.**

On February 17, 2009, BRANDON BROTHERS FAIR-WAY FURNITURE CO., a Missouri corporation (the "Company"), filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution and termination of the Company was effective on February 17, 2009.

The Company requests that all persons and entities with claims against the Company present them in accordance with this notice.

All claims against the Company must be in writing and must include the name, address and telephone number of the claimant, the amount of the claim or other relief demanded, the basis of the claim, the date or dates on which the events occurred which provide a basis for the claim, and copies of any available document supporting the claim. All claims should be mailed to R. Troy Kendrick, Jr., Stinson Morrison Hecker LLP, 168 North Meramec Avenue, Suite 400, St. Louis, Missouri 63105.

Any claim against the Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**NOTICE OF CORPORATE DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
MIDWEST INTERIOR DESIGN, LLC**

On February 12, 2009, Midwest Interior Design, LLC, a Missouri limited liability company, filed a Notice of Winding Up and Articles of Termination with the Missouri Secretary of State.

All persons and organizations who have claims against Midwest Interior Design, LLC should present them immediately to Tre M. Hall, 1703 Falcon, Suite C, Webb City, Missouri 64870.

Each claim must include:

1. the name, address and phone number of the claimant;
2. the dollar amount claimed;
3. the date on which the claim arose;
4. the basis for the claim; and
5. documentation for the claim.

A claim against Midwest Interior Design, LLC will be barred unless a proceeding to enforce the claim is commenced within three years after the publication date of the last to be published of the three notices of the limited liability company's dissolution authorized by statute.

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF AND
CLAIMANTS AGAINST WETZEL CLINIC, INC.**

Wetzel Clinic, Inc., a Missouri corporation ("Wetzel"), filed Articles of Dissolution with the Missouri Secretary of State, effective January 26, 2009.

Persons with claims against Wetzel must present them in writing to: Wetzel Clinic, Inc., c/o Joseph L. Hiersteiner, at 2800 Commerce Tower, 911 Main Street, Kansas City, Missouri 64105. Claims must include: (1) the claimant's name, address and telephone number; (2) the amount of the claim; (3) the date on which the claim arose; and (4) a brief description of the nature of the debt or the basis for the claim.

Claims against Wetzel will be barred unless the proceeding to enforce the claim is commenced within two years after the publication of this notice.

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—30 (2005) and 31 (2006). 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, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				30 MoReg 2435
DEPARTMENT OF AGRICULTURE					
2 CSR 70-11.050	Plant Industries	33 MoReg 1795	34 MoReg 183		
2 CSR 70-40.005	Plant Industries		33 MoReg 1803	34 MoReg 236	
2 CSR 90-10	Weights and Measures				33 MoReg 1193
2 CSR 90-10.001	Weights and Measures		33 MoReg 2089	34 MoReg 310	
2 CSR 90-10.011	Weights and Measures	33 MoReg 2081	33 MoReg 2089	34 MoReg 310	
2 CSR 90-10.012	Weights and Measures	33 MoReg 2082	33 MoReg 2090	34 MoReg 310	
2 CSR 90-10.013	Weights and Measures		33 MoReg 2091	34 MoReg 311	
2 CSR 90-10.014	Weights and Measures		33 MoReg 2091	34 MoReg 311	
2 CSR 90-10.016	Weights and Measures		33 MoReg 2092	34 MoReg 311	
2 CSR 90-10.017	Weights and Measures		33 MoReg 2092R	34 MoReg 311R	
2 CSR 90-10.020	Weights and Measures		33 MoReg 2093	34 MoReg 311	
2 CSR 90-10.040	Weights and Measures		33 MoReg 2093	34 MoReg 312	
2 CSR 90-10.100	Weights and Measures		33 MoReg 2094R	34 MoReg 312R	
2 CSR 100-2.020	Missouri Agricultural and Small Business Development Authority		This Issue		
2 CSR 100-2.030	Missouri Agricultural and Small Business Development Authority		This Issue		
2 CSR 100-2.040	Missouri Agricultural and Small Business Development Authority		This Issue		
2 CSR 100-10.010	Missouri Agricultural and Small Business Development Authority		This Issue		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		33 MoReg 2094	34 MoReg 236	
3 CSR 10-4.113	Conservation Commission		33 MoReg 2094	34 MoReg 236	
3 CSR 10-4.117	Conservation Commission		33 MoReg 2095	34 MoReg 237	
3 CSR 10-5.205	Conservation Commission		33 MoReg 2095		
3 CSR 10-5.215	Conservation Commission		33 MoReg 2097		
3 CSR 10-5.220	Conservation Commission		33 MoReg 2097		
3 CSR 10-5.222	Conservation Commission		33 MoReg 2097		
3 CSR 10-5.225	Conservation Commission		33 MoReg 2098		
3 CSR 10-5.300	Conservation Commission		33 MoReg 2100	34 MoReg 544	
3 CSR 10-5.310	Conservation Commission		33 MoReg 2100		
3 CSR 10-5.315	Conservation Commission		33 MoReg 2100	34 MoReg 544W	
3 CSR 10-5.320	Conservation Commission		33 MoReg 2101		
3 CSR 10-5.321	Conservation Commission		33 MoReg 2101	34 MoReg 544W	
3 CSR 10-5.322	Conservation Commission		33 MoReg 2101	34 MoReg 544W	
3 CSR 10-5.323	Conservation Commission		33 MoReg 2101	34 MoReg 545W	
3 CSR 10-5.330	Conservation Commission		33 MoReg 2102	34 MoReg 545W	
3 CSR 10-5.340	Conservation Commission		33 MoReg 2104	34 MoReg 545W	
3 CSR 10-5.345	Conservation Commission		33 MoReg 2106	34 MoReg 545W	
3 CSR 10-5.351	Conservation Commission		33 MoReg 2108	34 MoReg 546W	
3 CSR 10-5.352	Conservation Commission		33 MoReg 2110	34 MoReg 546W	
3 CSR 10-5.359	Conservation Commission		33 MoReg 2112	34 MoReg 546W	
3 CSR 10-5.360	Conservation Commission		33 MoReg 2114	34 MoReg 546W	
3 CSR 10-5.365	Conservation Commission		33 MoReg 2116	34 MoReg 546W	
3 CSR 10-5.370	Conservation Commission		33 MoReg 2118	34 MoReg 547W	
3 CSR 10-5.375	Conservation Commission		33 MoReg 2120	34 MoReg 547W	
3 CSR 10-5.420	Conservation Commission		33 MoReg 2122R		
3 CSR 10-5.425	Conservation Commission		33 MoReg 2122	34 MoReg 547W	
3 CSR 10-5.430	Conservation Commission		33 MoReg 2124		
3 CSR 10-5.435	Conservation Commission		33 MoReg 2126	34 MoReg 547W	
3 CSR 10-5.436	Conservation Commission		33 MoReg 2128		
3 CSR 10-5.440	Conservation Commission		33 MoReg 2130	34 MoReg 547W	
3 CSR 10-5.445	Conservation Commission		33 MoReg 2132	34 MoReg 548W	
3 CSR 10-5.540	Conservation Commission		33 MoReg 2134		
3 CSR 10-5.545	Conservation Commission		33 MoReg 2136		
3 CSR 10-5.551	Conservation Commission		33 MoReg 2138		
3 CSR 10-5.552	Conservation Commission		33 MoReg 2140		
3 CSR 10-5.554	Conservation Commission		33 MoReg 2142		
3 CSR 10-5.559	Conservation Commission		33 MoReg 2144		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-5.560	Conservation Commission		33 MoReg 2146		
3 CSR 10-5.565	Conservation Commission		33 MoReg 2148		
3 CSR 10-5.567	Conservation Commission		33 MoReg 2150		
3 CSR 10-5.570	Conservation Commission		33 MoReg 2152		
3 CSR 10-5.576	Conservation Commission		33 MoReg 2154R		
3 CSR 10-5.579	Conservation Commission		33 MoReg 2156R		
3 CSR 10-5.580	Conservation Commission		33 MoReg 2158R		
3 CSR 10-6.410	Conservation Commission		33 MoReg 2160	34 MoReg 548	
3 CSR 10-6.415	Conservation Commission		33 MoReg 2160	34 MoReg 548	
3 CSR 10-6.530	Conservation Commission		33 MoReg 2160	34 MoReg 548	
3 CSR 10-6.533	Conservation Commission		33 MoReg 2160	34 MoReg 548	
3 CSR 10-6.540	Conservation Commission		33 MoReg 2161	34 MoReg 549	
3 CSR 10-6.550	Conservation Commission		33 MoReg 2161	34 MoReg 549	
3 CSR 10-6.615	Conservation Commission		33 MoReg 2162	34 MoReg 549	
3 CSR 10-6.620	Conservation Commission		33 MoReg 2162	34 MoReg 549	
3 CSR 10-7.405	Conservation Commission		33 MoReg 2162	34 MoReg 549	
3 CSR 10-7.410	Conservation Commission		33 MoReg 2162	34 MoReg 550	
3 CSR 10-7.431	Conservation Commission		33 MoReg 2163	34 MoReg 550	
3 CSR 10-7.433	Conservation Commission		33 MoReg 2163	34 MoReg 550	
3 CSR 10-7.434	Conservation Commission		33 MoReg 2164	34 MoReg 551	
3 CSR 10-7.437	Conservation Commission		33 MoReg 2165	34 MoReg 551	
3 CSR 10-7.455	Conservation Commission		33 MoReg 2165		34 MoReg 241
3 CSR 10-8.515	Conservation Commission		33 MoReg 2166	34 MoReg 551	
3 CSR 10-9.110	Conservation Commission		33 MoReg 2166	34 MoReg 552	
3 CSR 10-9.353	Conservation Commission		33 MoReg 2168	34 MoReg 552	
3 CSR 10-9.359	Conservation Commission		33 MoReg 2168	34 MoReg 552	
3 CSR 10-9.415	Conservation Commission		33 MoReg 2168	34 MoReg 552	
3 CSR 10-9.425	Conservation Commission		33 MoReg 2169	34 MoReg 552	
3 CSR 10-9.565	Conservation Commission		33 MoReg 2169	34 MoReg 552	
3 CSR 10-9.566	Conservation Commission		33 MoReg 2170	34 MoReg 553	
3 CSR 10-9.575	Conservation Commission		33 MoReg 2170	34 MoReg 553	
3 CSR 10-9.628	Conservation Commission		33 MoReg 2171	34 MoReg 553	
3 CSR 10-10.711	Conservation Commission		33 MoReg 2171	34 MoReg 553W	
3 CSR 10-10.715	Conservation Commission		33 MoReg 2173	34 MoReg 553	
3 CSR 10-10.716	Conservation Commission		33 MoReg 2173	34 MoReg 553	
3 CSR 10-10.722	Conservation Commission		33 MoReg 2173		
3 CSR 10-10.724	Conservation Commission		33 MoReg 2174		
3 CSR 10-10.725	Conservation Commission		33 MoReg 2176		
3 CSR 10-10.726	Conservation Commission		33 MoReg 2176		
3 CSR 10-10.727	Conservation Commission		33 MoReg 2176		
3 CSR 10-10.728	Conservation Commission		33 MoReg 2177		
3 CSR 10-10.735	Conservation Commission		33 MoReg 2179	34 MoReg 554	
3 CSR 10-10.767	Conservation Commission		33 MoReg 2179	34 MoReg 554	
3 CSR 10-10.784	Conservation Commission		33 MoReg 2179	34 MoReg 554	
3 CSR 10-10.787	Conservation Commission		33 MoReg 2180	34 MoReg 554	
3 CSR 10-11.110	Conservation Commission		33 MoReg 2180	34 MoReg 554	
3 CSR 10-11.115	Conservation Commission		33 MoReg 2180	34 MoReg 554	
3 CSR 10-11.140	Conservation Commission		33 MoReg 2181	34 MoReg 555	
3 CSR 10-11.150	Conservation Commission		33 MoReg 2181	34 MoReg 555	
3 CSR 10-11.160	Conservation Commission		33 MoReg 2182	34 MoReg 555	
3 CSR 10-11.165	Conservation Commission		33 MoReg 2182	34 MoReg 555	
3 CSR 10-11.180	Conservation Commission		33 MoReg 2182	34 MoReg 555	
3 CSR 10-11.184	Conservation Commission		33 MoReg 2185	34 MoReg 555	
3 CSR 10-11.205	Conservation Commission		33 MoReg 2185	34 MoReg 556	
3 CSR 10-11.210	Conservation Commission		33 MoReg 2186	34 MoReg 556	
3 CSR 10-11.215	Conservation Commission		33 MoReg 2186	34 MoReg 556	
3 CSR 10-12.110	Conservation Commission		33 MoReg 2187	34 MoReg 556	
3 CSR 10-12.115	Conservation Commission		33 MoReg 2187	34 MoReg 556	
3 CSR 10-12.125	Conservation Commission		33 MoReg 2188	34 MoReg 557	
3 CSR 10-12.135	Conservation Commission		33 MoReg 2189	34 MoReg 557	
3 CSR 10-12.140	Conservation Commission		33 MoReg 2189	34 MoReg 557	
3 CSR 10-12.145	Conservation Commission		33 MoReg 2190	34 MoReg 557	
3 CSR 10-20.805	Conservation Commission		33 MoReg 2191		
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4 CSR 240-3.162	Public Service Commission		34 MoReg 187 This Issue		34 MoReg 240RAN
4 CSR 240-20.091	Public Service Commission		34 MoReg 196 This Issue		34 MoReg 240RAN
4 CSR 240-33.170	Public Service Commission		33 MoReg 1942	This Issue	
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-261.025	Division of Administrative and Financial Services		33 MoReg 1946		
5 CSR 30-640.100	Division of Administrative and Financial Services		34 MoReg 113		
5 CSR 80-800.200	Teacher Quality and Urban Education		34 MoReg 368		
5 CSR 80-800.220	Teacher Quality and Urban Education		34 MoReg 368		
5 CSR 80-800.230	Teacher Quality and Urban Education		34 MoReg 369		
5 CSR 80-800.260	Teacher Quality and Urban Education		34 MoReg 369		

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5 CSR 80-800.270	Teacher Quality and Urban Education		34 MoReg 370		
5 CSR 80-800.280	Teacher Quality and Urban Education		34 MoReg 370		
5 CSR 80-800.350	Teacher Quality and Urban Education		34 MoReg 370		
5 CSR 80-800.360	Teacher Quality and Urban Education		34 MoReg 372		
5 CSR 80-800.380	Teacher Quality and Urban Education		34 MoReg 372		
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6 CSR 10-2.010	Commissioner of Higher Education		34 MoReg 115R		
6 CSR 10-2.020	Commissioner of Higher Education		34 MoReg 115R		
6 CSR 10-2.080	Commissioner of Higher Education		34 MoReg 115		
6 CSR 10-2.140	Commissioner of Higher Education		34 MoReg 119		
6 CSR 10-2.150	Commissioner of Higher Education		34 MoReg 121		
6 CSR 10-2.160	Commissioner of Higher Education		34 MoReg 122		
6 CSR 10-2.170	Commissioner of Higher Education		34 MoReg 124		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-23.010	Missouri Highways and Transportation Commission		33 MoReg 2426		
7 CSR 10-23.020	Missouri Highways and Transportation Commission		33 MoReg 2427		
7 CSR 10-23.030	Missouri Highways and Transportation Commission		33 MoReg 2428		
7 CSR 10-25.010	Missouri Highways and Transportation Commission				34 MoReg 314
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-2.020	Division of Employment Security		33 MoReg 1865	34 MoReg 312	
8 CSR 10-5.010	Division of Employment Security		33 MoReg 1865	This IssueW	
8 CSR 10-5.015	Division of Employment Security		33 MoReg 1866	This IssueW	
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8 CSR 10-5.050	Division of Employment Security		33 MoReg 1869	This IssueW	
8 CSR 30-4.010	Division of Labor Standards		33 MoReg 1710R	34 MoReg 237R	
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8 CSR 30-4.040	Division of Labor Standards		33 MoReg 1712	34 MoReg 238	
8 CSR 30-4.060	Division of Labor Standards		33 MoReg 1712	34 MoReg 238	
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9 CSR 10-5.200	Director, Department of Mental Health		34 MoReg 12		
9 CSR 10-5.230	Director, Department of Mental Health		34 MoReg 14		
9 CSR 30-4.0431	Certification Standards		33 MoReg 1804	34 MoReg 557	
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10 CSR 10-5.290	Air Conservation Commission		33 MoReg 1805R		
10 CSR 10-5.381	Air Conservation Commission		33 MoReg 1946		
10 CSR 10-5.430	Air Conservation Commission		33 MoReg 1661R	34 MoReg 312R	
10 CSR 10-5.570	Air Conservation Commission		34 MoReg 199		
10 CSR 10-6.045	Air Conservation Commission		34 MoReg 205		
10 CSR 10-6.060	Air Conservation Commission		33 MoReg 2192		
10 CSR 10-6.061	Air Conservation Commission		33 MoReg 1960		
10 CSR 10-6.100	Air Conservation Commission		33 MoReg 2204		
10 CSR 10-6.120	Air Conservation Commission		34 MoReg 206		
10 CSR 10-6.260	Air Conservation Commission		34 MoReg 208		
10 CSR 10-6.320	Air Conservation Commission		34 MoReg 212R		
10 CSR 10-6.350	Air Conservation Commission		33 MoReg 2315		
10 CSR 10-6.360	Air Conservation Commission		33 MoReg 2316		
10 CSR 10-6.400	Air Conservation Commission		33 MoReg 1870		
10 CSR 10-6.410	Air Conservation Commission		33 MoReg 2206		
10 CSR 20-6.200	Clean Water Commission		34 MoReg 377		
10 CSR 20-7.031	Clean Water Commission	33 MoReg 2415	34 MoReg 379		
10 CSR 20-7.050	Clean Water Commission	33 MoReg 1855	33 MoReg 1870		
10 CSR 25-3.260	Hazardous Waste Management Commission		33 MoReg 2207		
10 CSR 25-4.261	Hazardous Waste Management Commission		33 MoReg 2209		
10 CSR 25-5.262	Hazardous Waste Management Commission		33 MoReg 2210		
10 CSR 25-6.263	Hazardous Waste Management Commission		33 MoReg 2214		
10 CSR 25-7.264	Hazardous Waste Management Commission		33 MoReg 2215		
10 CSR 25-7.265	Hazardous Waste Management Commission		33 MoReg 2219		
10 CSR 25-7.266	Hazardous Waste Management Commission		33 MoReg 2222		
10 CSR 25-7.268	Hazardous Waste Management Commission		33 MoReg 2223		
10 CSR 25-7.270	Hazardous Waste Management Commission		33 MoReg 2223		
10 CSR 25-11.279	Hazardous Waste Management Commission		33 MoReg 2225		
10 CSR 25-12.010	Hazardous Waste Management Commission		33 MoReg 2226		
10 CSR 25-13.010	Hazardous Waste Management Commission		33 MoReg 2228		
10 CSR 25-16.273	Hazardous Waste Management Commission		33 MoReg 2230		
10 CSR 25-18.010	Hazardous Waste Management Commission		34 MoReg 527		
10 CSR 60-2.015	Safe Drinking Water Commission		33 MoReg 1964		
10 CSR 60-4.052	Safe Drinking Water Commission		33 MoReg 1967		
10 CSR 60-4.090	Safe Drinking Water Commission		33 MoReg 1991		
10 CSR 60-4.092	Safe Drinking Water Commission		33 MoReg 1996		
10 CSR 60-4.094	Safe Drinking Water Commission		33 MoReg 1996		
10 CSR 60-5.010	Safe Drinking Water Commission		33 MoReg 2006		

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10 CSR 60-7.010	Safe Drinking Water Commission		33 MoReg 2006		
10 CSR 60-8.010	Safe Drinking Water Commission		33 MoReg 2010		
10 CSR 60-8.030	Safe Drinking Water Commission		33 MoReg 2014		
10 CSR 60-9.010	Safe Drinking Water Commission		33 MoReg 2018		
10 CSR 70-9.010	Soil and Water Districts Commission		33 MoReg 1722		
10 CSR 140-2	Division of Energy				33 MoReg 1103 33 MoReg 1193
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11 CSR 40-2.025	Division of Fire Safety	34 MoReg 175	34 MoReg 212		
11 CSR 45-1.090	Missouri Gaming Commission	33 MoReg 2303	33 MoReg 2317	This Issue	
11 CSR 45-5.053	Missouri Gaming Commission	33 MoReg 2303	33 MoReg 2318	This Issue	
11 CSR 45-5.100	Missouri Gaming Commission		33 MoReg 2318	This Issue	
11 CSR 45-6.040	Missouri Gaming Commission	33 MoReg 2304R	33 MoReg 2319R	This IssueR	
11 CSR 45-8.120	Missouri Gaming Commission	33 MoReg 2304	33 MoReg 2319	This Issue	
11 CSR 45-9.010	Missouri Gaming Commission		33 MoReg 2320	This Issue	
11 CSR 45-9.020	Missouri Gaming Commission		33 MoReg 2320	This Issue	
11 CSR 45-9.030	Missouri Gaming Commission	33 MoReg 2305	33 MoReg 2320	This Issue	
11 CSR 45-9.040	Missouri Gaming Commission	33 MoReg 2305	33 MoReg 2322	This Issue	
11 CSR 45-11.020	Missouri Gaming Commission	33 MoReg 2306	33 MoReg 2323	This Issue	
11 CSR 45-11.050	Missouri Gaming Commission	33 MoReg 2306	33 MoReg 2326	This Issue	
11 CSR 80-5.010	Missouri State Water Patrol		34 MoReg 282		
11 CSR 85-1.010	Veterans' Affairs		34 MoReg 284		
11 CSR 85-1.015	Veterans' Affairs		34 MoReg 285		
11 CSR 85-1.020	Veterans' Affairs		34 MoReg 285		
11 CSR 85-1.040	Veterans' Affairs		34 MoReg 286		
11 CSR 85-1.050	Veterans' Affairs		34 MoReg 286		
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12 CSR 10-7.170	Director of Revenue		33 MoReg 2018R	34 MoReg 558R	
12 CSR 10-7.250	Director of Revenue		33 MoReg 2018R	34 MoReg 558R	
12 CSR 10-7.260	Director of Revenue		33 MoReg 2019R	34 MoReg 558R	
12 CSR 10-7.320	Director of Revenue		34 MoReg 215R		
12 CSR 10-16.170	Director of Revenue		34 MoReg 215R		
12 CSR 10-23.100	Director of Revenue		33 MoReg 2232	34 MoReg 559	
12 CSR 10-41.010	Director of Revenue	33 MoReg 2307	33 MoReg 2326		
12 CSR 10-43.030	Director of Revenue		33 MoReg 2019	34 MoReg 559	
12 CSR 10-103.380	Director of Revenue		33 MoReg 2020R	34 MoReg 559R	
12 CSR 30-3.010	State Tax Commission		33 MoReg 2235		
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 30-3.010	Child Support Enforcement (<i>Changed to 13 CSR 40-3.010</i>)		34 MoReg 16		
13 CSR 30-3.020	Child Support Enforcement (<i>Changed to 13 CSR 40-3.020</i>)		34 MoReg 16		
13 CSR 40-2.390	Family Support Division	33 MoReg 1941	33 MoReg 2021		
13 CSR 40-3.010	Family Support Division (<i>Changed from 13 CSR 30-3.010</i>)		34 MoReg 16		
13 CSR 40-3.020	Family Support Division (<i>Changed from 13 CSR 30-3.020</i>)		34 MoReg 16		
13 CSR 70-3.190	MO HealthNet Division		This Issue		
13 CSR 70-4.120	MO HealthNet Division		33 MoReg 440		
13 CSR 70-10.016	MO HealthNet Division	33 MoReg 2083	33 MoReg 1429	33 MoReg 2370	
13 CSR 70-15.200	MO HealthNet Division		33 MoReg 2430		
13 CSR 70-20.320	MO HealthNet Division	33 MoReg 1856	33 MoReg 1871	This Issue	
13 CSR 70-30.010	MO HealthNet Division		33 MoReg 2331		
13 CSR 70-60.010	MO HealthNet Division		34 MoReg 286		
13 CSR 70-70.010	MO HealthNet Division		33 MoReg 2235		
13 CSR 70-98.015	MO HealthNet Division		33 MoReg 2331		
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15 CSR 30-10.110	Secretary of State	33 MoReg 1857	33 MoReg 1874	34 MoReg 238	
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16 CSR 50-2.090	The County Employees' Retirement Fund		34 MoReg 215		
16 CSR 50-2.120	The County Employees' Retirement Fund		33 MoReg 1877	34 MoReg 238	
16 CSR 50-3.010	The County Employees' Retirement Fund		34 MoReg 216		
16 CSR 50-10.010	The County Employees' Retirement Fund		34 MoReg 217		
16 CSR 50-10.030	The County Employees' Retirement Fund		34 MoReg 217		
16 CSR 50-10.050	The County Employees' Retirement Fund		33 MoReg 1877	34 MoReg 238	
16 CSR 50-20.020	The County Employees' Retirement Fund		34 MoReg 218		
16 CSR 50-20.120	The County Employees' Retirement Fund		34 MoReg 218		
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19 CSR 20-3.070	Division of Community and Public Health		33 MoReg 2331R 33 MoReg 2332		
19 CSR 20-3.080	Division of Community and Public Health		33 MoReg 2337		

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19 CSR 20-28.010	Division of Community and Public Health		33 MoReg 2023	34 MoReg 312	
19 CSR 20-28.030	Division of Community and Public Health		33 MoReg 2032R	34 MoReg 313R	
19 CSR 20-28.040	Division of Community and Public Health		33 MoReg 2032	34 MoReg 313	
19 CSR 20-44.010	Division of Community and Public Health		34 MoReg 288		
19 CSR 30-20.096	Division of Regulation and Licensure		33 MoReg 2343		
19 CSR 30-26.010	Division of Regulation and Licensure		33 MoReg 2348		
19 CSR 30-40.342	Division of Regulation and Licensure		34 MoReg 289		
19 CSR 30-40.600	Division of Regulation and Licensure		34 MoReg 296		
19 CSR 30-70.650	Division of Regulation and Licensure		33 MoReg 2356		
19 CSR 30-85.022	Division of Regulation and Licensure	34 MoReg 5	34 MoReg 17		
19 CSR 30-86.022	Division of Regulation and Licensure	34 MoReg 7	34 MoReg 29		
19 CSR 40-11.010	Division of Maternal, Child and Family Health	34 MoReg 271	34 MoReg 304		
19 CSR 60-50	Missouri Health Facilities Review Committee				34 MoReg 242
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Construction Claims Binding Arbitration Cap				32 MoReg 667 33 MoReg 150 33 MoReg 2446
20 CSR	Medical Malpractice				30 MoReg 481 31 MoReg 616 32 MoReg 545
20 CSR	Sovereign Immunity Limits				30 MoReg 108 30 MoReg 2587 31 MoReg 2019 33 MoReg 150 33 MoReg 2446
20 CSR	State Legal Expense Fund Cap				32 MoReg 668 33 MoReg 150 33 MoReg 2446
20 CSR 100-1.060	Insurer Conduct		33 MoReg 1877		
20 CSR 100-1.070	Insurer Conduct		33 MoReg 1879		
20 CSR 200-1.116	Insurance Solvency and Company Regulation		33 MoReg 2358		
20 CSR 200-12.020	Insurance Solvency and Company Regulation		33 MoReg 2237		
20 CSR 400-1.170	Life, Annuities and Health	34 MoReg 175	34 MoReg 219		
20 CSR 400-2.200	Life, Annuities and Health		34 MoReg 542		
20 CSR 500-7.030	Property and Casualty	33 MoReg 2085	33 MoReg 2238		
20 CSR 500-7.080	Property and Casualty	33 MoReg 2085	33 MoReg 2238		
20 CSR 600-1.030	Statistical Reporting		33 MoReg 1882		
20 CSR 700-3.200	Insurance Licensing	34 MoReg 274	34 MoReg 309		
20 CSR 2030-5.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		34 MoReg 45		
20 CSR 2065-1.030	Endowed Care Cemeteries		33 MoReg 1337	33 MoReg 2048	
20 CSR 2095-1.060	Committee for Professional Counselors		34 MoReg 45R 34 MoReg 45		
20 CSR 2095-1.062	Committee for Professional Counselors		34 MoReg 48		
20 CSR 2095-1.064	Committee for Professional Counselors		34 MoReg 52		
20 CSR 2095-1.068	Committee for Professional Counselors		34 MoReg 55		
20 CSR 2095-1.070	Committee for Professional Counselors		34 MoReg 59		
20 CSR 2095-2.005	Committee for Professional Counselors		34 MoReg 63		
20 CSR 2095-2.010	Committee for Professional Counselors		34 MoReg 63R 34 MoReg 63		
20 CSR 2095-2.020	Committee for Professional Counselors		34 MoReg 67		
20 CSR 2095-2.021	Committee for Professional Counselors		34 MoReg 68		
20 CSR 2095-2.030	Committee for Professional Counselors		34 MoReg 68		
20 CSR 2095-2.065	Committee for Professional Counselors		34 MoReg 69		
20 CSR 2095-3.010	Committee for Professional Counselors		34 MoReg 71		
20 CSR 2110-2.010	Missouri Dental Board		34 MoReg 126		
20 CSR 2110-2.030	Missouri Dental Board		34 MoReg 126		
20 CSR 2110-2.050	Missouri Dental Board		34 MoReg 127		
20 CSR 2110-2.090	Missouri Dental Board		34 MoReg 127		
20 CSR 2110-2.130	Missouri Dental Board		34 MoReg 127		
20 CSR 2110-2.132	Missouri Dental Board		34 MoReg 128		
20 CSR 2110-2.240	Missouri Dental Board		34 MoReg 128		
20 CSR 2145-1.010	Missouri Board of Geologist Registration		34 MoReg 219		
20 CSR 2150-5.020	State Board of Registration for the Healing Arts		34 MoReg 128		
20 CSR 2165-2.010	Board of Examiners for Hearing Instrument Specialists		34 MoReg 220		
20 CSR 2165-2.025	Board of Examiners for Hearing Instrument Specialists		33 MoReg 1904	34 MoReg 239	
20 CSR 2165-2.030	Board of Examiners for Hearing Instrument Specialists		34 MoReg 224		
20 CSR 2165-2.040	Board of Examiners for Hearing Instrument Specialists		34 MoReg 225		
20 CSR 2235-1.045	State Committee of Psychologists		34 MoReg 225		
20 CSR 2235-2.060	State Committee of Psychologists		34 MoReg 225		
20 CSR 2267-2.030	Office of Tattooing, Body Piercing, and Branding		34 MoReg 226		
20 CSR 2267-2.031	Office of Tattooing, Body Piercing, and Branding		34 MoReg 228		
20 CSR 2270-2.031	Missouri Veterinary Medical Board		34 MoReg 71		
20 CSR 2270-2.041	Missouri Veterinary Medical Board		34 MoReg 71		

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	MISSOURI CONSOLIDATED HEALTH CARE PLAN				
22 CSR 10-2.050	Health Care Plan	34 MoReg 176	34 MoReg 232		
22 CSR 10-2.053	Health Care Plan	34 MoReg 177	34 MoReg 232		
22 CSR 10-2.060	Health Care Plan	34 MoReg 178	34 MoReg 233		
22 CSR 10-2.075	Health Care Plan	34 MoReg 178	34 MoReg 233		
22 CSR 10-3.030	Health Care Plan	34 MoReg 179	34 MoReg 234		
22 CSR 10-3.075	Health Care Plan	34 MoReg 179	34 MoReg 235		

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Department of Agriculture			
Weights and Measures			
2 CSR 90-10.011	Inspection Authority—Duties33 MoReg 2081	Oct. 25, 2008April 22, 2009
2 CSR 90-10.012	Registration—Training . . . . .	.33 MoReg 2082	Oct. 25, 2008April 22, 2009
Department of Natural Resources			
Clean Water Commission			
10 CSR 20-7.031	Water Quality Standards . . . . .	.33 MoReg 2415	Nov. 22, 2008May 20, 2009
10 CSR 20-7.050	Methodology for Development of Impaired Waters List . . . . .	.33 MoReg 1855	Jan. 2, 2009June 30, 2009
Department of Public Safety			
Division of Fire Safety			
11 CSR 40-2.025	Installation Permits . . . . .	.34 MoReg 175	Jan. 1, 2009June 29, 2009
Missouri Gaming Commission			
11 CSR 45-1.090	Definitions . . . . .	.33 MoReg 2303	Nov. 15, 2008May 13, 2009
11 CSR 45-5.053	Policies . . . . .	.33 MoReg 2303	Nov. 15, 2008May 13, 2009
11 CSR 45-6.040	Five Hundred Dollar-Loss Limit . . . . .	.33 MoReg 2304	Nov. 15, 2008May 13, 2009
11 CSR 45-8.120	Handling of Cash at Gaming Tables . . . . .	.33 MoReg 2304	Nov. 15, 2008May 13, 2009
11 CSR 45-9.030	Minimum Internal Control Standards . . . . .	.33 MoReg 2305	Nov. 15, 2008May 13, 2009
11 CSR 45-9.040	Commission Approval of Internal Control System . . . . .	.33 MoReg 2305	Nov. 15, 2008May 13, 2009
11 CSR 45-11.020	Deposit Account—Taxes and Fees . . . . .	.33 MoReg 2306	Nov. 15, 2008May 13, 2009
11 CSR 45-11.050	Admission Fee . . . . .	.33 MoReg 2306	Nov. 15, 2008May 13, 2009
Department of Revenue			
Director of Revenue			
12 CSR 10-41.010	Annual Adjusted Rate of Interest . . . . .	.33 MoReg 2307	Jan. 1, 2009June 29, 2009
Department of Social Services			
Family Support Division			
13 CSR 40-2.390	Transitional Employment Benefit . . . . .	.33 MoReg 1941	Oct. 3, 2008March 31, 2009
MO HealthNet Division			
13 CSR 70-10.016	Global Per Diem Adjustments to Nursing Facilities and HIV Nursing Facility Reimbursement Rates . . . . .	.33 MoReg 2083	Oct. 13, 2008April 10, 2009
13 CSR 70-20.320	Pharmacy Reimbursement Allowance . . . . .	.33 MoReg 1856	Sept. 22, 2008March 20, 2009
Elected Officials			
Secretary of State			
15 CSR 30-10.110	Voting Machines (Electronic)—Manual Recount . . . . .	.33 MoReg 1857	Sept. 25, 2008March 23, 2009
Attorney General			
15 CSR 60-15.010	Definitions . . . . .	.Next Issue	March 12, 2009Sept. 7, 2009
15 CSR 60-15.020	Form of Affidavit . . . . .	.Next Issue	March 12, 2009Sept. 7, 2009
15 CSR 60-15.030	Complaints . . . . .	.Next Issue	March 12, 2009Sept. 7, 2009
15 CSR 60-15.040	Investigation of Complaints . . . . .	.Next Issue	March 12, 2009Sept. 7, 2009
15 CSR 60-15.050	Notification by Federal Government that Individual Is Not Authorized to Work . . . . .	.Next Issue	March 12, 2009Sept. 7, 2009
Department of Health and Senior Services			
Division of Regulation and Licensure			
19 CSR 30-85.022	Fire Safety Standards for New and Existing Intermediate Care and Skilled Nursing Facilities . . . . .	.34 MoReg 5	Dec. 4, 2008June 1, 2009
19 CSR 30-86.022	Fire Safety Standards for Residential Care Facilities and Assisted Living Facilities . . . . .	.34 MoReg 7	Dec. 4, 2008June 1, 2009
Division of Maternal, Child and Family Health			
19 CSR 40-11.010	Payments for Vision Examinations34 MoReg 271	Jan. 19, 2009July 17, 2009

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Department of Insurance, Financial Institutions and Professional Registration			
Life, Annuities, and Health			
20 CSR 400-1.170	Recognition of Preferred Mortality Tables in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits . . .34 MoReg 175	Dec. 31, 2008	June 28, 2009
Property and Casualty			
20 CSR 500-7.030	General Instructions	33 MoReg 2085	Jan. 1, 2009 June 29, 2009
20 CSR 500-7.080	Insurer's Annual On-site Review	33 MoReg 2085	Jan. 1, 2009 June 29, 2009
Insurance Licensing			
20 CSR 700-3.200	Continuing Education	34 MoReg 274	Jan. 18, 2009 July 16, 2009
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.050	PPO and Co-Pay Benefit Provisions and Covered Charges . .34 MoReg 176	Jan. 1, 2009	June 29, 2009
22 CSR 10-2.053	High Deductible Health Plan Benefit Provisions and Covered Charges	34 MoReg 177	Jan. 1, 2009 June 29, 2009
22 CSR 10-2.060	PPO, HDHP, and Co-Pay Limitations	34 MoReg 178	Jan. 1, 2009 June 29, 2009
22 CSR 10-2.075	Review and Appeals Procedure	34 MoReg 178	Jan. 1, 2009 June 29, 2009
22 CSR 10-3.030	Public Entity Membership Agreement and Participation Period	34 MoReg 179	Jan. 1, 2009 June 29, 2009
22 CSR 10-3.075	Review and Appeals Procedure	34 MoReg 179	Jan. 1, 2009 June 29, 2009

Executive Orders	Subject Matter	Filed Date	Publication
2009			
09-13	Extends Executive Order 09-04 and Executive Order 09-07 through March 31, 2009	February 25, 2009	Next Issue
09-12	Creates and establishes the Transform Missouri Initiative	February 20, 2009	Next Issue
09-11	Orders the Department of Health and Senior Services and the Department of Social Services to transfer the Blindness Education, Screening and Treatment Program (BEST) to the Department of Economic Development	February 4, 2009	This Issue
09-10	Orders the Department of Elementary and Secondary Education and the Department of Economic Development to transfer the Missouri Customized Training Program to the Department of Economic Development	February 4, 2009	This Issue
09-09	Transfers the various scholarship programs under the Departments of Agriculture, Elementary and Secondary Education, Higher Education, and Natural Resources to the Department of Higher Education	February 4, 2009	This Issue
09-08	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	February 2, 2009	34 MoReg 366
09-07	Gives the director of the Missouri Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on January 26	January 30, 2009	34 MoReg 364
09-06	Activates the state militia in response to the aftermath of severe storms that began on January 26	January 28, 2009	34 MoReg 362
09-05	Establishes a Complete Count Committee for the 2010 Census	January 27, 2009	34 MoReg 359
09-04	Declares a state of emergency and activates the Missouri State Emergency Operations Plan	January 26, 2009	34 MoReg 357
09-03	Directs the Missouri Department of Economic Development, working with the Missouri Development Finance Board, to create a pool of funds designated for low-interest and no-interest direct loans for small business	January 13, 2009	34 MoReg 281
09-02	Creates the Economic Stimulus Coordination Council	January 13, 2009	34 MoReg 279
09-01	Creates the Missouri Automotive Jobs Task Force	January 13, 2009	34 MoReg 277
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08-41	Extends Executive Order 07-31 until January 12, 2009	January 9, 2009	34 MoReg 275
08-40	Extends Executive Order 07-01 until January 1, 2010	December 17, 2008	34 MoReg 181
08-39	Closes state offices in Cole County on Monday, January 12, 2009	December 3, 2008	34 MoReg 11
08-38	Amends Executive Order 03-17 to revise the composition of the committee to include the Divisional Commander of the Midland Division of the Salvation Army or his or her designee	November 25, 2008	34 MoReg 10
08-37	Orders the Department of Natural Resources to develop a voluntary certification program to identify environmentally responsible practices in Missouri's lodging industries	November 13, 2008	33 MoReg 2424
08-36	Orders the departments and agencies of the Executive Branch of Missouri state government to adopt a Pandemic Flu Share Leave Program	October 23, 2008	33 MoReg 2313
08-35	Creates the Division of Developmental Disabilities and abolishes the Division of Mental Retardation and Developmental Disabilities within the Department of Mental Health	October 16, 2008	33 MoReg 2311
08-34	Establishes the Complete Count Committee to ensure an accurate count of Missouri citizens during the 2010 Census	October 21, 2008	33 MoReg 2309
08-33	Advises that state offices will be closed on Friday, December 26, 2008	October 29, 2008	33 MoReg 2308
08-32	Advises that state offices will be closed on Friday, November 28, 2008	October 2, 2008	33 MoReg 2088
08-31	Declares that a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	September 15, 2008	33 MoReg 1863
08-30	Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	September 15, 2008	33 MoReg 1861
08-29	Transfers the Breath Alcohol Program back to the Department of Health and Senior Services from the Department of Transportation by Type I transfer	September 12, 2008	33 MoReg 1859

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08-28	Orders and directs the Adjutant General of the state of Missouri, or his designee, to call and order forthwith into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri to protect life and property	August 30, 2008	33 MoReg 1801
08-27	Declares that Missouri will implement the Emergency Management Assistance Compact with Louisiana in evacuating disaster victims associated with Hurricane Gustav from that state to the state of Missouri	August 30, 2008	33 MoReg 1799
08-26	Extends the order contained in Executive Orders 08-21, 08-23, and 08-25	August 29, 2008	33 MoReg 1797
08-25	Extends the order contained in Executive Orders 08-21 and 08-23	July 28, 2008	33 MoReg 1658
08-24	Extends the declaration of emergency contained in Executive Order 08-20 and the terms of Executive Order 08-19	July 11, 2008	33 MoReg 1546
08-23	Extends the declaration of emergency contained in Executive Order 08-21	July 11, 2008	33 MoReg 1545
08-22	Designates members of staff with supervisory authority over selected state agencies	July 3, 2008	33 MoReg 1543
08-21	Authorizes the Department of Natural Resources to temporarily waive or suspend rules during the period of the emergency	June 20, 2008	33 MoReg 1389
08-20	Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated	June 11, 2008	33 MoReg 1331
08-19	Orders and directs the Adjutant General of the state of Missouri, or his designee, to call and order forthwith into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri to protect life and property	June 11, 2008	33 MoReg 1329
08-18	Authorizes the Department of Natural Resources to temporarily waive or suspend rules during the period of the emergency	May 13, 2008	33 MoReg 1131
08-17	Extends the declaration of emergency contained in Executive Order 08-14 and the terms of Executive Order 08-15	April 29, 2008	33 MoReg 1071
08-15	Calls organized militia into active service	April 1, 2008	33 MoReg 905
08-14	Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated	April 1, 2008	33 MoReg 903
08-13	Expands the number of state employees allowed to participate in the Missouri Mentor Initiative	March 27, 2008	33 MoReg 901
08-12	Authorizes the Department of Natural Resources to temporarily waive or suspend rules during the period of the emergency	March 21, 2008	33 MoReg 899
08-11	Calls organized militia into active service	March 18, 2008	33 MoReg 897
08-10	Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated	March 18, 2008	33 MoReg 895
08-09	Establishes the Missouri Civil War Sesquicentennial Commission	March 6, 2008	33 MoReg 783
08-08	Gives Department of Natural Resources authority to suspend regulations in the aftermath of severe weather that began on February 10, 2008	February 20, 2008	33 MoReg 715
08-07	Declares that a state of emergency exists in the state of Missouri.	February 12, 2008	33 MoReg 625
08-06	Orders and directs the Adjutant General of the state of Missouri, or his designee, to call and order forthwith into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri to protect life and property	February 12, 2008	33 MoReg 623
08-05	Extends Executive Orders, 07-34, 07-36 and 07-39 through March 15, 2008 for the purpose of continuing the cleanup efforts in affected communities	February 11, 2008	33 MoReg 621
08-04	Transfers authority of the sexual assault evidentiary kit and exam payment program from the Department of Health and Senior Services to Department of Public Safety by Type 1 transfer	February 6, 2008	33 MoReg 619
08-03	Activates the state militia in response to the aftermath of severe storms that began on January 7, 2008	January 11, 2008	33 MoReg 405
08-02	Activates the Missouri State Emergency Operations Plan in the aftermath of severe weather that began on January 7, 2008	January 11, 2008	33 MoReg 403
08-01	Establishes the post of Missouri Poet Laureate	January 8, 2008	33 MoReg 401

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