

# OREGON BULLETIN

Supplements the 2010 *Oregon Administrative Rules Compilation*

**Volume 49, No. 12**  
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**For October 18, 2010–November 15, 2010**



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**KATE BROWN**  
Secretary of State  
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# INFORMATION AND PUBLICATION SCHEDULE

## General Information

The Administrative Rules Unit, Archives Division, Secretary of State publishes the *Oregon Administrative Rules Compilation* and the on-line *Oregon Bulletin*. The *Oregon Administrative Rules Compilation* is an annual print publication containing the complete text of Oregon Administrative Rules (OARs) filed during the previous year through November 15, or the last workday before that if the 15th falls on a weekend or holiday. The *Oregon Bulletin* is a monthly on-line supplement that contains rule text amended after publication of the print *Compilation*, as well as proposed rulemaking and rulemaking hearing notices. The *Bulletin* also publishes certain non-OAR items such as Executive Orders of the Governor, Opinions of the Attorney General, and Department of Environmental Quality cleanup notices.

## Background on Oregon Administrative Rules

ORS 183.310(9) defines “rule” as “any agency directive, standard, regulation or statement of general applicability that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of any agency.” Agencies may adopt, amend, repeal or renumber rules, permanently or temporarily (up to 180 days), using the procedures outlined in the *Oregon Attorney General’s Administrative Law Manual*. The Administrative Rules Unit assists agencies with the notification, filing and publication requirements of the administrative rulemaking process.

## How to Cite

Every administrative rule uses the same numbering sequence of a three-digit chapter number followed by a three-digit division number and a four-digit rule number (000-000-0000). Example: Oregon Administrative Rules, chapter 166, division 500, rule 0020 (short form: OAR 166-500-0020).

## Understanding an Administrative Rule’s “History”

State agencies operate in a dynamic environment of ever-changing laws, public concerns and legislative mandates which necessitate ongoing rulemaking. To track changes to individual rules and organize the rule filing forms for permanent retention, the Administrative Rules Unit has developed for each rule a “history” which is located at the end of the rule text. An administrative rule “history” outlines the statutory authority, statutes implemented and dates of each authorized modification to the rule text. Changes are listed in chronological order and identify in abbreviated form the agency, filing number, year, filing date and effective date. For example: “OSA 4-1993, f. & cert. ef. 11-10-93” documents a rule change made by the Oregon State Archives (OSA). The history notes this was the 4th filing from the Archives in 1993, it was filed on November 10, 1993 and the rule changes became effective on the same date. The most recent change to each rule is listed at the end of the “history.”

## Locating the Most Recent Version of an Administrative Rule

The on-line *OAR Compilation* is updated on the first of each month to include all rule actions filed with the Administrative Rules Unit, Secretary of State’s office by the 15th of the previous month, or by the last workday before the 15th if that date falls on a weekend or holiday. The annual printed *OAR Compilation* contains the full text of all rules filed during the previous year through November 15, or the last workday before that if the 15th falls on a weekend or holiday. Subsequent changes to individual administrative rules are listed by rule number in the OAR Revision Cumulative Index which is published monthly in the on-line *Oregon Bulletin*. These listings include the effective date, the specific rulemaking action, and the

issue of the *Bulletin* that contains the full text of the amended rule. The *Bulletin* contains the full text of permanent and temporary rules filed for publication.

## Locating Administrative Rules Unit Publications

The *Oregon Administrative Rules Compilation* and the *Oregon Bulletin* are available on-line through the Oregon State Archives web site at <<http://arcweb.sos.state.or.us>>. Printed volumes of the *Compilation* are deposited in Oregon’s Public Documents Depository Libraries listed in OAR 543-070-0000. Complete sets and individual volumes of the *Compilation* may be ordered by contacting: Administrative Rules Unit, Archives Division, 800 Summer Street NE, Salem, OR 97310, (503) 373-0701, Julie.A.Yamaka@state.or.us

## 2009–2010 Oregon Bulletin Publication Schedule

The Administrative Rules Unit accepts proposed rulemaking notices and administrative rule filings Monday through Friday, 8:00 am to 5:00 pm, at the Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310. To expedite the rulemaking process agencies are encouraged file a Notice of Proposed Rulemaking Hearing specifying hearing date, time and location, and submit their filings early in the submission period to meet the following deadlines:

### Submission Deadline — Publishing Date

December 15, 2009	January 1, 2010
January 15, 2010	February 1, 2010
February 12, 2010	March 1, 2010
March 15, 2010	April 1, 2010
April 15, 2010	May 1, 2010
May 14, 2010	June 1, 2010
June 15, 2010	July 1, 2010
July 15, 2010	August 1, 2010
August 13, 2010	September 1, 2010
September 15, 2010	October 1, 2010
October 15, 2010	November 1, 2010
November 15, 2010	December 1, 2010

## Reminder for Agency Rules Coordinators

Each agency that engages in rulemaking must appoint a rules coordinator and file an “Appointment of Agency Rules Coordinator” form, ARC 910-2003, with the Administrative Rules Unit, Archives Division, Secretary of State. Agencies which delegate rulemaking authority to an officer or employee within the agency must also file a “Delegation of Rulemaking Authority” form, ARC 915-2005. It is the agency’s responsibility to monitor the rulemaking authority of selected employees and to keep the appropriate forms updated. The Administrative Rules Unit does not verify agency signatures as part of the rulemaking process. Forms are available from the Administrative Rules Unit, Archives Division, 800 Summer Street NE, Salem, Oregon 97301, (503) 373-0701, or are downloadable at <<http://arcweb.sos.state.or.us/banners/rules.htm>>

## Publication Authority

The *Oregon Bulletin* is published pursuant to ORS 183.360(3). Copies of the original Administrative Orders may be obtained from the Archives Division, 800 Summer Street, Salem, Oregon, 97310; (503) 373-0701. The Archives Division charges for such copies.

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# NOTICES OF PROPOSED RULEMAKING

## Notices of Proposed Rulemaking and Proposed Rulemaking Hearings

The following agencies provide Notice of Proposed Rulemaking to offer interested parties reasonable opportunity to submit data or views on proposed rulemaking activity. To expedite the rulemaking process, many agencies have set the time and place for a hearing in the notice. Copies of rulemaking materials may be obtained from the Rules Coordinator at the address and telephone number indicated.

Public comment may be submitted in writing directly to an agency or presented orally or in writing at the rulemaking hearing. Written comment must be submitted to an agency by 5:00 p.m. on the Last Day for Comment listed, unless a different time of day is specified. Written and oral comments may be submitted at the appropriate time during a rulemaking hearing as outlined in OAR 137-001-0030.

Agencies providing notice request public comment on whether other options should be considered for achieving a proposed administrative rule's substantive goals while reducing negative economic impact of the rule on business.

In Notices of Proposed Rulemaking where no hearing has been set, a hearing may be requested by 10 or more people or by an association with 10 or more members. Agencies must receive requests for a public rulemaking hearing in writing within 21 days following notice publication in the *Oregon Bulletin* or 28 days from the date notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received by an agency, notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

*\*Auxiliary aids for persons with disabilities are available upon advance request. Contact the agency Rules Coordinator listed in the notice information.*

\*\*\*\*\*

### Board of Examiners for Engineering and Land Surveying Chapter 820

**Rule Caption:** To amend rules that clarify requirements related to registration or application for registration. Repeal 1 rule.

Date:	Time:	Location:
1-11-11	1:30 .m.	670 Hawthorne Ave. SE, Suite 220 Salem, OR 97301

**Hearing Officer:** Grant Davis

**Stat. Auth.:** ORS 672.255

**Other Auth.:** ORS 670.310

**Stats. Implemented:** ORS 672.002–672.325

**Proposed Amendments:** 820-010-0209, 820-010-0210, 820-010-0212, 820-010-0213, 820-010-0214, 820-010-0215, 820-010-0305, 820-010-0400, 820-010-0417, 820-010-0427, 820-010-0463, 820-010-0505, 820-010-0520

**Proposed Repeals:** 820-010-0435

**Last Date for Comment:** 1-11-11, Close of Hearing

**Summary:** OAR 820-010-0209 – Revises the initial fee for certification as a water right examiner and makes the amount consistent with the fee already contained in rule.

OAR 820-010-0210 – Expands on the information and documentation required for applications to the fundamental examinations.

OAR 820-010-0212 – Illustrates the fee required (already contained in OAR 820-010-0305 – Fees) with a re-application for the PE examination.

OAR 820-010-0213 – Illustrates the fee required (already contained in OAR 820-010-0305 – Fees) with a re-application for the PLS examination.

OAR 820-010-0214 – Illustrates the fee required (already contained in OAR 820-010-0305 – Fees) with a re-application for the RPP examination.

OAR 820-010-0215 – Revises the deadline to submit documents issued by another jurisdiction, educational institution, or by NCEES.

OAR 820-010-0305 – Revises the fee for the initial professional structural engineering examination application due to a change in the examination.

OAR 820-010-0400 – Deletes the language related to the prior practice period (ended December 31, 2009).

OAR 820-010-0417 – Revises the requirements for registration as a structural engineer.

OAR 820-010-0427 – Clarifies the examination is written and scored by the Colonial States Boards of Surveyor Registration.

OAR 820-010-0463 – Deletes reference to the MOU related to the Forest engineering examination and includes the cutoff score for the photogrammetric mapping examination.

OAR 820-010-0505 – Clarifies that a registration or certification in the “inactive” status for a period of 5 or more years may not be renewed; similar to registration in the “delinquent” or “retired” status, in accordance with OAR chapter 166, division 350.

OAR 820-010-0520 – Clarifies that a registration or certification in the “inactive” status has a time period of 5 years to return to “active” status upon submitting required documents and fees.

OAR 820-010-0435 – Repeals rule; the Board no longer conducts oral interviews. The authority remains in statute.

**Rules Coordinator:** Mari Lopez

**Address:** 670 Hawthorne Avenue, SE Suite 220, Salem, OR 97301

**Telephone:** (503) 362-2666

\*\*\*\*\*

### Board of Licensed Professional Counselors and Therapists Chapter 833

**Rule Caption:** Revises administrative rules governing license applications through reciprocity.

**Stat. Auth.:** ORS 675.705–675.835

**Other Auth.:** ORS 676.150–676.405

**Stats. Implemented:** ORS 675.705–675.835 & 676.150–676.405

**Proposed Amendments:** 833-020-0011, 833-020-0051

**Last Date for Comment:** 1-5-11, Close of Business

**Summary:** Revises rules governing license application process through reciprocity. Allows specific academic education and some clinical experience while in another state to substitute for some Oregon license requirements.

**Rules Coordinator:** Becky Eklund

**Address:** 3218 Pringle Road SE, #250, Salem, OR 97302

**Telephone:** (503) 378-5499

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### Board of Massage Therapists Chapter 334

**Rule Caption:** Amend budget, amend fees, implement Board Chair stipend.

Date:	Time:	Location:
12-16-10	1 p.m.	748 Hawthorne Ave. NE Salem, OR 97301

**Hearing Officer:** Kathy Calise

**Stat. Auth.:** ORS 182.460 & 687.121

**Stats. Implemented:** ORS 182.460 & 687.121

**Proposed Amendments:** 334-001-0055, 334-001-0012, 334-010-0033

**Last Date for Comment:** 12-16-10, Close of Hearing

**Summary:** The Oregon Board of Massage Therapists (Board) is permanently amending the 2009–2011 biennial budget in an effort to prevent revenue shortfall in the current biennium.

The Board is permanently amending the stipend rule to address the extraordinary amount of additional work conducted specifically by the Board Chair.

The Board is permanently amending the fee schedule in an effort to prevent revenue shortfall in the current and future biennia. The fee changes are as follows:

Active License Renewal (for two years) – Current Fee: \$100. New Fee: \$150.

License Reprint (each) – Current Fee: \$5. New Fee: \$10.

License Verification (each) – Current Fee: \$5. New Fee: \$10.

# NOTICES OF PROPOSED RULEMAKING

**Rules Coordinator:** Diana Nott  
**Address:** 748 Hawthorne Avenue NE, Salem, Oregon 97301  
**Telephone:** (503) 365-8657 ext. 1

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**Board of Parole and Post-Prison Supervision**  
**Chapter 255**

**Rule Caption:** Amends division 1 to update the established rule-making procedures and agency rule notification guidelines.

**Stat. Auth.:** ORS 183.335, 183.360, 137.551, 144 & 192.610(1)–192.710

**Stats. Implemented:** ORS 192.800–192.810, 183.335, 183.360 & SB 2222 (1999 Legislature)

**Proposed Amendments:** 255-001-0005, 255-001-0010, 255-001-0016

**Last Date for Comment:** 1-7-11

**Summary:** Division 1 is being amended to update the rulemaking procedures and to add guidelines regarding how the Board will provide notice of rule changes.

**Rules Coordinator:** Michelle Mooney

**Address:** Board of Parole and Post-Prison Supervision, 2575 Center St. NE, Salem, OR 97301

**Telephone:** (503) 945-0914

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**Rule Caption:** Adopting rules to establish procedures for identifying and supervising offenders deemed sexually violent and dangerous.

**Stat. Auth.:** ORS 144.637

**Stats. Implemented:** ORS 144.635

**Proposed Adoptions:** 255-060-0018

**Last Date for Comment:** 1-7-11

**Summary:** Per ORS 144.637, the Department of Corrections and the State Board of Parole and Post-Prison Supervision, in consultation with local supervisory authorities, shall jointly adopt rules establishing (1) Procedures for identifying sexually violent dangerous offenders; and (2) Methods of intensive supervision for sexually violent dangerous offenders.

**Rules Coordinator:** Michelle Mooney

**Address:** Board of Parole and Post-Prison Supervision, 2575 Center St. NE, Salem, OR 97301

**Telephone:** (503) 945-0914

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**Board of Tax Practitioners**  
**Chapter 800**

**Rule Caption:** 2010 Overhaul of OAR's based on recommendations made by the Rules Advisory Committee and approved by the Board.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-22-10	10 a.m.	3218 Pringle Rd. SE, #120 Salem, OR 97302

**Hearing Officer:** Jane Billings

**Stat. Auth.:** ORS 673.605, 673.740 & 673.990

**Stats. Implemented:** ORS 673.605, 673.740 & 673.990

**Proposed Amendments:** Rules in 800-001, 800-010, 800-015, 800-020, 800-025, 800-030

**Last Date for Comment:** 12-22-10

**Summary:** 2010 Overhaul of OAR's based on recommendations made by the Rules Advisory Committee and approved by the Board.

**Rules Coordinator:** Jane Billings

**Address:** Board of Tax Practitioners, 3218 Pringle Rd. SE, Suite 120, Salem, OR 97302

**Telephone:** (503) 373-1691

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**Bureau of Labor and Industries**  
**Chapter 839**

**Rule Caption:** Amendments to correct internal inconsistencies and to set out process for certain types of charges.

**Stat. Auth.:** ORS 183 & 651.060

**Stats. Implemented:** ORS 183, 279C.817, 652.332(3), 652.310–652.405, 653.010–653.261, 653.065(1), 652.900 & 653.256

**Proposed Amendments:** 839-050-0440, 839-050-0445, Rules in 839-050

**Last Date for Comment:** 1-3-11

**Summary:** The proposed amendment to OAR 839-050-0445 would correct an incorrect reference to two other Division 50 rules. The proposed amendments to OAR 839-050-0440 would set out the contested case process for Orders of Determination (administrative charges) under ORS 652.332 or Notices of Intent (administrative charges) for civil penalties under ORS 652.900 or ORS 653.256.

**Rules Coordinator:** Marcia Ohlemiller

**Address:** Bureau of Labor and Industries, 800 NE Oregon St., #1045, Portland, OR 97232

**Telephone:** (971) 673-0784

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**Rule Caption:** Conforms Allowable Garnishment Processing Fee Rule with Legislation.

**Stat. Auth.:** ORS 18.736, 651.060(4), 632 & 653

**Stats. Implemented:** ORS 652 & 653

**Proposed Amendments:** 839-001-0100, 839-020-0027

**Last Date for Comment:** 12-22-10

**Summary:** ORS 18.736, adopted by the 2003 Legislature, permits employers to deduct a "processing fee" in a specified amount from the wages of debtor employees/garnishors. OAR 839-001-0200 and 839-020-0027 were adopted in 2003 and 2004 to include these fees as amounts that may be deducted from employee wages under the Wage Collection and Minimum Wage laws. The amount of the processing fee in ORS 18.736 was amended by the 2009 legislature. OAR 839-001-0200 and 839-020-0027 need to be revised, therefore to reflect this amendment.

**Rules Coordinator:** Marcia Ohlemiller

**Address:** Bureau of Labor and Industries, 800 NE Oregon St., #1045, Portland, OR 97232

**Telephone:** (971) 673-0784

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**Rule Caption:** Conforms Prevailing Wage Rate rules to legislation; clarifies definition of "apprentice"; amends contract specifications requirements.

**Stat. Auth.:** ORS 279C.808

**Other Auth.:** HB 3651 (2010)

**Stats. Implemented:** ORS 279C.800–279C.870

**Proposed Amendments:** 839-025-0004, 839-025-0013, 839-025-0020, 839-025-0035, 839-025-0060, 839-025-0100, 839-025-0230

**Last Date for Comment:** 12-22-10

**Summary:** The proposed rule amendments conform the agency's PWR rules to the provisions of HB 3651, passed by the 2010 Legislature, amending the definition of "public works" in the PWR law to include solar construction and installation projects on property owned by a public body, regardless of whether or not funds of a public agency are used. The proposed rule amendments also clarify that in order for workers to qualify and be paid as apprentices under the PWR law, they must be employed by "registered training agents" pursuant to ORS 660; the Apprenticeship and training law. In addition, the proposed rule amendments permit contracting agencies to provide in the contract specification for projects subject to both the PWR law and federal Davis-Bacon Act that the applicable state prevailing wage rates are those that are in effect at the time the applicable federal prevailing wage rates are effective. And finally, the proposed rule amendments provide that rate reference requirements in the contract specifications are met if such references include uniform Resource Locator (URL) information for a webpage or webpages showing the title of each applicable wage rates publication or determination and the date of each publication or determination as well as the date of any applicable amendments.

**Rules Coordinator:** Marcia Ohlemiller

# NOTICES OF PROPOSED RULEMAKING

**Address:** Bureau of Labor and Industries, 800 NE Oregon St., #1045, Portland, OR 97232  
**Telephone:** (971) 673-0784

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**Rule Caption:** New and amended rule language to conform to and implement statutes ad correct typographical errors.

**Stat. Auth.:** ORS 659A.805

**Stats. Implemented:** ORS 659A, 659A103–659A.142, 659A.145, 659A.199, 659A.421, 659A.820, 659A825, 659A.870–659A.885

**Proposed Adoptions:** Rules in 839-003, 839-005, 839-006, 839-009, 839-010

**Proposed Amendments:** Rules in 839-003, 839-005, 839-006, 839-009, 839-010, 839-003-0100, 839-005-0080, 839-005-0206, 839-005-0210, 839-005-0220, 839-006-0200, 839-009-0250, 839-009-0260, 839-009-0280, 839-009-0290, 839-010-0100

**Proposed Repeals:** Rules in 839-003, 839-005, 839-006, 839-009, 839-010

**Proposed Renumberings:** Rules in 839-003, 839-005, 839-006, 839-009, 839-010

**Proposed Ren. & Amends:** Rules in 839-003, 839-005, 839-006, 839-009, 839-010

**Last Date for Comment:** 1-3-11

**Summary:** The proposed rules and amendments would clarify the individuals protected by prohibitions against use of credit history in employment; clarify that service animals may be a reasonable accommodation in housing for an individual with a disability; implement statutes prohibiting discrimination based on disability in public accommodation consistent with federal law; conform implementation of statutes prohibiting discrimination based on military service with federal law and make such statutes internally consistent; conform definition of “in loco parentis” as used in the Oregon Family Leave Act (OFLA) with federal definition; clarify that statutes require costs of completing OFLA verification forms to be paid by the employer; clarify that the period of time for an employer to ask for more information about a request for OFLA leave and the period of time the employee has to respond is more than a total of 5 days; clarify application of leave year for employees using pregnancy disability leave and parental leave; clarify the amount of time employers have to provide notice that an employee using unforeseeable OFLA leave must use accrued paid leave; clarify acceptable means of notice that employees taking OFLA must use paid leave; clarify amount of time employer has to notify employees they are eligible for OFLA leave; clarify how a discrimination complaint is verified; clarify that reports of violations of law to administrative agencies are protected under ORS 659A.199; implement statutes applying to use of physical force regarding health care employees.

**Rules Coordinator:** Marcia Ohlemiller

**Address:** Bureau of Labor and Industries, 800 NE Oregon St., #1045, Portland, OR 97232

**Telephone:** (971) 673-0784

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## Department of Administrative Services, Oregon Educators Benefit Board Chapter 111

**Rule Caption:** Amended to include new definitions related to the federal Health Care Reform Act.

Date:	Time:	Location:
12-15-10	10 a.m.	PEBB/OEBB Boardroom 1225 Ferry St. SE Salem, OR 97301

**Hearing Officer:** OEBB Staff

**Stat. Auth.:** ORS 243.860–243.886

**Stats. Implemented:** ORS 243.860(1)(a)

**Proposed Amendments:** 111-010-0015

**Last Date for Comment:** 12-15-10, Close of Hearing

**Summary:** OAR 111-010-0015 includes rule amendments needed to respond to the new rescission of coverage provisions and expand-

ed eligibility for dependent children under age 26 under the federal Health Care Reform Act.

**Rules Coordinator:** April Kelly

**Address:** 1225 Ferry Street SE, Salem, OR 97301

**Telephone:** (503) 378-6588

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**Rule Caption:** Amends and adopts changes to the Oregon Educators Benefit Board’s rules on plan design development and selection.

Date:	Time:	Location:
12-15-10	10 a.m.	PEBB/OEBB Boardroom 1225 Ferry St. SE Salem, OR 97301

**Hearing Officer:** OEBB Staff

**Stat. Auth.:** ORS 243.860–243.886

**Stats. Implemented:** ORS 243.864(1)(a), 243.868(1) & 243.872(2)

**Proposed Adoptions:** 111-030-0010, 111-030-0035, 111-030-0040, 111-030-0045, 111-030-0050

**Proposed Amendments:** 111-030-0005

**Proposed Repeals:** 111-030-0030

**Last Date for Comment:** 12-15-10, Close of Hearing

**Summary:** Amendments to OAR 111-030-0005 removes specific benefit plan references and makes the rule applicable to all benefit plans offered by OEBB.

This rule details the selection process through OEBB. 111-030-0010, 111-030-0035, 111-030-0040 and 111-030-0045 establishes the benefit selection criteria in rule, which previously existed in OEBB policy. 111-030-0050 establishes OEBB’s Premium Rate Structure Selection Process and Limitations, which previously existed in OEBB policy.

**Rules Coordinator:** April Kelly

**Address:** 1225 Ferry Street SE, Salem, OR 97301

**Telephone:** (503) 378-6588

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**Rule Caption:** Amended to update terms used by OEBB and include revisions related to the federal Health Care Reform Act.

Date:	Time:	Location:
12-15-10	10 a.m.	PEBB/OEBB Boardroom 1225 Ferry St. SE Salem, OR 97301

**Hearing Officer:** OEBB Staff

**Stat. Auth.:** ORS 243.860–243.886

**Stats. Implemented:** ORS 243.864(1)(a)

**Proposed Amendments:** 111-040-0001, 111-040-0005, 111-040-0015, 111-040-0020, 111-040-0025, 111-040-0030, 111-040-0040, 111-040-0050

**Last Date for Comment:** 12-15-10, Close of Hearing

**Summary:** OAR 111-040-0001 is amended to clarify the effective date of certain optional benefit plans that are subject to Evidence of Insurability by the carrier and update terms used by OEBB. 111-040-0025, 111-040-0030 and 111-040-0050 updates terms used by OEBB. 111-040-0040 is amended to specify when a QSC can be used for Long Term Care. Other amendments include revisions that are needed to respond to the new rescission law of coverage provisions and the expanded eligibility for dependent children under age 26 under the federal Health Care Reform Act.

**Rules Coordinator:** April Kelly

**Address:** 1225 Ferry Street SE, Salem, OR 97301

**Telephone:** (503) 378-6588

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**Rule Caption:** Amendments include rule revisions related to updating terminology, clarifying language and the federal Health Care Reform Act.

Date:	Time:	Location:
12-15-10	10 a.m.	PEBB/OEBB Boardroom 1225 Ferry St. SE Salem, OR 97301

**Hearing Officer:** OEBB Staff

**Stat. Auth.:** ORS 243.860–243.886

# NOTICES OF PROPOSED RULEMAKING

**Stats. Implemented:** ORS 243.864(1)(a)  
**Proposed Amendments:** 111-050-0001, 111-050-0010, 111-050-0015, 111-050-0016, 111-050-0020, 111-050-0025, 111-050-0030, 111-050-0035, 111-050-0045, 111-050-0050, 111-050-0060, 111-050-0065, 111-050-0070, 111-050-0075, 111-050-0080  
**Last Date for Comment:** 12-15-10, Close of Hearing  
**Summary:** Amendments include revisions that are needed to respond to the new rescission of coverage provisions of the federal Health Care Reform Act on coverages continued under COBRA and early retiree plans. Other amendments clarify language relating to retire eligible employees, add Long Term Care and update terminology used by OEGB.  
**Rules Coordinator:** April Kelly  
**Address:** Department of Administrative Services, Oregon Educators Benefit Board, 1225 Ferry St. SE, Salem, OR 97301  
**Telephone:** (503) 378-6588

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**Rule Caption:** Amended to include revisions related to the federal health Care Reform Act.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-15-10	10 a.m.	PEBB/OEGB Boardroom 1225 Ferry St. SE Salem, OR 97301

**Hearing Officer:** OEGB Staff  
**Stat. Auth.:** ORS 243.860–243.886  
**Stats. Implemented:** ORS 243.864(1)(a)  
**Proposed Amendments:** 111-070-0030, 111-070-0040  
**Last Date for Comment:** 12-15-10, Close of Hearing  
**Summary:** Amendments include revisions that are needed to respond to the new rescission of coverage provisions of the federal Health Care Reform Act as they relate to the coverage available to part-time community college and higher education employees eligible for coverage under HB 2557 (2009).  
**Rules Coordinator:** April Kelly  
**Address:** Department of Administrative Services, Oregon Educators Benefit Board, 1225 Ferry St. SE, Salem, OR 97301  
**Telephone:** (503) 378-6588

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**Department of Agriculture**  
**Chapter 603**

**Rule Caption:** Biodiesel Production Capacity Verification Procedures.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-11-11	10–11 a.m.	Dept. of Agriculture Bldg. 635 Capitol St. NE Salem, OR 97301-2532

**Hearing Officer:** Staff  
**Stat. Auth.:** ORS 646.295  
**Stats. Implemented:** ORS 646.921  
**Proposed Amendments:** 603-027-0420  
**Last Date for Comment:** 1-19-11  
**Summary:** Establishes procedures to verify a biodiesel facility's production capacity in order to carry out the provisions in ORS 646.921.  
**Rules Coordinator:** Sue Gooch  
**Address:** Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301  
**Telephone:** (503) 986-4583

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**Department of Consumer and Business Services,**  
**Building Codes Division**  
**Chapter 918**

**Rule Caption:** Temporarily removing elevators from service in unoccupied buildings.  
**Date:** 12-21-10  
**Time:** 9:30 a.m.  
**Location:** 1535 Edgewater St. NW  
Salem, OR 97304  
**Hearing Officer:** Trevor Johnson

**Stat. Auth.:** ORS 455.117, 460.085 & 460.125  
**Stats. Implemented:** ORS 455.117, 460.085 & 460.125  
**Proposed Adoptions:** 918-400-0755  
**Last Date for Comment:** 12-27-10, 5 p.m.  
**Summary:** This proposed rule establishes procedures for building owners to temporarily remove unused elevators from service in an unoccupied building and return those elevators to service once a building is reoccupied.

Owners of elevator-equipped unoccupied buildings are responsible for the inspection, maintenance, and permit requirements of their unused elevators. OAR 918-400-0755 will allow building owners to temporarily remove these unused elevators from service until a building is reoccupied. This will give building owners some relief from the inspection, maintenance, and permit requirements of these unused elevators and create procedures for returning elevators to service once a building is reoccupied.

**Rules Coordinator:** Stephanie Snyder  
**Address:** Department of Consumer and Business Services, Building Codes Division, PO Box 14470, Salem, OR 97309  
**Telephone:** (503) 373-7438

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**Rule Caption:** Adoption of radon gas mitigation standards amending the 2008 ORSC and 2010 OSSC.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-21-10	10 a.m.	1535 Edgewater St. NW Salem, OR 97304

**Hearing Officer:** Richard Rogers  
**Stat. Auth.:** ORS 447.231, 447.247, 455.020, 455.030, 455.110, 455.112, 455.525 & 455.610  
**Other Auth.:** 2010 OL Ch. 83  
**Stats. Implemented:** ORS 447.247, 455.110, 455.112 & 455.610  
**Proposed Amendments:** 918-460-0015, 918-480-0010  
**Last Date for Comment:** 12-27-10, 5 p.m.

**Summary:** These proposed rules implement Senate Bill 1025 approved by the 2010 Legislature. The bill requires the Residential and Manufactured Structures Board to adopt radon mitigation standards for most types of new residential buildings and requires the Building Codes Structures Board to adopt radon mitigation standards for certain types of new residential buildings and new public buildings. Radon mitigation standards adopted by these rules amend both the Oregon Residential Specialty Code (ORSC) and the Oregon Structural Specialty Code (OSSC). These requirements are applicable in Baker, Clackamas, Hood River, Multnomah, Polk, Washington and Yamhill Counties. Additionally, radon mitigation standards applicable to new residential buildings become effective April 1, 2011 while radon mitigation standards applicable to new public buildings becomes effective April 1, 2013.

**Rules Coordinator:** Stephanie Snyder  
**Address:** Department of Consumer and Business Services, Building Codes Division, PO Box 14470, Salem, OR 97309  
**Telephone:** (503) 373-7438

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**Department of Consumer and Business Services,**  
**Division of Finance and Corporate Securities**  
**Chapter 441**

**Rule Caption:** Establishes a general process to conduct audits of appraisal management companies.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-5-11	9:30 a.m.	Labor & Industries Bldg., Conference Rm. 260 350 Winter St. NE Salem, OR

**Hearing Officer:** Sarah Hackett  
**Stat. Auth.:** 2010 OL Ch. 87, §1 & 4 (Enrolled HB 3624)  
**Stats. Implemented:** 2010 OL Ch. 87, §1-2, 4-5 & 7 (Enrolled HB 3624)  
**Proposed Adoptions:** 441-674-0510, 441-674-0520  
**Proposed Amendments:** 441-674-0005

# NOTICES OF PROPOSED RULEMAKING

**Last Date for Comment:** 1-12-11, 5 p.m.

**Summary:** These proposed permanent rules implement the registration requirements of 2010 House Bill 3624 (the Act), which regulates the activities of appraisal management companies. The Act, passed and signed into law on March 23, 2010, requires appraisal management companies doing business in Oregon to register with the Department of Consumer and Business Services (DCBS) by January 1, 2011. The Act requires DCBS to adopt administrative rules establishing a process to audit registered appraisal management companies. These proposed rules establish the general process for audits conducted under the Act.

**Rules Coordinator:** Shelley Greiner

**Address:** Department of Consumer and Business Services, Finance and Corporate Securities, 350 Winter St. NE, Rm. 410, Salem, OR 97301

**Telephone:** (503) 947-7484

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## Department of Consumer and Business Services, Insurance Division Chapter 836

**Rule Caption:** Changes in process for applying for insurance license.

Date:	Time:	Location:
12-20-10	9:30 a.m.*	350 Winter St. NE, Conference Rm. F (basement) Salem, OR 97301

**Hearing Officer:** Jeannette Holman

**Stat. Auth.:** ORS 181.534, 293.445, 731.244, 731.804, 744.001, 744.003, 744.037, 744.058, 744.535, 744.619 & 744.621

**Stats. Implemented:** ORS 744.001, 744.003, 744.058, 744.535, 744.619 & 744.621

**Proposed Adoptions:** 836-071-0118

**Proposed Amendments:** 836-009-0007, 836-071-0110, 836-071-0120

**Last Date for Comment:** 12-27-10

**Summary:** \*NOTE: The hearing will begin at 9:30 a.m. and end when all present who wish to testify have done so.

These rules propose to restructure the order in which a person applies for a license to eliminate a pre-approval process that is currently conducted before other steps in the licensing process, such as examinations and background checks. Under the reorganized process, the pre-approval requirement would be deleted entirely. The applicant would complete all other steps in the licensing process before submitting the application to the Insurance Division.

To clarify the process, a new rule is proposed that states the order of the process for applying for a license.

The rules also amend the fee schedule for examinations, in most cases reducing the amount of the fee; if the fee is not reduced, it remains unchanged.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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**Rule Caption:** Annuity Suitability Model Rule.

Date:	Time:	Location:
1-5-11	1:30 p.m.*	350 Winter St. NE Conference Rm. F (basement) Salem, OR 97301

**Hearing Officer:** Jeannette Holman

**Stat. Auth.:** ORS 731.244

**Stats. Implemented:** ORS 746.100, 746.110 & 746.240

**Proposed Adoptions:** 836-080-0170, 836-080-0172, 836-080-0175, 836-080-0178, 836-080-0180, 836-080-0183, 836-080-0185, 836-080-0188, 836-080-0193

**Proposed Amendments:** 836-080-0090

**Proposed Ren. & Amends:** 836-080-0095 to 836-080-0190

**Last Date for Comment:** 1-12-11

**Summary:** \*NOTE: The hearing will begin at 1:30 p.m. and end when all present who wish to testify have done so.

In recent years, the availability and complexity of annuities has increased dramatically. If a consumer purchases an annuity that is not appropriate for their situation, the consumer may be harmed or fail to receive the expected benefit from the annuity. Determining the suitability of a particular annuity product for a particular consumer requires that the insurer and producer have a thorough knowledge of annuities in general, financial implications of choosing an annuity and the particular products. Products change rapidly. These rules, which in large part adopt the National Association of Insurance Commissioners' (NAIC) Model Rule #275, Suitability in Annuity Transactions (April 2010 version) will ensure that the insurer and producer evaluate the suitability of an annuity for a particular client and also ensure that producers who sell annuities receive minimum training about annuities and suitability.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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**Rule Caption:** Life and Health Actuarial Opinion including Asset Adequacy Analysis and Regulatory Asset Adequacy Issues Summary.

Date:	Time:	Location:
1-11-11	10:30 a.m.*	350 Winter St. NE Conference Rm. F (basement) Salem, OR 97301

**Hearing Officer:** Jeannette Holman

**Stat. Auth.:** ORS 731.244 & 733.304

**Stats. Implemented:** ORS 733.304

**Proposed Amendments:** 836-031-0600, 836-031-0620, 836-031-0630, 836-031-0640, 836-031-0670, 836-031-0680, 836-031-0690

**Proposed Repeals:** 836-031-0650, 836-031-0660

**Last Date for Comment:** 1-18-11

**Summary:** \*NOTE: The hearing will begin at 10:30 AM and end when all present who wish to testify have done so.

This rule would require life and health insurers to submit an actuarial opinion that includes a regulatory asset adequacy issues summary. The summary would require a more rigorous actuarial demonstration of the adequacy of an insurer's assets backing all of its reserves and other liabilities. The proposed rule also incorporates changes to the National Association of Insurance Commissioners' (NAIC) Model Law #822 that were adopted in 2001 but never adopted in Oregon. Adoption of these changes provides uniformity for insurers submitting the requisite actuarial opinions by bringing Oregon into conformity with most other states. Although the division had adopted most of the pertinent changes to the model law, the changes proposed in this rulemaking have been added to the model since the division originally adopted the model.

Adoption of the model law with the changes proposed in this rulemaking became an accreditation standard effective January 1, 2010.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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**Rule Caption:** Limit Medicare Supplement Insurance Premium Increases to Once Yearly and to Correct Exhibit.

Date:	Time:	Location:
1-13-11	10 a.m.*	350 Winter St. NE Conference Rm. E (basement) Salem, OR

**Hearing Officer:** Jeannette Holman

**Stat. Auth.:** ORS 731.244, 743.010, 743.683 & 743.684

**Other Auth.:** ORS 743.680-743.689

**Stats. Implemented:** ORS 743.010, 743.683 & 743.684

**Proposed Amendments:** 836-052-0114, 836-052-0145, 836-052-0151, 836-052-0160



# NOTICES OF PROPOSED RULEMAKING

**Last Date for Comment:** 1-21-11

**Summary:** \*NOTE: The hearing will begin at 10:00 AM and end when all present who wish to testify have done so.

Amends rule to limit premium increases for Medicare Supplement insurance policies to once in a 12-month period and to correct errors in exhibits to the Medicare Supplement rules.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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**Rule Caption:** Changes to Long Term Care Insurance Claims Requirements.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-7-11	10 a.m.*	350 Winter St. NE Conference Rm. F (basement) Salem, OR 97301

**Hearing Officer:** Jeannette Holman

**Stat. Auth.:** ORS 731.244, 742.023, 743.013, 743.655, 743.656 & 746.240

**Stats. Implemented:** ORS 731.244, 742.003, 742.005, 742.009, 743.010(3), 743.013(3), 743.650, 743.653, 743.655, 743.656 & 746.240

**Proposed Adoptions:** 836-052-0790

**Proposed Amendments:** 836-052-0636, 836-052-0756, 836-052-0776

**Last Date for Comment:** 1-14-11

**Summary:** \*NOTE: The hearing will begin at 10:00 AM and end when all present who wish to testify have done so.

These rules are intended to change exhibits to reflect changes in the National Association of Insurance Commissioners' model law relating to long term care. In addition, the rules include language to clarify notice requirements to policyholders related to benefits paid under partnership policies. The rules also require insurers to provide long term care policyholders with information about how to contact the Insurance Division when a claim is denied. Two forms are revised and the language of the related rules revised to eliminate the need to amend these forms through rulemaking in the future (the model forms change frequently) by changing the language of the rule to refer stakeholders to the Insurance Division website for the latest form. This will allow the Division to more quickly adapt to changes that insurers must make in all states.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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**Rule Caption:** Non-grandfathered Individual Health Insurance Open Enrollment Periods for Persons under 19 Years of Age.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-4-11	9:30 a.m.*	350 Winter St. NE Conference Rm. F (basement) Salem, OR 97301

**Hearing Officer:** Jeannette Holman

**Stat. Auth.:** ORS 731.244 & 743.773

**Stats. Implemented:** ORS 743.731, 743A.090 & 743.769

**Proposed Amendments:** 836-100-0010, 836-100-0015

**Proposed Repeals:** 836-100-0010(T), 836-100-0015(T)

**Last Date for Comment:** 1-10-11

**Summary:** \*NOTE: The hearing will begin at 9:30 a.m. and end when all present who wish to testify have done so.

These rules are necessary to make permanent provisions of temporary rules that implement Oregon law in a manner that is consistent with provisions of the federal Affordable Care Act. The rules prohibit insurers from limiting or denying coverage for persons under the age of 19 because of health status or preexisting condition; they establish uniform open enrollment periods in February and August of each year during which all insurers offering subject policies must

allow persons under the age of 19 years to enroll in, as a dependent or as the primary policyholder if eligible, and obtain individual health insurance coverage; they provide insurers with standards for providing notice to consumers about these enrollment periods; the rules require the effective date of coverage obtained during the February and August open enrollment periods to be the first of the following month. Under specified, limited circumstances, these rules exempt subject insurers from the requirement that they reinsure previously enrolled individuals who reapply within a 12-month period.

These rules will ensure that all carriers offering individual health insurance subject to Sections 1201 and 10103 of the federal Affordable Care Act do so in a manner that is consistent with the requirements of the law, which is essential to the continuing stability and competitiveness of the health insurance market in Oregon. These rules are necessary to avoid public harm because in the absence of certainty provided by this rule, health insurers may stop offering individual policies to persons less than 19 years of age. This rule is necessary to ensure that insurers are consistently and uniformly offering such coverage, and to provide for the broad availability of coverage available to Oregonians.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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**Rule Caption:** Disclosures Required for Small Face Amount Life Insurance Policies.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-19-11	1:30 p.m.*	350 Winter St. NE Conference Rm. F (basement) Salem, OR 97301

**Hearing Officer:** Jeannette Holman

**Stat. Auth.:** ORS 731.244 & 746.240

**Stats. Implemented:** ORS 746.075, 743.218, 746.100, 746.110 & 746.240

**Proposed Adoptions:** 836-051-0030, 836-051-0032, 836-051-0034, 836-051-0036, 836-051-0038, 836-051-0040

**Last Date for Comment:** 1-26-11

**Summary:** \*NOTE: The hearing will begin at 1:30 p.m. and end when all present who wish to testify have done so.

Often small face amount policies are purchased later in life, and many times premiums paid for these policies exceed the face amount of the policy itself. Policy holders often continue to pay the premiums without understanding their options under the policy. To ensure that consumers better understand the implications of purchasing a policy with a face amount of less than \$25,000, these rules would adopt the National Association of Insurance Commissioners' (NAIC) Model #605 relating to Disclosure for Small Face Amount Life Insurance Policies. The rules would require disclosure to the purchaser about when the premiums paid would exceed the face value of the policy. The rules would also require a 10-day period for the insured to examine the policy during which the insured could cancel the policy for a complete refund of premium paid if the insured decided not to keep the policy.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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**Rule Caption:** Adoption of Annual and Supplemental Statement Blanks and Instructions for Reporting Year 2010.

**Stat. Auth.:** ORS 731.244, 731.574 & 733.210

**Stats. Implemented:** ORS 731.574 & 733.210

**Proposed Amendments:** 836-011-0000

**Last Date for Comment:** 12-24-10

**Summary:** This rulemaking prescribes, for reporting year 2010, the required forms for the annual and supplemental financial statements required of insurers and health care service contractors under ORS

# NOTICES OF PROPOSED RULEMAKING

731.574, as well as the necessary instructions for completing the forms.

**Rules Coordinator:** Sue Munson

**Address:** Department of Consumer and Business Services, Insurance Division, 350 Winter St. NE, Salem, OR 97301

**Telephone:** (503) 947-7272

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## Department of Consumer and Business Services, Oregon Occupational Safety and Health Division Chapter 437

**Rule Caption:** Proposed changes to Division 3, Construction. Federal OSHA changes in Cranes and Derricks.

Date:	Time:	Location:
1-13-11	10 a.m.	OR OSHA Portland Field Office Fremont Place, Bldg. I 1750 NW Naito Pkwy., Suite 112 Portland, OR 97209-2533
1-14-11	10 a.m.	Oregon Forestry Dept. Large Conference Rm. 3150 Main St., Springfield, OR 97478

**Hearing Officer:** Sue Joye

**Stat. Auth.:** ORS 654.025(2) & 656.726(4)

**Stats. Implemented:** ORS 654.001–654.295

**Proposed Adoptions:** 437-003-1423, 437-003-3600

**Proposed Amendments:** 437-003-0001

**Last Date for Comment:** 1-20-11

**Summary:** Oregon OSHA proposes to adopt most of the Federal OSHA changes as they appear in the August 9, 2010 Federal Register. These changes revise the construction industry crane and derrick rules found in new Subpart CC of 29 CFR Part 1926. The Oregon OSHA differences are outlined in this document.

The crane and derrick construction standard was revised to update and specify industry work practices necessary to protect employees. This final standard also addresses advances in the designs of cranes and derricks, related hazards, and the qualifications of employees needed to operate them safely. Under this final rule, employers must determine whether the ground is sufficient to support the anticipated weight and associated loads of hoisting equipment. The employer is also required to assess hazards within the work zone that would affect the safe operation of hoisting equipment, such as power lines and objects or personnel that would be within the work zone or swing radius of the hoisting equipment. Finally, the employer is required to ensure that the equipment is in safe operating condition through required inspections and that employees in the work zone are trained to recognize hazards associated with the use of the equipment and any related duties that they are assigned to perform.

Federal OSHA, in 1926.1427 Operator qualification and certification, paragraph (k), implemented a phase-in period based on a number of comments that Option (1) of the section (operator certification by an accredited testing organization) is the only viable option for many employers. Concern was also expressed about the availability of sufficient accredited testing organizations to meet the demand that this rule would create. Therefore, in the final rule, Federal OSHA has provided a four-year phase-in period for compliance. Oregon OSHA proposes to keep the current Oregon Administrative Rule OAR (437-003-0081 Crane operator safety training requirements) until such time that the 1926.1427(k) phase-in period has expired, November 10, 2014.

Federal OSHA established minimum clearance distances for power line safety up to 350 kV for equipment in accordance with Table A of 1926.1408 Power line safety (up to 350 kV) – equipment operations. Table A is based upon the same formula that was used in subpart N (the 10-foot rule) and is similar to Table 1 in ASME B30.5–2004. Unlike subpart N, which required employers to calculate the minimum clearance distance from a formula, Table A sets specified clearance distances in a readily understood table and requires no calculations. Oregon OSHA's Crane Advisory Commit-

tee (CAC) pointed out that Table A of the proposed rule specified alternating current (AC) and did not address minimum clearance distances for direct current (DC). Therefore, Oregon OSHA is inserting a note clarifying that the clearance distances for power line safety up to 350 kV (AC) for equipment established in Table A, will apply to (DC) electrical distribution and transmission power lines as well. A note will also be placed in section 1926.1411 Power line safety while traveling under or near power lines with no load, to emphasize (DC) voltages.

Section 1926.1423 Fall Protection, of the Federal OSHA rule, contains provisions designed to protect workers on equipment covered by subpart CC from fall hazards. Falls have traditionally been the leading cause of deaths among construction workers. The federal Crane and Derrick Advisory Committee (CDAC) determined that safety would be enhanced by addressing the problem of fall hazards associated with cranes and derricks comprehensively and that putting requirements in subpart CC would make it easier for employers to readily determine the applicable fall protection requirements.

The Oregon OSHA CAC recommended revising portions of the fall protection section in 1926.1423. Specifically, it was decided not to adopt the following sections in 1926.1423:

- (d) Personal Fall Arrest and Fall Restraint Systems.
- (e) Fall Protection Requirements for Non-Assembly/Disassembly Work.
- (f) Assembly/Disassembly.
- (h) Tower Cranes.
- (j) Anchoring to the Load Line.
- And portions of (g) Anchorage Criteria, and (k) Training.

To maintain consistency throughout the Oregon construction industry, the committee felt that changing paragraphs (d), (e), (f), and (h) to one fall height of ten (10) feet would give clarity to this new rule and parallel Oregon's current rule regarding general fall protection requirements under OAR 437-003-1501 General Fall Protection.

Proposed new OAR 437-003-1423 Fall Protection will:

- Replace 1926.1423(d) with 437-003-1423(1).
- Replace 1926.1423(e) and (f) with 437-003-1423(2).
- Replace 1926.1423(g)(1) with 437-003-1423(3).
- Replace 1926.1423(h) with 437-003-1423(4).
- Replace 1926.1423(j) with 437-003-1423(5).
- Be added to 1926.1423(k) as 437-003-1423(6).

Federal OSHA also made changes in the following areas in Construction. Oregon OSHA proposes to adopt these changes except where specified:

- Subpart A General, new rule 1926.6 is added which is an incorporation by reference of agencies of the U.S. Government, and other organizations. 1926.31 is removed with the majority of the text included in the new 1926.6. The new 1926.6 will parallel the existing standard 1910.6 in general industry.
- Subpart C General Safety and Health Provisions, 1926.31 was removed and reserved.
- Subpart L Scaffolds, 1926.450, scope, application, and definitions applicable to the subpart was revised to say the section does not apply to crane or derrick suspended personnel platforms and the criteria for aerial lifts are set out exclusively in 1926.453.
- Subpart M Fall Protection, 1926.500 scope, application, and definitions applicable to the subpart, 1926.500 was amended by revising paragraph (a)(2)(ii), adding paragraph (a)(3)(v), and revising paragraph (a)(4).
- New subpart DD, consisting of section 1926.1500 was added to read, Subpart DD—Cranes and Derricks Used in Demolition and Underground Construction, applies only to employers engaged in demolition work covered by sections 1926.856 and 1926.858, and underground construction work covered by section 1926.800. The subpart applies in lieu of 1926 subpart CC.
- The Subpart N heading was revised to read Helicopters, Hoists, Elevators, and Conveyors from the former heading Cranes, Derricks, Hoists, Elevators, and Conveyors. 1926.550 was redesignated as

# NOTICES OF PROPOSED RULEMAKING

1926.1501 in new subpart DD. 1926.550 is reserved and 1926.553 was amended by adding paragraph (c) base-mounted drum hoists. Oregon OSHA relocated OAR 437-003-0080 Wind velocity device, and OAR 437-003-0081 Crane Operator Safety Training Requirements, into new subpart CC, 1926.1427.

- Subpart O Motorized Vehicles, Mechanical Equipment, and Marine Operations, 1926.600 was amended by revising paragraph (a)(6). Oregon OSHA is not adopting 1926.600(a)(6)(i), (a)(6)(ii), and (a)(6)(v), but is proposing new rule OAR 437-003-3600 Equipment, to replace Federal OSHA language of “crane” with “equipment” in the three paragraphs.

- Subpart R Steel Erection, 1926.753 was amended by revising paragraphs (a) and (c)(4) to reflect provisions of subpart CC.

- Subpart S Underground Construction, Caissons, Cofferdams, and Compressed Air, 1926.800 was amended by revising paragraph (t), hoisting unique to underground construction.

- Subpart T Demolition, Removal of walls, floors, and material with equipment, 1926.856 was amended by revising paragraph (c) as well as 1926.858 is amended by revising paragraph (b).

- Subpart V Power Transmission and Distribution, 1926.952 was amended by revising paragraph (c).

- Subpart X Stairways and Ladders, 1926.1050 was amended by revising paragraph (a).

- Subparts AA and BB [Reserved].

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Click ‘Rules/Compliance’ in the left vertical column and view our proposed, adopted, and final rules.

**Rules Coordinator:** Sue C. Joye

**Address:** Department of Consumer and Business Services, Oregon Occupational Safety and Health Division, 350 Winter St. NE, Salem, OR 97301-3882

**Telephone:** (503) 947-7449

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## Department of Corrections Chapter 291

**Rule Caption:** Retraction and Restoration of Earned Time Credits for Inmates Needing Residential Alcohol and Drug Treatment (Special Case Factor 25) and Housekeeping Issues.

**Stat. Auth.:** ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120–421.122, 423.020, 423.030 & 423.075

**Stats. Implemented:** ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120–421.122, 423.020, 423.030 & 423.075

**Proposed Adoptions:** 291-097-0031

**Proposed Amendments:** 291-097-0010, 291-097-0020, 291-097-0025, 291-097-0040, 291-097-0050

**Last Date for Comment:** 1-15-11

**Summary:** These rule modifications are necessary to remove the Special Case Factor 25 designation (high criminality/high addiction) which requires an inmate with this designation to complete a residential alcohol and drug program. All earned time credits are retracted if the inmate doesn’t complete addiction treatment prior to release. The designation was created to motivate inmates into treatment by creating a higher level of negative consequences for not completing treatment is not effective, especially in a correctional setting. These inmates will still be classified appropriately, but they won’t be treated differently than other inmates for noncompliance with programming. Other amendments are necessary for housekeeping issues.

**Rules Coordinator:** Janet R. Worley

**Address:** Department of Corrections, 2575 Center St. NE, Salem, OR 97301-4667

**Telephone:** (503) 945-0933

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**Rule Caption:** Adopting rules to establish procedures for identifying and supervision offenders deemed sexually violent and dangerous.

**Stat. Auth.:** ORS 179.040, 144.635, 144.637, 423.020, 423.030 & 423.075

**Stats. Implemented:** ORS 179.040, 144.635, 144.637, 423.020, 423.030 & 423.075

**Proposed Adoptions:** 291-202-0100 – 291-202-0130

**Proposed Amendments:** 291-202-0020

**Last Date for Comment:** 1-7-11

**Summary:** These proposed rules are necessary to comply with ORS 144.637, which requires the Department of Corrections and the Board of Parole and Post-Prison Supervision to jointly adopt rules establishing procedures for identifying sexually violent dangerous offenders and methods of intensive supervision for sexually violent dangerous offenders.

**Rules Coordinator:** Janet R. Worley

**Address:** Department of Corrections, 2575 Center St. NE, Salem, OR 97301-4667

**Telephone:** (503) 945-0933

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## Department of Energy Chapter 330

**Rule Caption:** Modifies the eligibility criteria for residential alternative energy devices and the calculation of net costs.

Date:	Time:	Location:
12-20-10	9:30 a.m.	625 Marion St. NE Salem, OR 97301

**Hearing Officer:** Jo Morgan

**Stat. Auth.:** ORS 469.160–469.180 & 183.705

**Stats. Implemented:** ORS 469.160–469.180

**Proposed Adoptions:** 330-070-0019

**Proposed Amendments:** 330-070-0010, 330-070-0013, 330-070-0014, 330-070-0020, 330-070-0021, 330-070-0022, 330-070-0024, 330-070-0025, 330-070-0026, 330-070-0027, 330-070-0045, 330-070-0055, 330-070-0059, 330-070-0060, 330-070-0062, 330-070-0063, 330-070-0064, 330-070-0070, 330-070-0073, 330-070-0089, 330-070-0091, 330-070-0097

**Proposed Repeals:** 330-070-0010(T), 33-070-0013(T), 330-070-0019(T), 330-070-0022(T)

**Last Date for Comment:** 12-21-10, 5 p.m.

**Summary:** The rule amendments are for changes to the Residential Energy Tax Credit (RETC) rules. The rules are modified to change the definitions to include energy purchase agreements, installed output, and third party financing; redefine net costs and eligible alternative vehicles. The rule amendments modify the criteria for determining the amount of credit and system certification requirements; and extend the time for technician tax credit certification from an annual to three-year cycle, increase the standard for total solar resource fraction, and increase the eligibility requirements for appliances.

**Rules Coordinator:** Kathy Stuttaford

**Address:** Department of Energy, 625 Marion St. NE, Salem, OR 97301

**Telephone:** (503) 373-2127

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## Department of Environmental Quality Chapter 340

**Rule Caption:** Ballast Water Management: Revise and adopt rules to align with Oregon Revised Statutes.

**Stat. Auth.:** ORS 783.620–783.640

**Stats. Implemented:** ORS 783.620–783.640

**Proposed Adoptions:** 340-143-0030, 340-143-0040, 340-143-0050, 340-143-0060

**Proposed Amendments:** 340-143-0001, 340-143-0005, 340-143-0010, 340-143-0020

**Last Date for Comment:** 12-22-20, 5 p.m.

**Summary:** The proposed rules would further reduce the risk of transporting invasive species to Oregon waterways by increasing the efficiency of ballast water management for vessels operating in Oregon.

# NOTICES OF PROPOSED RULEMAKING

The proposed ballast water management rules would amend existing rules to better align with ORS 783.620 through 783.992 and establishes new requirements in accordance with HB 2714 (2009)

DEQ proposes five new sections that would enhance prevention efforts, including (1) detailed description of vessel inspection protocols; (2) emergency management alternatives for safety exemption and high-risk discharge circumstances; (3) allowances for use of ballast water treatment technology; (4) ballast tank sediment management policies; and (5) clarification on penalty and enforcement authorizations.

**Rules Coordinator:** Maggie Vandehey

**Address:** Department of Environmental Quality, 811 SW Sixth Ave., Portland, OR 97204-1390

**Telephone:** (503) 229-6878

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**Department of Fish and Wildlife**  
**Chapter 635**

**Rule Caption:** Establish Average Market Values of Food Fish for Determining Damages Related to Commercial Fishing Violations.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-7-11	8 a.m.	Dept. of Fish & Wildlife Commission Room 3406 Cherry Ave. NE Salem, OR 97303

**Hearing Officer:** Fish & Wildlife Commission

**Stat. Auth.:** ORS 506.119

**Stats. Implemented:** ORS 506.109 & 506.720

**Proposed Amendments:** 635-006-0232

**Last Date for Comment:** 1-7-11

**Summary:** Amend rule to establish the average market value of food fish species used to determine damages for commercial fishing violations. Housekeeping and technical corrections may occur to ensure rule consistency.

**Rules Coordinator:** Therese Kucera

**Address:** Department of Fish and Wildlife, 3406 Cherry Ave. NE, Salem, OR 97303

**Telephone:** (503) 947-6033

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**Rule Caption:** Amend rules related to the capture of Peregrine Falcons for use in Falconry.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-7-11	8 a.m.	3406 Cherry Ave. NE Salem, OR 97303

**Hearing Officer:** Fish & Wildlife Commission

**Stat. Auth.:** ORS 496.012, 496.138, 496.146 & 496.162

**Stats. Implemented:** ORS 496.012, 496.138, 496.146 & 496.162

**Proposed Amendments:** Rules in 635-055

**Last Date for Comment:** 1-7-11

**Summary:** Amend rules related to the capture of Peregrine Falcons to be used in the practice of Falconry and capture permits. Specific rule changes include: the capture nesting to post-fledge peregrine falcons from the wild for the purpose of falconry, re-affirm an allocation of available peregrine falcon take for use in the sport of falconry.

**Rules Coordinator:** Therese Kucera

**Address:** Department of Fish and Wildlife, 3406 Cherry Ave. NE, Salem, OR 97303

**Telephone:** (503) 947-6033

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**Department of Forestry**  
**Chapter 629**

**Rule Caption:** Appeal and Hearings Under ORS 477.260.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-7-11	10 a.m.	2600 State St. Santiam Rm., Bldg. D Salem, OR 97310

**Hearing Officer:** Robert Young

**Stat. Auth.:** ORS 477.260 & 526.016

**Other Auth.:** ORS 183

**Stats. Implemented:** ORS 477.260

**Proposed Amendments:** 629-001-0015, 629-001-0020, 629-041-0035

**Last Date for Comment:** 1-10-11

**Summary:** This rule proposal seeks to amend three rules relating to procedures under ORS 477.260 for budget appeals and hearings on other actions of the State Forester or Board of Forestry affecting lands protected from fire under ORS 477.205 to 477.281. Existing rules require that all requests under ORS 477.260 be handled as contested case hearings. The proposed rules would provide more direct resolution of disputes in most cases, while still allowing for contested case hearings in those fewer cases where such hearings are required under the Administrative Procedures Act.

**Rules Coordinator:** Sabrina Perez

**Address:** Department of Forestry, 2600 State St., Salem, OR 97310  
**Telephone:** (503) 945-7210

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**Department of Human Services,**  
**Administrative Services Division and Director's Office**  
**Chapter 407**

**Rule Caption:** Definition Correction in Abuse Reporting and Protective Services in Community Programs and Facilities Rules.

**Stat. Auth.:** ORS 179.040 & 409.050

**Other Auth.:** HB 2442 (2009), Ch. 444 (2007 OL)

**Stats. Implemented:** ORS 430.735-430.765, 443.400-443.460 & 443.705-443.825

**Proposed Amendments:** 407-045-0260

**Proposed Repeals:** 407-045-0260(T)

**Last Date for Comment:** 12-22-10, 5 p.m.

**Summary:** The Department of Human Services is amending this rule to correct a scrivener's error in the definition of "Neglect" found at 407-045-0260(1)(e)(A). The current rule states, "Neglect includes active or passive failure to provide the care, supervision, or services necessary to maintain the physical and mental health of an adult that creates a risk of significant harm or results in harm to the adult." The correct language and legal standard is "...significant risk of harm." A temporary rule is currently in effect (8/5/10 through 1/31/11) and will be repealed when this permanent rulemaking goes into effect.

Proposed rules are available on the DHS Website: <http://www.oregon.gov/DHS/admin/dwssrules/index.shtml>.

For hardcopy requests, call: (503) 947-5250.

**Rules Coordinator:** Jennifer Bittel

**Address:** 250 Winter St NE, Salem, OR 97301

**Telephone:** (503) 947-5250

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**Rule Caption:** Definition Correction in Abuse Reporting and Protective Services in Children's Care Provider (CCP) Settings.

**Stat. Auth.:** ORS 409.050 & 418.005

**Other Auth.:** Child Abuse Prevention & Treatment Act (CAPTA); Adoption & Safe Families Act (ASFA)

**Stats. Implemented:** ORS 409.185, 418.005, 418.189, 418.205-418.327, 418.747, 419B.005-419B.050 & 419B.328

**Proposed Amendments:** 407-045-0820

**Proposed Repeals:** 407-045-0820(T)

**Last Date for Comment:** 12-22-10, 5 p.m.

**Summary:** This rule is being amended to correct a scrivener's error in the definition of the term "Not Substantiated" in OAR 407-045-0820(15). The current rule (effective 7/1/10) states the standard of evidence as no reasonable cause to believe abuse occurred based on the available evidence. The correct legal standard is a preponderance of the evidence establishes the alleged abuse did not occur. A temporary rule is currently in effect (7/12/10 through 1/8/11) and will be repealed when this permanent rulemaking goes into effect.

Proposed rules are available on the DHS Website: <http://www.oregon.gov/DHS/admin/dwssrules/index.shtml>

# NOTICES OF PROPOSED RULEMAKING

For hardcopy requests, call: (503) 947-5250.

**Rules Coordinator:** Jennifer Bittel

**Address:** 250 Winter St NE, Salem, OR 97301

**Telephone:** (503) 947-5250

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**Department of Human Services, Children,  
Adults and Families Division:  
Child Welfare Programs  
Chapter 413**

**Rule Caption:** Changing OARs affecting Child Welfare programs.

**Date:** 12-21-10      **Time:** 8:30 a.m.      **Location:** 500 Summer St. NE, Rm. 255  
Salem, OR

**Hearing Officer:** Annette Tesch

**Stat. Auth.:** ORS 409.050, 418.005 & 418.647

**Stats. Implemented:** ORS 409.010, 417.200–417.260, 418.005 & 418.647

**Proposed Amendments:** 413-040-0240

**Last Date for Comment:** 12-21-10, 5 p.m.

**Summary:** OAR 413-040-0240 about the financial and medical responsibility of an agency that sends, brings, or causes to be sent or brought a child to another state under the Interstate Compact on the Placement of Children (ICPC) is being amended to correct a scrivener's error when the rule was amended and remove contradictory text about the payments made once a child leaves the state. It makes permanent a temporary rule amendment from November 3, 2010 that was retroactive to September 2, 2010.

In addition, the above rules may also be changed to reflect new Department terminology and to correct formatting and punctuation.

Written comments may be submitted until December 21, 2010 at 5:00 p.m. Written comments may be submitted via e-mail to Annette.Tesch@state.or.us, faxed to 503-373-7032, or mailed to Annette Tesch, Rules Coordinator, DHS - Children, Adults, and Families Division, 500 Summer Street NE, E-48, Salem, Oregon, 97301.

The Department provides the same consideration to written comment as it does to any oral or written testimony provided at the public hearing.

**Rules Coordinator:** Annette Tesch

**Address:** Department of Human Services, Children, Adults and Families Division: Child Welfare Programs, 500 Summer St. NE, E-48, Salem, OR 97301-1066

**Telephone:** (503) 945-6067

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**Department of Human Services,  
Division of Medical Assistance Programs  
Chapter 410**

**Rule Caption:** Correction to physician administered drug payment to be consistent with pharmacy rule.

**Stat. Auth.:** ORS 409.040 & 409.050

**Stats. Implemented:** ORS 414.025, 414.033, 414.065, 414.095, 414.705, 414.727, 414.728, 414.742 & 414.743

**Proposed Amendments:** 410-120-1340

**Last Date for Comment:** 12-22-10

**Summary:** The General Rules program administrative rules govern Division payment for services to clients. The Division will amend OAR 410-120-1340, Payment, to reflect the annual update to the CMS Relative Value Units (RVU) for physician services, and to update the description of the method and correct the percentage used to price physician administered drugs.

**Rules Coordinator:** Darlene Nelson

**Address:** Department of Human Services, Division of Medical Assistance Programs, 500 Summer St. NE, E-35, Salem, OR 97301

**Telephone:** (503) 945-6927

**Department of Human Services,  
Public Health Division  
Chapter 333**

**Rule Caption:** Registry Enrollment, Qualification and Certification of Health Care Interpreters (HCI).

**Date:** 12-20-10      **Time:** 11 a.m.      **Location:** 800 NE Oregon St. Rm. 1D  
Portland, OR 97232

**Hearing Officer:** Jana Fussell

**Stat. Auth.:** ORS 409.623

**Stats. Implemented:** ORS 409.621 & 409.623

**Proposed Amendments:** 333-002-0000, 333-002-0010, 333-002-0020, 333-002-0030, 333-002-0035, 333-002-0040, 333-002-0050, 333-002-0060, 333-002-0070, 333-002-0080, 333-002-0100, 333-002-0120, 333-002-0130, 333-002-0140, 333-002-0150, 333-002-0160, 333-002-0170, 333-002-0180, 333-002-0190, 333-002-0200, 333-002-0210, 333-002-0220, 333-002-0230

**Proposed Repeals:** 333-002-0090, 333-002-0110

**Last Date for Comment:** 12-22-10, 5 p.m.

**Summary:** The Oregon Health Authority, Public Health Division is proposing to amend and repeal Oregon Administrative Rules in chapter 333, division 2 related to registry enrollment, qualification and certification of health care interpreters. The proposed changes are crucial to meet national standards and practices of health care interpreters. Without these rule amendments, patients may not receive adequate health care due to poor communication with their health care provider, which may result in due harm to the patients' health care outcomes. This may occur when utilizing an unqualified health care interpreter who has not received proper education and training, and who does not have proper credentials attesting to their interpreting skills and abilities. These rules need to be adopted in order for the Authority to implement the rules to meet National Standards of Practice of Health Care Interpreters and to enable the Authority to contract with testing centers in order for the state of Oregon to be in compliance with the **qualification** portion of the rule (testing language proficiency of interpreters) and to work towards contracting with a national testing center(s) to implement the **certification** portion of the rule.

**Rules Coordinator:** Brittany Sande

**Address:** Department of Human Services, Public Health Division, 800 NE Oregon St., Suite 930, Portland, OR 97232

**Telephone:** (971) 673-1291

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**Department of Human Services,  
Seniors and People with Disabilities Division  
Chapter 411**

**Rule Caption:** Developmental Disability Services Eligibility.

**Date:** 12-21-10      **Time:** 9:30 a.m.      **Location:** Human Services Bldg.,  
Rooms 137AB  
500 Summer St. NE  
Salem, OR 97301

**Hearing Officer:** Staff

**Stat. Auth.:** ORS 409.050, 410.070 & 430.640

**Stats. Implemented:** ORS 427.005, 427.007 & 430.610–430.670

**Proposed Amendments:** 411-320-0020, 411-320-0080, 411-320-0175

**Proposed Repeals:** 411-320-0020(T), 411-320-0080(T), 411-320-0175(T)

**Last Date for Comment:** 12-23-10, 5 p.m.

**Summary:** The Department of Human Services (DHS), Seniors and People with Disabilities Division (SPD) is proposing to permanently amend OAR 411-320-0020, OAR 411-320-0080, and OAR 411-320-0175 relating to developmental disability services eligibility to:

- Eliminate the administrative review process;
- Clarify the contested case hearing process;
- Add the application process;
- Amend eligibility criteria for children under age 7;

# NOTICES OF PROPOSED RULEMAKING

- Eliminate timelines associated with processing applications to be in compliance with CFR 435.911;
- Add a definition for informal adaptive assessment;
- Clarify the intent of financial status;
- Clarify that adaptive functioning must be directly related to mental retardation or developmental disability and that the conditions they cannot be primarily related to is not an exclusive list, to be in line with current practice;
- Add that redeterminations do not necessarily need updated IQ testing or medical documentation under special circumstances;
- Eliminate the requirement that notification of redeterminations must be on a form prescribed by SPD;
- Clarify that SPD may secure additional information under certain circumstances;
- Eliminate the requirement that extensions to the timeline for eligibility determinations must be in writing;
- Clarify the intent of transferability of eligibility determinations;
- Eliminate the levels of mental retardation; and
- Provide general housekeeping.

**Rules Coordinator:** Christina Hartman

**Address:** Department of Human Services, Seniors and People with Disabilities Division, 500 Summer St. NE, E-10, Salem, OR 97301  
**Telephone:** (503) 945-6398

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**Rule Caption:** Personal Care Services (Housekeeping).

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-20-10	4 p.m.	Human Services Bldg. 500 Summer St. NE, Rm. 137A Salem, OR

**Hearing Officer:** Staff

**Stat. Auth.:** ORS 410.070 & 411.116

**Stats. Implemented:** ORS 410.020, 410.070, 410.710 & 411.116

**Proposed Amendments:** 411-034-0010, 411-034-0020, 411-034-0035

**Last Date for Comment:** 12-22-10, 5 p.m.

**Summary:** The Department of Human Services (DHS), Seniors and People with Disabilities Division (SPD) is proposing to amend three state plan personal care services rules in OAR chapter 411, division 034 to remove references to personal care services provided to individuals due to a mental health condition.

The rules for personal care services for individuals with a mental health condition were adopted by the Addictions and Mental Health Division (AMHD) on August 25, 2010 in OAR 309-016-0690 to 309-016-0725.

**Rules Coordinator:** Christina Hartman

**Address:** Department of Human Services, Seniors and People with Disabilities Division, 500 Summer St. NE, E-10, Salem, OR 97301  
**Telephone:** (503) 945-6398

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## Department of Justice Chapter 137

**Rule Caption:** Gasoline Price Advertising.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-21-10	10 a.m.	340 Vista Ave. Salem, OR 97302

**Hearing Officer:** Eva Novick

**Stat. Auth.:** ORS 646.608(1)(u) & 198 c.751(2)

**Stats. Implemented:** ORS 646.608(1)(u)

**Proposed Amendments:** 137-020-0150

**Last Date for Comment:** 12-21-10

**Summary:** OAR 137-020-0150, known as the "Gasoline Price Advertising rule" has not been amended since its adoption in 1985. The proposed amendment addresses changes in the industry, changes in alternatives to currency that consumers use to make purchases, changes in local rules pertaining to signage restrictions and 2010 HB 3677.

The Oregon Department of Justice receives complaints that allege unfair to deceptive conduct pertaining to disclosure of full service and added fees to use credit or debit cards.

Other changes in the past 25 years include different types of motor vehicle fuel, significant use of electronic dispensers, and loyalty cards.

The amendments address where and when gasoline prices and any conditions to the lowest cash price may be displayed and charged.

**Rules Coordinator:** Carol Riches

**Address:** Department of Justice, 1162 Court St. NE, Salem, OR 97301

**Telephone:** (503) 947-4700

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**Rule Caption:** Gasoline Sales Practices.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-21-10	10 a.m.	340 Vista Ave. Salem, OR 97302

**Hearing Officer:** Eva Novick

**Stat. Auth.:** ORS 646.608(1)(u) & 1985 c.751(2)

**Stats. Implemented:** ORS 646.608(1)(u)

**Proposed Amendments:** 137-020-0160

**Last Date for Comment:** 12-21-10

**Summary:** OAR 137-020-0160 has not been amended since its adoption in 1985. The proposed amendment makes the definitions consistent with those contained in the proposed amendments to OAR 137-020-0150 concerning the types of motor vehicle fuel that are sold by retailers.

**Rules Coordinator:** Carol Riches

**Address:** Department of Justice, 1162 Court St. NE, Salem, OR 97301

**Telephone:** (503) 947-4700

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## Department of Public Safety Standards and Training Chapter 259

**Rule Caption:** Housekeeping changes updating form titles and references.

**Stat. Auth.:** ORS 181.640, 181.644, 181.651, 181.652, 181.653, 181.654 & 181.665

**Stats. Implemented:** ORS 181.640, 181.644, 181.651, 181.652, 181.653, 181.654 & 181.665

**Proposed Amendments:** 259-008-0060

**Last Date for Comment:** 12-21-10, Close of Business

**Summary:** Remove all references to Forms F-15M (Multi-Discipline Maintenance Log) and F-15T (Telecommunicators/EMD Maintenance Log) and replace with Form F-16 (Maintenance Training Log – Tele/EMD/Multi-Discipline). Also remove all obsolete statutory references and update references to OARs.

**Rules Coordinator:** Linsay Bassler

**Address:** 4190 Aumsville Hwy SE, Salem, OR 97317

**Telephone:** (503) 378-2431

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**Rule Caption:** Fix error by removing requirement for Telecommunicator/EMD writing test.

**Stat. Auth.:** ORS 181.640, 181.644 & 183.341

**Stats. Implemented:** ORS 181.640, 181.644 & 183.341

**Proposed Amendments:** 259-008-0011

**Last Date for Comment:** 12-21-10, Close of Business

**Summary:** The 12th grade writing standard for telecommunicators and emergency medical dispatchers was eliminated by a permanent rule filed December, 2008. The verbiage was inadvertently returned in a subsequent rule filing. This amendment removes the requirement for a writing test. An additional housekeeping change was made for clarity.

**Rules Coordinator:** Linsay Bassler

**Address:** 4190 Aumsville Hwy SE, Salem, OR 97317

**Telephone:** (503) 378-2431

# NOTICES OF PROPOSED RULEMAKING

**Rule Caption:** Amend core value definitions.

**Stat. Auth.:** ORS 181.640, 181.661, 181.662, 181.664 & 183.341

**Stats. Implemented:** ORS 181.640, 181.661, 181.662 & 181.664

**Proposed Amendments:** 259-009-0070

**Last Date for Comment:** 12-21-10, Close of Business

**Summary:** OAR 259-009-0070 deals with denial and revocation of fire certifications. It also defines core values that are integral to the fire service profession. This proposed rule amendment removes duplicate language that makes it difficult to distinguish among the core value definitions.

**Rules Coordinator:** Linsay Bassler

**Address:** 4190 Aumsville Hwy SE, Salem, OR 97317

**Telephone:** (503) 378-2431

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## Department of State Lands Chapter 141

**Rule Caption:** Revisions to Removal-Fill, General Authorization and State Scenic Waterway rules and adopting new division for General Permits.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-19-11	9–10 a.m.	DSL. Land Board Rm. 775 Summer St. NE Salem, OR
1-19-11	3–4 p.m.	Clatskanie City Hall Conference Rm. 95 S. Nehalem Clatskanie, OR
1-20-11	9–10 a.m.	OSU Seafood Lab 2001 Marine Dr., Rm. 231 Astoria, OR
1-20-11	2–3 p.m.	OR Dept. of Fish & Wildlife Conference Rm. 4907 Third St., Tillamook, OR

**Hearing Officer:** Eric Metz

**Stat. Auth.:** ORS 196.825 & 196.600–196.665

**Stats. Implemented:** ORS 196.600–196.692 & 196.800–196.990

**Proposed Adoptions:** 141-089-0620 – 0835, 141-093-0100 – 0185

**Proposed Amendments:** 141-085-0500 – 0785, 141-100-0000 – 0090

**Proposed Repeals:** 141-089-0095 – 0615

**Last Date for Comment:** 1-21-11, 5 p.m.

**Summary:** The Division 85 rules required revisions to be consistent with Division 89 and Division 93. Other changes were required in Division 85 to improve clarity and modify the agricultural exemptions. The Division 89 General Authorizations (GAs) completely revised to be consistent with statute (ORS 196.850). Statute requires only that a person notify the Department in writing before conducting an action under a General Authorization. This is a 30-day eligibility verification process. Division 100 revisions were required to be consistent with Division 85 and to make corrections. A new Division (Division 93) was established for the General Permits (GPs). Two new GPs are proposed: State General Permit for Transportation-Related Structures and General Permit for Minor Removal-Fill Impacts to Certain Non-Tidal Wetlands. Authorization under these GPs requires a 40-day process. One new General Authorization is being proposed that covers activities not previously covered: are being proposed: General Authorization for Temporary Impact to Non-tidal Wetlands. The new GAs will require submission of an eligibility notice to the Department rather than a permit application.

**Rules Coordinator:** Elizabeth Bolden

**Address:** Department of State Lands, 775 Summer St. NE, Suite 100, Salem, OR 97301

**Telephone:** (503) 986-5239

## Department of Transportation, Driver and Motor Vehicle Services Division Chapter 735

**Rule Caption:** Implements section 3 of chapter 621, Oregon Laws 2009, regarding group registration plates.

**Stat. Auth.:** ORS 184.616, 184.619, 802.010, 805.200, 805.205, 805.220 & 2009 OL Ch. 621 §3

**Stats. Implemented:** ORS 803.420, 803.530, 803.535, 805.205, 805.220, 805.240, 805.242, 805.250 & 2009 OL Ch. 621 §3

**Proposed Amendments:** 735-040-0098

**Last Date for Comment:** 12-21-10

**Summary:** This rulemaking is needed to implement legislation enacted by the 2009 Legislative Assembly:

ORS 805.205(2)(a) requires DMV to collect a surcharge amount, as determined by DMV, for non-profit group plates. The surcharge amount may not be less than \$2.50 per plate and not more than \$16 for each non-profit group plate issued or renewed. When setting the surcharge, DMV is required to consult with the non-profit group for which plates are issued. In August of 2009, after consulting with existing non-profit groups, DMV adopted OAR 735-040-0098 to set the surcharge amount for non-profit group plates at \$2.50 per plate. Under OAR 735-040-0097, a non-profit group may request that DMV collect a surcharge of more than \$2.50 per plate.

On May 18, 2010, DMV received a request for non-profit group plates that recognize fallen public safety officers pursuant to ORS 805.205(3)(b). The group requesting the plates requested that DMV set the surcharge at \$8 per plate for each year of the registration period. DMV consulted with the group and determined to set the surcharge at \$8 per plate for each year of the registration period.

DMV filed a temporary rule because there was not sufficient time to complete the permanent rulemaking process to establish the \$8 surcharge for Fallen Public Safety Officer registration plates to coincide with issuance of these group plates and to avoid a possible loss in revenue to the non-profit group requesting the plates. DMV now proposes the permanent amendment of OAR 735-040-0098.

Text of proposed and recently adopted ODOT rules can be found at website: <http://www.oregon.gov/ODOT/CS/RULES/>

**Rules Coordinator:** Lauri Kunze

**Address:** Department of Transportation, Driver and Motor Vehicle Services Division, 3930 Fairview Industrial Dr. SE, Salem, OR 97302

**Telephone:** (503) 986-3171

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**Rule Caption:** Driver Improvement Programs.

**Stat. Auth.:** ORS 184.616, 184.619, 802.010 & 809.480

**Stats. Implemented:** ORS 809.480

**Proposed Amendments:** 735-072-0020, 735-072-0050

**Last Date for Comment:** 12-21-10

**Summary:** ORS 809.480 gives DMV authority to establish Driver Improvement Programs by administrative rule. There are two separate programs established in OAR Chapter 735, Division 72: one for adults and one for provisional drivers (under 18 years of age). OAR 735-072-0020 establishes the definitions for both programs. Currently, if a person is cited and convicted for more than one offense on the same ticket, or if a person is cited and convicted of an offense or offenses that occurred at the time of an accident, each conviction and accident counts as a separate driver improvement violation. It is not unusual for a suspension of driving privileges under the driver improvement program to result from multiple convictions stemming from the same incident and it occasionally happens that a person's driving privileges are suspended based on just one incident.

The purpose of the Driver Improvement Programs is to reduce traffic convictions and accidents by identifying patterns of unsafe driving behavior and imposing progressive sanctions on driving privileges that become more severe in order to change the behavior. The sanctions generally start with a license restriction, designed to serve as a warning, and progress to a suspension of driving privileges,

## NOTICES OF PROPOSED RULEMAKING

with an increased suspension period based on the number of driver improvement violations. For example under the current rules, a person who is involved in a traffic accident and as a result is convicted for two counts of an unsafe lane change and an unlawful turn, all from the same incident, will receive a suspension of driving privileges. The person certainly made an unsafe maneuver; however, one incident is not a pattern of unsafe driving behavior. Also, the primary criterion DMV uses to determine whether an accident was preventable is to determine if the driver was cited at the time of the accident. Therefore, a preventable accident almost always results in two or more driver improvement violations and may result in a suspension as described above.

After eight years of experience with the current Driver Improvement Programs, DMV recognizes that counting all convictions and accidents arising out of the same incident causes some people to reach the point of license restriction or suspension without showing a continuing pattern of unsafe driving behavior. DMV proposes to amend OAR 735-072-0020 to state that if multiple convictions or a preventable accident and conviction(s) stem from the same incident that only one will be counted as a driver improvement violation. DMV anticipates the proposed change will result in more people receiving a license restriction before receiving a suspension of driving privileges, which is how the program is designed to work. DMV believes that this change will result in better Driver Improvement Programs, resulting in suspension of driving privileges for those who truly show a pattern of bad driving behavior.

When issued driving privileges in Oregon, a person's driving record from a state where he or she was previously licensed may become part of the person's Oregon driving record, for instance, if the person is issued a CDL in Oregon. DMV proposes to amend OAR 735-072-0050 to make it a defense to a driver improvement suspension if the suspension results solely from convictions that occurred while the person was licensed in another jurisdiction and the person has not previously been issued driving privileges in Oregon. The purpose of the driver improvement program is to improve the driving behavior of drivers in this state. A driver who has not had notice of Oregon's laws, specifically the driver improvement program, should not be subject to a suspension sanction for conduct that occurred before becoming an Oregon driver.

Text of proposed and recently adopted ODOT rules can be found at <http://www.oregon.gov/ODOT/CS/RULES/>

**Rules Coordinator:** Lauri Kunze

**Address:** Department of Transportation, Driver and Motor Vehicle Services Division, 3930 Fairview Industrial Dr. SE, Salem, OR 97302

**Telephone:** (503) 986-3171

.....  
**Department of Transportation,  
Highway Division  
Chapter 734**

**Rule Caption:** Adoption of a new rule exempting certain operations from maximum weight limits.

**Stat. Auth.:** ORS 184.616, 184.619, 818.030, 818.070 & 818.140

**Stats. Implemented:** OL 2009, Ch. 865, Sec. 23

**Proposed Adoptions:** 734-070-0017

**Last Date for Comment:** 12-21-10

**Summary:** This new rule is necessary to implement an ODOT pilot program to contract out certain maintenance activities as specified in chapter 865, Oregon Laws 2009, Section 23 (HB 2001). ODOT is contracting with a private party for snow removal. The contract specifies that ODOT will lease ODOT's snow removal trucks to the private contractor. The ODOT trucks are equipped with heavy frames, enabling the trucks to be used efficiently for dual purposes, snow-plowing and sanding. The heavy framed ODOT trucks exceed weight limits and operate loaded only in work zones under weight limit exemptions. The purpose of the new rule is to provide the private contractor the same weight limit exemptions the department has when operating these trucks. Failure to adopt this rule will result in

the contractor being unable to use these trucks under lease, and therefore increasing the cost of the contract substantially.

Text of proposed and recently adopted ODOT rules can be found at website: <http://www.oregon.gov/ODOT/CS/RULES/>

**Rules Coordinator:** Lauri Kunze

**Address:** Department of Transportation, Highway Division, 3930 Fairview Industrial Dr. SE, Salem, OR 97302

**Telephone:** (503) 986-3171

.....  
**Department of Transportation,  
Transportation Safety Division  
Chapter 737**

**Rule Caption:** Adopts Minimum Safety Standards for Medium Speed Electric Vehicles.

**Stat. Auth.:** ORS 184.616, 184.619, 802.010, 805.092, 815.010 & 815.030

**Other Auth.:** Title 49 CFR Part 571

**Stats. Implemented:** ORS 805.092, 815.010 & 815.030

**Proposed Amendments:** 737-010-0020

**Last Date for Comment:** 12-21-10

**Summary:** The 2009 Legislative Assembly passed legislation under ORS 805.092 that required medium-speed electric vehicles to meet or exceed federal safety standards. There are currently no federal safety standards specifically identified for medium-speed electric vehicles. The amendment to ORS 805.092 requires the Department to establish safety standards for medium-speed electric vehicles. Previous temporary rules required these vehicles to meet the same safety standards as passenger vehicles. These permanent rules reduce the number of required vehicle safety standards while still maintaining vehicle safety with the result that more medium speed electric vehicles will be in compliance.

The amendments to OAR 737-010-0020 adopt by reference the following Federal Motor Vehicle Safety Standards (FMVSS), as set forth in Title 49 CFR Part 571 (October 1, 2008), for medium-speed electric vehicles:

- Federal Motor Vehicle Safety Standard (FMVSS) No. 108; Lamps, reflective devices, and associated equipment.
- Federal Motor Vehicle Safety Standard (FMVSS) No. 111; Rearview mirrors.
- Federal Motor Vehicle Safety Standard (FMVSS) No. 114; Theft protection and rollaway prevention standards.
- Federal Motor Vehicle Safety Standard (FMVSS) No. 135; Light vehicle brake systems.
- Federal Motor Vehicle Safety Standard (FMVSS) No. 206; Door locks and door retention components.
- Federal Motor Vehicle Safety Standard (FMVSS) No. 209; Seat belt assemblies. A Type 1 or Type 2 seat belt assembly conforming to FMVSS No. 209, installed at each designated seating position, and whose mounting complies with FMVSS No. 210.
- Federal Motor Vehicle Safety Standard (FMVSS) No. 216 Roof crush resistance.
- Federal Motor Vehicle Safety Standard (FMVSS) No. 305; Electric-powered vehicles: electrolyte spillage and electrical shock protection.

• A windshield of AS-1 or AS-5 composition, that conforms to the American National Standards Institute's "Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highway," Z-26.1-1977, January 28, 1977, as supplemented by Z26.1a, July 3, 1980 (49 CFR 571.205)

The amendments to this rule also adopt the federal Vehicle Identification Number (VIN) requirements of 49 CFR Part 565.

Text of proposed and recently adopted ODOT rules can be found at website: <http://www.oregon.gov/ODOT/CS/RULES/>

**Rules Coordinator:** Lauri Kunze

**Address:** Department of Transportation, Transportation Safety Division, 3930 Fairview Industrial Dr. SE, Salem, OR 97302

**Telephone:** (503) 986-3171



# NOTICES OF PROPOSED RULEMAKING

## Employment Department, Child Care Division Chapter 414

**Rule Caption:** Training requirements for child care providers are more specific – Registered Family.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-22-10	10 a.m.	Employment Dept. Auditorium 875 Union St. NE Salem, OR

**Hearing Officer:** C. Brooks

**Stat. Auth.:** ORS 657.610

**Stats. Implemented:**

**Proposed Amendments:** 414-205-0055, 414-205-0100, 414-205-0110, 414-205-0170

**Last Date for Comment:** 12-28-10, 5 p.m.

**Summary:** Added details for training requirements which are consistent with Oregon Registry certification.

Revises wording changes throughout to reference “certificate” instead of “certification” for child care sites.

Updates food safety section to match Public Health Division rules regarding food storage temperatures.

**Rules Coordinator:** Courtney Brooks

**Address:** Employment Department, Child Care Division, 875 Union St. NE, Salem, OR 97311

**Telephone:** (503) 947-1724

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**Rule Caption:** Training requirements for child care providers are more specific – Certified Child Care Centers.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-22-10	10 a.m.	Employment Dept. Auditorium 875 Union St. NE Salem, OR

**Hearing Officer:** C. Brooks

**Stat. Auth.:** ORS 657.610

**Stats. Implemented:**

**Proposed Amendments:** 414-300-0005, 414-300-0010, 414-300-0015, 414-300-0030, 414-300-0040, 414-300-0120, 414-300-0250, 414-300-0415

**Last Date for Comment:** 12-28-10, 5 p.m.

**Summary:** Added details for training requirements which are consistent with Oregon Registry certification.

Revises wording changes throughout to reference “certificate” instead of “certification” for child care sites.

Updates food safety section to match Public Health Division rules regarding food storage temperatures.

**Rules Coordinator:** Courtney Brooks

**Address:** Employment Department, Child Care Division, 875 Union St. NE, Salem, OR 97311

**Telephone:** (503) 947-1724

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**Rule Caption:** Training requirements for child care providers are more specific – Certified Family Child Care Homes.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-22-10	10 a.m.	Employment Dept. Auditorium 875 Union St. NE Salem, OR

**Hearing Officer:** C. Brooks

**Stat. Auth.:** ORS 657.610

**Stats. Implemented:**

**Proposed Amendments:** 414-350-0010, 414-350-0020, 414-350-0030, 414-350-0050, 414-350-0060, 414-350-0090, 414-350-0100, 414-350-0115, 414-350-0200, 414-350-0210, 414-350-0375, 414-350-0380

**Last Date for Comment:** 12-28-10, 5 p.m.

**Summary:** Added details for training requirements which are consistent with Oregon Registry certification.

Revises wording changes throughout to reference “certificate” instead of “certification” for child care sites.

Updates food safety section to match Public Health Division rules regarding food storage temperatures.

**Rules Coordinator:** Courtney Brooks

**Address:** Employment Department, Child Care Division, 875 Union St. NE, Salem, OR 97311

**Telephone:** (503) 947-1724

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## Landscape Contractors Board Chapter 808

**Rule Caption:** Permanent adoption of temporary rule that repeals rule that allows an expired business license to be reinstated retroactively.

**Stat. Auth.:** ORS 671.670 & 670.310

**Stats. Implemented:** ORS 671.660

**Proposed Amendments:** 808-003-0130

**Last Date for Comment:** 12-22-10

**Summary:** 808-003-0130 – Amended to conform with ORS 671.660. The Landscape Contractors Board current rules allow an expired landscape contracting business license to be reinstated retroactively if the bonding and liability insurance requirements have been continuously in place. This rule does not take into consideration the other licensing requirements and is not consistent with Oregon law. LCB proposes to adopt a permanent rule repealing the retroactive reinstatement to be consistent with Oregon law.

**Rules Coordinator:** Kim Gladwill-Rowley

**Address:** Landscape Contractors Board, 2111 Front Street NE, Suite 2-101, Salem, OR 97301

**Telephone:** (503) 378-5909

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## Office for Oregon Health Policy and Research Chapter 409

**Rule Caption:** Amendments to the Physician VISA Waiver Program Rule.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
12-15-10	11:30 a.m.	1225 Ferry St SE Mt. Neahkanie Rm., 1st Floor Salem, Oregon

**Hearing Officer:** Zarie Haverkate

**Stat. Auth.:** ORS 409.745

**Stats. Implemented:** ORS 409.745

**Proposed Ren. & Amends:** 333-005-0000 to 409-035-0000, 333-005-0010 to 409-035-0010, 333-005-0020 to 409-035-0020, 333-005-0030 to 409-035-0030, 333-005-0040 to 409-035-0040, 333-005-0050 to 409-035-0050, 333-005-0060 to 409-035-0060

**Last Date for Comment:** 12-17-10, 5 p.m.

**Summary:** The Oregon Health Authority, Office for Oregon Health Policy and Research needs to amend and renumber OAR 333-005-0000 through 333-005-0060 to 409-035-0000 through and 409-035-0060. The rule is being moved from Chapter 333 (Public Health Division) to Chapter 409 (Office for Oregon Health Policy and Research) to align and update references consistent with agency reorganization. Rule language is being clarified and amended to comply with changes in federal regulation 22 CFR 41.63. The current rules require 20% of patient visits to be either Low Income Uninsured or Medicaid recipients. Proposed language allows inclusion of Medicare patient visits in the 20% (see 409-035(3)(c)). The proposed rules also respond to a change in federal law that allows up to ten J-1 physician placements per year to practice in federally non-designated areas so long as they will treat patients from federally designated areas. Changes to this rule will allow a greater ability to serve clients in areas where there is a physician shortage.

**Rules Coordinator:** Zarie Haverkate

**Address:** 1225 Ferry Street SE, 1st Floor, Salem, OR 97301

**Telephone:** (503) 373-1574

# NOTICES OF PROPOSED RULEMAKING

## Oregon Board of Dentistry Chapter 818

**Rule Caption:** Adopts Oregon Board of Dentistry Administrative Rules regarding Health Professionals' Services Program.

**Stat. Auth.:** ORS 676, 679 & 680

**Other Auth.:** HB 2345 (Ch. 697, 2009 OL)

**Stats. Implemented:** ORS 676.185, 676.190, 676.195, 676.200 & 676.140(e)

**Proposed Adoptions:** 818-013-0001, 818-013-0005, 818-013-0010, 818-013-0015, 818-013-0020, 818-013-0025, 818-013-0030, & 818-013-0035

**Proposed Repeals:** 818-013-0001(T), 818-013-0005(T), 818-013-0010(T), 818-013-0015(T), 818-013-0020(T), 818-013-0025(T), 818-013-0030(T), & 818-013-0035(T)

**Last Date for Comment:** 12-16-10

**Summary:** The Board of Dentistry is adopting OAR Division 13 Health Professionals' Services Program, as a result of the passage of HB 2345 by the Oregon Legislature, which became effective July 1, 2010.

The Board of Dentistry is repealing 818-013-0001(T), 818-013-0005(T), 818-013-0010(T), 818-013-0015(T), 818-013-0020(T), 818-013-0025(T), 818-013-0030(T), & 818-013-0035(T), temporary rules which became effective August 6, 2010, to comply with the passage of HB 2345. They will no longer be needed when the permanent rules are adopted.

**Rules Coordinator:** Sharon Ingram

**Address:** Oregon Board of Dentistry, 1600 SW 4th Ave., Suite 770, Portland, OR 97201

**Telephone:** (971) 673-3200

## Oregon Business Development Department Chapter 123

**Rule Caption:** These rules are being renumbered to become a part of Chapter 123.

**Stat. Auth.:** ORS 285A.075 & 359

**Other Auth.:** ORS 359.025, 359.050 & 359.100

**Stats. Implemented:** ORS 359

**Proposed Adoptions:** 123-450-0000

**Proposed Ren. & Amends:** 190-010-0035 to 123-450-0010

**Last Date for Comment:** 12-21-10

**Summary:** This division of rules is being renumbered to be included in Chapter 123 for the Oregon Business Development Department. The rules relating to the Arts Commission themselves are being repealed. Procedures for grants have been revised and a definitions section has been added.

**Rules Coordinator:** Mindee Sublette

**Address:** Oregon Business Development Department, 775 Summer St. NE, Suite 200, Salem, OR 97301

**Telephone:** (503) 986-0036

## Oregon Business Development Department, Oregon Arts Commission Chapter 190

**Rule Caption:** These rules are being renumbered to become a part of Chapter 123.

**Stat. Auth.:** ORS 285A.075 & 359

**Other Auth.:** ORS 359.025, 359.050 & 359.100

**Stats. Implemented:** ORS 359

**Proposed Repeals:** 190-010-0000, 190-010-0005, 190-010-0010, 190-010-0015, 190-010-0020, 190-010-0025, 190-010-0030, 190-010-0040

**Proposed Ren. & Amends:** 190-010-0035 to 123-450-0010

**Last Date for Comment:** 12-21-10

**Summary:** This division of rules is being renumbered to be included in Chapter 123 for the Oregon Business Development Department. The rules relating to the Arts Commission themselves

are being repealed. Procedures for grants have been revised and a definitions section has been added.

**Rules Coordinator:** Mindee Sublette

**Address:** Oregon Business Development Department, Oregon Arts Commission, 775 Summer St. NE, Suite 200, Salem, OR 97301

**Telephone:** (503) 986-0036

## Oregon Department of Education Chapter 581

**Rule Caption:** Allows Superintendent of Public Instruction to grant timeline extensions for charter approvals and renewals.

**Date:** 1-6-11

**Time:** 1 p.m.

**Location:** Rm. 251A, 255 Capitol St. NE  
Salem, OR 97310

**Hearing Officer:** Cindy Hunt

**Stat. Auth.:** ORS 338.025

**Stats. Implemented:** ORS 338.055 & 338.065

**Proposed Amendments:** 581-020-0345

**Last Date for Comment:** 1-6-11, 5 p.m.

**Summary:** Currently the Superintendent of Public Instruction or designees may grant extensions of timelines for approvals of charter proposals. The rule amendments would also allow for extensions of timelines for the charter renewal process.

**Rules Coordinator:** Diane Roth

**Address:** 255 Capitol St. NE, Salem, OR 97310

**Telephone:** (503) 947-5791

**Rule Caption:** Changes which health care professionals may grant a student with a concussion a medical release.

**Date:** 1-6-11

**Time:** 1 p.m.

**Location:** Rm. 251A, 255 Capitol St. NE  
Salem, OR 97310

**Hearing Officer:** Cindy Hunt

**Stat. Auth.:** ORS 336.485

**Stats. Implemented:** ORS 336.485

**Proposed Amendments:** 581-022-0421

**Last Date for Comment:** 1-6-11, 5 p.m.

**Summary:** The rule amendments add psychologists to those health care professionals who may release a child with a concussion to play sports. The amendments also describe the role of an athletic trainer.

**Rules Coordinator:** Diane Roth

**Address:** 255 Capitol St NE, Salem, OR 97310

**Telephone:** (503) 947-5791

## Oregon Liquor Control Commission Chapter 845

**Rule Caption:** Address neighborhood livability issues by tying licensee notice requirements and additional restrictions to licensing criteria.

**Date:** 1-5-11

**Time:** 10 a.m.

**Location:** 9079 SE McLoughlin Blvd.  
Portland, OR 97222

**Hearing Officer:** Jennifer Huntsman

**Stat. Auth.:** ORS 471, including 471.030, 471.040 & 471.730(1) & (5)

**Stats. Implemented:** ORS 471.313, 471.315 & 471.405(1)

**Proposed Amendments:** 845-005-0331, 845-005-0355, 845-006-0480

**Last Date for Comment:** 1-19-11

**Summary:** OAR 845-005-0331 Licensing Exterior Areas: This rule describes the refusal basis for licensing an exterior area of a premises. The rule lists the reasons the Commission will refuse to license an exterior area unless the applicant can show good cause to overcome the refusal basis. Staff is proposing an additional refusal reason, section (5), for when an applicant or licensee will allow entertainment in the exterior area after midnight. This should assist the Commission in addressing late night noise issues that may impact neighborhood livability.

# NOTICES OF PROPOSED RULEMAKING

**OAR 845-005-0355 Restricting License Privileges and Conduct of Operations:** This rule describes the conditions under which the Commission may restrict a license or service permit. Staff is proposing an additional reason to impose restrictions, section (1)(d), where if an applicant or licensee submits a qualifying control or operating plan as good cause to overcome a license refusal basis, the Commission shall impose as restrictions on the license those elements of the control plan that were essential to the decision to grant the license. As with any other restrictions, these would remain in place until removed and failure to comply with the restrictions would be a Category I violation. In addition, staff proposes additional language in section (2)(b) related to determining public interest or convenience reasons to restrict a license. The new language would specify that excessive or obtrusive noise, music or sound vibrations is one of the areas of violations where restrictions can be designed to eliminate or prevent contributing conditions.

**OAR 845-006-0480 Change in Premises or Operation:** Prior Notice Required: This rule provides a way for a licensee to make changes in their business operation while still assuring the Commission that the changes will meet our licensing criteria. Staff proposes amendments so that licensees are only required to notify the Commission when there are changes to the premises that effect licensure, such as a change in the physical dimensions, a change in the business trade name, or a change that could reasonably affect the assigned minor posting.

Overall, the proposed amendments in this rule package are designed to provide the Commission with additional tools to address neighborhood livability issues, specifically in the area of excessive and late night noise. At the same time, by tying required notices and additional restrictions to licensure, the proposal should help focus both our enforcement and licensing efforts on those factors in a business' ongoing operating plan that impact what is truly within our authority to regulate.

**Rules Coordinator:** Jennifer Huntsman  
**Address:** Oregon Liquor Control Commission, 9079 SE McLoughlin Blvd., Portland, OR 97222  
**Telephone:** (503) 872-5004

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**Rule Caption:** Allow alcohol sale within Category I – Commercial Service airports to ticketed passengers beginning at 5:00 a.m.

<b>Date:</b>	<b>Time:</b>	<b>Location:</b>
1-11-11	10 a.m.	9079 SE McLoughlin Blvd. Portland, OR 97222

**Hearing Officer:** Jennifer Huntsman  
**Stat. Auth.:** ORS 471, including 471.030, 471.040 & 471.730(1) & (5)

**Stats. Implemented:** ORS 471.030  
**Proposed Amendments:** 845-006-0425  
**Last Date for Comment:** 1-25-11

**Summary:** This rule sets the hours during which licensees of the Commission may sell, dispense, serve, allow consumption of, or allow removal of alcohol. The Commission accepted a petition from David Shurtleff (Coyote Pub Ranch) at the Redmond Municipal Airport (RDM) requesting to amend this rule by adding language which would allow both On-Premises and Off-Premises sales licensees located at RDM to sell and serve alcohol between the hours of 5:00 a.m. and 2:30 a.m. This would be an additional two hours in the morning outside of the currently allowed hours of 7:00 a.m. to 2:30 a.m., but only to ticketed airline passengers with a valid same-day boarding pass. The current proposed rule amendments differ from the petitioners' request in that they would expand the hours of sale for not only RDM, but also for all public use airports designated as Category I – Commercial Service by the Oregon Department of Aviation (currently eight airports, including RDM & PDX).

**Rules Coordinator:** Jennifer Huntsman  
**Address:** Oregon Liquor Control Commission, 9079 SE McLoughlin Blvd., Portland, OR 97222  
**Telephone:** (503) 872-5004

## Oregon Medical Board Chapter 847

**Rule Caption:** Proposed rule clarifies CME certification required for random audits performed by the Board.

**Stat. Auth.:** ORS 677.265  
**Stats. Implemented:** ORS 677.265  
**Proposed Amendments:** 847-008-0070  
**Last Date for Comment:** 12-24-10

**Summary:** The proposed rule amendment clarifies language on certification required for CME hours taken by licensees when random audits are performed by the Board when biannual license renewals are completed.

**Rules Coordinator:** Malar Ratnathicam  
**Address:** Oregon Medical Board, 1500 SW 1st Ave., Suite 620, Portland, OR 97201  
**Telephone:** (971) 673-2713

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**Rule Caption:** Adds Advanced EMT (AEMT) to the scope and adds language to clarify associated duties.

**Stat. Auth.:** ORS 682.245  
**Stats. Implemented:** ORS 682.245  
**Proposed Amendments:** 847-035-0001, 847-035-0030  
**Last Date for Comment:** 12-24-10

**Summary:** The proposed rule amendments will align this rule to correspond to the change adopted by the Oregon Department of Human Services, EMS of the National Advanced EMT and has added it to OAR 333-265-0000.

**Rules Coordinator:** Malar Ratnathicam  
**Address:** Oregon Medical Board, 1500 SW 1st Ave., Suite 620, Portland, OR 97201  
**Telephone:** (971) 673-2713

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**Rule Caption:** Clarifies supervisory relationship termination and edits unnecessary language.

**Stat. Auth.:** ORS 677.265  
**Stats. Implemented:** ORS 677.265 & 677.510  
**Proposed Amendments:** 847-050-0027  
**Last Date for Comment:** 12-24-10

**Summary:** The proposed rule amendment clarifies language on termination of supervisory relationship with a Physician Assistant and removes unnecessary language.

**Rules Coordinator:** Malar Ratnathicam  
**Address:** Oregon Medical Board, 1500 SW 1st Ave., Suite 620, Portland, OR 97201  
**Telephone:** (971) 673-2713

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**Rule Caption:** Replaces language to Health Professional Services Program (HPSP) per House Bill 2345.

**Stat. Auth.:** ORS 676.185–676.200 & 677.265  
**Other Auth.:** HB 2345 (2009)  
**Stats. Implemented:** ORS 676.185–676.200 & 677.265  
**Proposed Amendments:** 847-065-0005  
**Last Date for Comment:** 12-24-10

**Summary:** The proposed rule amendment replaces “Health Professionals Program” (HPP) with “Health Professional Services Program” (HPSP) per House Bill 2345 (2009).

**Rules Coordinator:** Malar Ratnathicam  
**Address:** Oregon Medical Board, 1500 SW 1st Ave., Suite 620, Portland, OR 97201  
**Telephone:** (971) 673-2713

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**Rule Caption:** Clarifies CME audit requirements and penalty fees assessed for non compliance.

**Stat. Auth.:** ORS 677.837  
**Stats. Implemented:** ORS 677.837  
**Proposed Amendments:** 847-080-0019  
**Last Date for Comment:** 12-24-10

# NOTICES OF PROPOSED RULEMAKING

**Summary:** The proposed rule amendment clarifies the minimum number of CME hours Doctors of Podiatric Medicine (DPM) shall complete, and show satisfactory evidence of the completed courses during random audits performed by the Board. The rule provides information on penalty fees which will be assessed if found to be non-compliant as a result of the Board audit.

**Rules Coordinator:** Malar Ratnathicam

**Address:** Oregon Medical Board, 1500 SW 1st Ave., Suite 620, Portland, OR 97201

**Telephone:** (971) 673-2713

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## Oregon Public Employees Retirement System Chapter 459

**Rule Caption:** Restricts employer reporting for calendar year for which annual reconciliation is complete. Updates penalty provisions.

Date:	Time:	Location:
1-4-11	2 p.m.	PERS Boardroom 11410 SW 68th Pkwy. Tigard, OR

**Hearing Officer:** Daniel Rivas

**Stat. Auth.:** ORS 238A.450

**Stats. Implemented:** ORS 238A.050 & 238.705

**Proposed Amendments:** 459-070-0100, 459-070-0110

**Last Date for Comment:** 1-11-11

**Summary:** The proposed modifications to OAR 459-070-0100 establish that, beginning with calendar year 2011, when reconciliation of reports for a calendar year is completed in March of the following year, an employer may no longer submit or modify reports for the "closed" year. The trigger for closing a year is the date PERS issues the employer a statement of contributions due in March of the following year. For example, when PERS issues a statement of contributions to an employer in March, 2012, the employer would no longer be allowed to submit or modify reports for pay periods in calendar year 2011 unless directed to do so by PERS.

Also, the rule modifications update the penalty provisions, permitting the Director or the Director's designee to waive penalties for reports due in calendar year 2011, but requiring employers to petition for waiver for reports due in subsequent calendar years.

The proposed modifications to OAR 459-070-0110 update and clarify employer obligations to timely remit contributions and penalties, capture more comprehensively the allocation of amounts paid to PERS, and clarify penalty and waiver provisions consistent with OAR 459-070-0100.

Copies of the proposed rules are available to any person upon request. The rules are also available at [http://www.oregon.gov/PERS/about\\_us.shtml](http://www.oregon.gov/PERS/about_us.shtml). Public comment may be mailed to the above address or sent via email to Daniel.Rivas@state.or.us

**Rules Coordinator:** Daniel Rivas

**Address:** Oregon Public Employees Retirement System, PO Box 23700, Tigard, OR 97281

**Telephone:** (503) 603-7713

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## Oregon State Lottery Chapter 177

**Rule Caption:** Requires Lottery Director to conduct comprehensive Video Lottery<sup>SM</sup> retailer compensation study.

Date:	Time:	Location:
12-14-10	2-2:30 p.m.	Oregon Lottery 500 Airport Rd. SE Salem, OR

**Hearing Officer:** Larry Trott

**Stat. Auth.:** ORS 461

**Other Auth.:** OR Constit., Art. XV, Sec. 4(4)

**Stats. Implemented:** ORS 461.300, 461.310 & 461.445

**Proposed Adoptions:** 177-040-0024

**Last Date for Comment:** 12-14-10, 2:30 p.m.

**Summary:** The Oregon State Lottery has initiated permanent rule-making to adopt the above referenced administrative rule.

The proposed rule directs the Lottery Director to conduct a comprehensive Video Lottery<sup>SM</sup> retailer compensation study to assist the Lottery Commission in determining what retailer compensation system will best fulfill the Commission's constitutional and statutory duties when determining the compensation to be paid to Video Lottery<sup>SM</sup> game retailers for their sale of Lottery tickets or shares, for the Lottery Retailer Contract that begins on June 28, 2015.

**Rules Coordinator:** Mark W. Hohlt

**Address:** Oregon State Lottery, 500 Airport Rd. SE, Salem, OR 97301

**Telephone:** (503) 540-1417

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**Rule Caption:** Amends certain rules to streamline retailer application process; housekeeping changes.

Date:	Time:	Location:
12-14-10	2:30-3 p.m.	Oregon Lottery 500 Airport Rd. SE Salem, OR

**Hearing Officer:** Larry Trott

**Stat. Auth.:** ORS 461

**Other Auth.:** OR Constit. Art. XV, Sec. 4(4)

**Stats. Implemented:** ORS 461.300 & 461.335

**Proposed Amendments:** 177-040-0000, 177-040-0001, 177-040-0003, 177-040-0070

**Last Date for Comment:** 12-14-10, 3 p.m.

**Summary:** The Oregon State Lottery has initiated permanent rule-making to amend the above referenced administrative rules.

The amendments are intended to streamline the retailer contract application process by amending certain documents and personal disclosure requirements and removing the requirements that the Wheelchair Accessibility Affidavit be notarized. Other amendments include housekeeping changes.

**Rules Coordinator:** Mark W. Hohlt

**Address:** Oregon State Lottery, 500 Airport Rd. SE, Salem, OR 97301

**Telephone:** (503) 540-1417

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## Oregon State Marine Board Chapter 250

**Rule Caption:** Proposed changes to the Aquatic Invasive Species program.

Date:	Time:	Location:
12-29-10	7-9 p.m.	Oregon State Marine Board Board Room 435 Commercial St. NE, #400 Salem, OR 97309

**Hearing Officer:** Glenn Dolphin

**Stat. Auth.:** ORS 830

**Other Auth.:** HB 2220

**Stats. Implemented:** ORS 830.110

**Proposed Amendments:** 250-010-0650

**Last Date for Comment:** 12-31-10, 5 p.m.

**Summary:** Potential changes to the Aquatic Invasive Species program rule may include the sale of a tyvek tag or sticker as replacement to the paper permit issued. In addition, the agency will consider exempting federally owned vessels from the permit requirement. Housekeeping and technical corrections to the regulation may occur to ensure rule consistency.

**Rules Coordinator:** June LeTarte

**Address:** 435 Commercial Street NE, #400, PO Box 14145, Salem, OR 97309-5065

**Telephone:** (503) 378-2617

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**Rule Caption:** Establish slow-no-wake zone and prohibit wake enhancing devices within the Holgate Channel.

## NOTICES OF PROPOSED RULEMAKING

**Date:** 1-20-11      **Time:** 7–10 p.m.      **Location:**  
The Portland Bldg. Auditorium  
1120 SW Fifth Ave.  
Portland, OR

2-17-11      7–10 p.m.      The Portland Bldg. Auditorium  
1120 SW Fifth Ave.  
Portland, OR

**Hearing Officer:** Randy Henry, Deb McQueen

**Stat. Auth.:** ORS 830.110, 830.175 & 830.195

**Stats. Implemented:** ORS 830.110 & 830.197

**Proposed Amendments:** 250-020-0280

**Last Date for Comment:** 2-17-11, Close of Hearing

**Summary:** This rule, beginning with the 2011 boating season, would prohibit the use of wake enhancing devices in the Holgate Channel and establish a slow-no-wake zone in the area south of a point 200' north of East Island to the south end of the channel.

**Rules Coordinator:** June LeTarte

**Address:** 435 Commercial Street NE, #400, PO Box 14145, Salem, OR 97309-5065

**Telephone:** (503) 378-2617

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**Rule Caption:** Rule establishes 100 foot slow-no-wake zone around Foothills Park dock.

**Date:** 1-19-11      **Time:** 7–9 p.m.      **Location:**  
City of Lake Oswego  
City Council Chambers  
380 A Ave.  
Lake Oswego, OR 97034

**Hearing Officer:** Randy Henry

**Stat. Auth.:** ORS 830

**Stats. Implemented:** ORS 830.110 & 830.175

**Proposed Amendments:** 250-020-0032

**Last Date for Comment:** 1-19-11, Close of Hearing

**Summary:** The Marine Board will consider rulemaking to establish a 100 foot slow-no-wake zone around the Foothills Park transient moorage on the Willamette River in the City of Lake Oswego.

**Rules Coordinator:** June LeTarte

**Address:** 435 Commercial Street NE, #400, PO Box 14145, Salem, OR 97309-5065

**Telephone:** (503) 378-2617

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**Rule Caption:** Removal of specific model names to identify the breath testing devices utilized.

**Stat. Auth.:** ORS 830.110 & 830.505–830.550

**Stats. Implemented:** ORS 830.535

**Proposed Amendments:** 250-010-0430, 250-010-0450

**Last Date for Comment:** 12-31-10, 5 p.m.

**Summary:** The agency intends to purchase new breath testing equipment and is proposing eliminating the identification of the equipment by specific model name.

**Rules Coordinator:** June LeTarte

**Address:** 435 Commercial Street NE, #400, PO Box 14145, Salem, OR 97309-5065

**Telephone:** (503) 378-2617

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### Oregon University System, University of Oregon Chapter 571

**Rule Caption:** Update existing athletic department substance use and drug testing rules.

**Date:** 1-4-11      **Time:** 12 p.m.      **Location:**  
Alesa & Coquille Rooms,  
Erb Memorial Union  
University of Oregon  
Eugene, OR

**Hearing Officer:** Deb Donning

**Stat. Auth.:** ORS 351.070

**Stats. Implemented:** ORS 351.070

**Proposed Amendments:** 571-004-0020, 571-004-0025, 571-004-0030, 571-004-0045, 571-004-0050, 571-004-0055

**Proposed Repeals:** 571-004-0035, 571-004-0040

**Last Date for Comment:** 1-5-11, 12 p.m.

**Summary:** Update existing athletic department substance use and drug testing rules.

**Rules Coordinator:** Deb Donning

**Address:** Oregon University System, University of Oregon, 1226 University of Oregon, Eugene, OR 97403

**Telephone:** (541) 346-3082

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**Rule Caption:** Update existing rules regarding use of facilities.

**Date:** 1-5-11      **Time:** 12 p.m.      **Location:**  
Rogue River Rm.,  
Erb Memorial Union  
University of Oregon  
Eugene, OR

**Hearing Officer:** Deb Donning

**Stat. Auth.:** ORS 351 & 352

**Stats. Implemented:** ORS 351.070

**Proposed Amendments:** 571-011-0015

**Proposed Repeals:** 571-011-0020, 571-011-0025

**Last Date for Comment:** 1-6-11, 12 p.m.

**Summary:** Update existing rules regarding use of facilities.

**Rules Coordinator:** Deb Donning

**Address:** Oregon University System, University of Oregon, 1226 University of Oregon, Eugene, OR 97403

**Telephone:** (541) 346-3082

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**Rule Caption:** Update existing facilities use rules.

**Date:** 1-5-11      **Time:** 12 p.m.      **Location:**  
Rogue River Rm.  
Erb Memorial Union  
University of Oregon  
Eugene, OR

**Hearing Officer:** Deb Donning

**Stat. Auth.:** ORS 351 & 352

**Stats. Implemented:** ORS 351.070

**Proposed Adoptions:** 571-050-0040, 571-050-0050

**Proposed Amendments:** 571-050-0030, 571-050-0035

**Proposed Repeals:** 571-050-0011

**Last Date for Comment:** 1-6-11, 12 p.m.

**Summary:** Update existing facilities use rules.

**Rules Coordinator:** Deb Donning

**Address:** Oregon University System, University of Oregon, 1226 University of Oregon, Eugene, OR 97403

**Telephone:** (541) 346-3082

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### Teacher Standards and Practices Commission Chapter 584

**Rule Caption:** Amends the civil right's test requirement, out-of-state license holders, address changes, NCLB Alternative Route, administrator and substitute licenses.

**Date:** 12-22-10      **Time:** 1–3 p.m.      **Location:**  
TSPC Office  
465 Commercial St. NE  
Salem, OR 97301

**Hearing Officer:** Victoria Chamberlain

**Stat. Auth.:** ORS 342

**Stats. Implemented:** ORS 342.120–342.430, 342.455–342.495 & 342.553

**Proposed Adoptions:** 584-065-0125, 584-065-0130

**Proposed Amendments:** 584-021-0120, 584-035-0105, 584-060-0014, 584-060-0062, 584-060-0181, 584-060-0220, 584-070-0111, 584-080-0151, 584-080-0152, 584-100-0011, 584-100-0021, 584-100-0026, 584-100-0031, 584-100-0036, 584-100-0101, 584-100-0106

**Proposed Repeals:** 584-100-0041

**Last Date for Comment:** 2-10-11, 3:30 p.m.

## NOTICES OF PROPOSED RULEMAKING

**Summary: ADOPT:** 584-065-0125 – *Knowledge, Skills and Abilities for World Language Endorsements* – Adopts new program approval standards for World Language endorsements.

584-065-0130 – *Knowledge, Skills and Abilities for Language Arts Endorsements* – Adopts new program approval standards for Language Arts endorsements.

**AMEND:** 584-021-0120 – *Requirements for Applying for Initial Certification* – Clarifies requirement for civil rights test passage. Clarifies fingerprint and character question requirements for licensure application for school nurses.

584-036-0105 – *Addresses and Uses of Addresses* – Amends requirement to report employment changes including the use of PEER forms as employment verification from a district. Method for notification of address change adds ‘email’ and ‘in person’ and removes ‘in writing’ and adds submission of social security number is voluntary.

584-060-0014 – *Initial Teaching License for Out-of-State Candidate First Application* – Amends rule to prevent provisional license holders from obtaining additional time to complete licensure requirements.

584-060-0062 – *Adding Endorsements to Initial I, Initial II or Continuing Teaching Licenses* – Clarifies adding a multiple subjects or other general education endorsement to a license with only a specialty endorsement evidence of completion of subject-specific pedagogy is required.

584-060-0181 – *Substitute Teaching License* – Applicant must have an unrestricted full time teaching license from any state to obtain an Oregon unlimited substitute license. Out-of-state university recommendations are no longer accepted.

584-060-0220 – *International Visiting Teacher License* – Considers International Visiting Teachers the same as out-of-state applicants and allows them more time to complete the civil rights test requirement.

584-070-0111 – *Transitional School Counselor License* – Rule language aligns with other transitional licenses and removes obsolete language. Added “continuing” school counselor to options for license renewal after six years since first issuance of license.

584-080-0151 – *Transitional Administrator License* – Rule language aligns with other transitional licenses. Requires applicant to hold a non-provisional license for school administration from another state. Allows applicant more time to complete the civil rights test requirement.

584-080-0152 – *Transitional Superintendent License* – Rule language aligns with other transitional licenses. Amends rule to add applicant must obtain a passing score on the Oregon civil rights and ethics test in addition to existing requirements.

584-100-0011 – *Highly Qualified Elementary Teacher New to the Profession* – Amends rule to remove “NCLB Alternative Route Teaching License.”

584-100-0021 – *Highly Qualified Middle Level Teacher New to the Profession* – Amends rule to remove “NCLB Alternative Route Teaching License.”

584-100-0026 – *Highly Qualified Middle Level Teacher Not New to the Profession* – Amends rule to remove “NCLB Alternative Route Teaching License.”

584-100-0031 – *Highly Qualified Secondary Teacher New to the Profession* – Amends rule to remove “NCLB Alternative Route Teaching License.”

584-100-0036 – *Highly Qualified Secondary Teacher Not New to the Profession* – Amends rule to remove “NCLB Alternative Route Teaching License.”

584-100-0101 – *Licenses Considered “Full State Certification”* – Amends rule to remove “NCLB Alternative Route Teaching License.”

584-100-0106 – *Licenses Not Considered to be “Full State Certification”* – Amends rule to remove “NCLB Alternative Route Teaching License.”

**REPEAL:** 584-100-0041 – *Approved NCLB Alternative Route Teaching License* – Repeals rule for “NCLB Alternative Route Teaching License.”

**Rules Coordinator:** Victoria Chamberlain

**Address:** Teacher Standards and Practices Commission, 465 Commercial St. NE, Salem, OR 97301

**Telephone:** (503) 378-6813

# ADMINISTRATIVE RULES

## Board of Pharmacy Chapter 855

**Rule Caption:** Amend rules for administration of vaccines by pharmacists.

**Adm. Order No.:** BP 11-2010

**Filed with Sec. of State:** 10-22-2010

**Certified to be Effective:** 1-1-11

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 855-019-0270, 855-019-0280, 855-019-0290

**Subject:** These amendments implement legislation passed in 2009 (Ch 250, OL 2009) and permit a qualified pharmacist to administer a vaccine to a person who is at least 11 years of age. Amendments also change the reporting requirements in accordance with protocols written and approved by the Oregon Health Authority.

**Rules Coordinator:** Karen MacLean—(971) 673-0001

### 855-019-0270

#### Qualifications

(1) In this rule and in OAR 855-019-0280, an intern who is appropriately trained and qualified in accordance with Section (3) of this rule may perform the same duties as a pharmacist, provided that the intern is supervised by an appropriately trained and qualified pharmacist.

(2) A pharmacist may administer vaccines to persons who are at least 11 years of age as provided by these rules. For the purposes of this rule, a person is at least 11 years of age on the day of the person's eleventh birthday.

(3) A pharmacist may administer vaccines under Section (1) or Section (2) of this rule only if:

(a) The pharmacist has completed a course of training approved by the Board;

(b) The pharmacist holds a current basic Cardiopulmonary Resuscitation (CPR) certification issued by the American Heart Association or the American Red Cross or any other equivalent program that contains a hands-on training component and is valid for not more than three years, and documentation of the certification is placed on file in the pharmacy;

(c) The vaccines are administered in accordance with an administration protocol written and approved by the Oregon Health Authority (OHA); and

(d) The pharmacist has a current copy of the CDC reference, "Epidemiology and Prevention of Vaccine-Preventable Diseases."

(4) A pharmacist may not delegate the administration of vaccines to another person.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.151, 689.155, 689.645

Hist.: BP 7-2000, f. & cert. ef. 6-29-00; BP 3-2006, f. & cert. ef. 6-9-06; BP 1-2007, f. & cert. ef. 6-29-07; Renumbered from 855-041-0500, BP 2-2008, f. & cert. ef. 2-20-08; BP 11-2010, f. 10-22-10, cert. ef. 1-1-11

### 855-019-0280

#### Protocols, Policies and Procedures

(1) Prior to administering a vaccine to a person who is at least 11 years of age a pharmacist must follow protocols written and approved by the OHA for administration of vaccines and the treatment of severe adverse events following administration of a vaccine.

(2) The pharmacy must maintain written policies and procedures for handling and disposal of used or contaminated equipment and supplies.

(3) The pharmacist must give the appropriate Vaccine Information Statement (VIS) to the patient or legal representative with each dose of vaccine covered by these forms. The pharmacist must ensure that the patient or legal representative is available and has read, or has had read to them, the information provided and has had their questions answered prior to administering the vaccine.

(4) The pharmacist must report adverse events as required by the Vaccine Adverse Events Reporting System (VAERS) and to the primary care provider as identified by the patient.

(5) The pharmacist should give the Adolescent Well Visit Referral document, provided by the OHA, to a patient aged 11-18 years of age or their legal representative when it is available.

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.151, 689.155, 689.645

Hist.: BP 7-2000, f. & cert. ef. 6-29-00; BP 3-2006, f. & cert. ef. 6-9-06; Renumbered from 855-041-0510, BP 2-2008, f. & cert. ef. 2-20-08; BP 11-2010, f. 10-22-10, cert. ef. 1-1-11

### 855-019-0290

#### Record Keeping and Reporting

(1) A pharmacist who administers any vaccine must maintain the following information in the pharmacy records regarding each administration for a minimum of three years:

(a) The name, address, gender and date of birth of the patient, and phone number when available;

(b) The date and site of the administration of the vaccine;

(c) The brand name, or NDC number, or other acceptable standardized vaccine code set, dose, manufacturer, lot number, and expiration date of the vaccine;

(d) The name or identifiable initials of the administering pharmacist;

(e) The address of the pharmacy where vaccine was administered unless automatically embedded in the electronic report provided to the OHA ALERT Immunization System;

(f) The date of publication of the VIS; and

(g) The date the VIS was provided.

(2) If providing state or federal vaccines, the vaccine eligibility code as specified by the OHA must be reported to the ALERT system.

(3) A pharmacist who administers any vaccine must report, the elements of Section (1), and Section (2) of this rule if applicable, to the OHA ALERT Immunization System within 15 days of administration. This replaces the former requirement to notify the primary health care provider.

(4) A pharmacist who administers any vaccine will keep documentation of current CPR training. This documentation will be kept on site and available for inspection.

(5) A pharmacist who administers any vaccine will follow storage and handling guidance from the vaccine manufacturer and the Centers for Disease Control and Prevention (CDC).

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.151, 689.155, 689.645

Hist.: BP 7-2000, f. & cert. ef. 6-29-00; BP 3-2006, f. & cert. ef. 6-9-06; Renumbered from 855-041-0520, BP 2-2008, f. & cert. ef. 2-20-08; BP 11-2010, f. 10-22-10, cert. ef. 1-1-11

## Bureau of Labor and Industries Chapter 839

**Rule Caption:** Replaces Notice of Proposed Rulemaking rule with general BOLI rulemaking rule.

**Adm. Order No.:** BLI 21-2010

**Filed with Sec. of State:** 10-26-2010

**Certified to be Effective:** 11-2-10

**Notice Publication Date:** 10-1-2010

**Rules Repealed:** 839-017-0005

**Subject:** The Bureau of Labor and Industries has adopted a proposed rule notice rule; OAR 839-002-0002, for all of the agency's rules, therefore, the current separate proposed rule notice rule for OAR 839-017 is not necessary and is being repealed.

**Rules Coordinator:** Marcia Ohlemiller—(971) 673-0784

## Construction Contractors Board Chapter 812

**Rule Caption:** Adopt NASCLA Standards.

**Adm. Order No.:** CCB 15-2010

**Filed with Sec. of State:** 10-27-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 10-1-2010

**Rules Adopted:** 812-004-0537

**Subject:** OAR 812-004-0537 by adopting this rule, CCB adopts the National Association of State Contractors Licensing Agencies (NASCLA) standards for care and workmanship. The NASCLA standards are available on CCB's website: [www.oregon.gov/CCB](http://www.oregon.gov/CCB)

**Rules Coordinator:** Catherine Dixon—(503) 378-4621, ext. 4077

### 812-004-0537

#### Standards of Care and Workmanship

(1) For purposes of this rule, "NASCLA Standards" mean the Residential Construction Standards, dated March 20, 2009, as adopted by the National Association of State Contractors Licensing Agencies.

(2) Except as provided in section (3) of this rule, the agency and the Office of Administrative Hearings shall apply NASCLA standards; to the extent such standards cover the work at issue, in order to determine if con-

# ADMINISTRATIVE RULES

struction work performed on a residential structure meets the standards of care and workmanship in the industry.

(3) The agency or an Administrative Law Judge of the Office of Administrative Hearings may apply a standard different than the NASCLA standard if a party shows, by a preponderance of the evidence, that:

(a) The contract between the parties provides for a standard of care and workmanship that differs from the NASCLA standard; or

(b) The work involved installation of a product for which the manufacturer provided installation instructions that establish a standard that differs from the NASCLA standard.

Stat. Auth.: ORS 670.310 & 701.235

Stats. Implemented: ORS 701

Hist.: CCB 15-2010, f. 10-27-10, cert. ef. 11-1-10

## Department of Administrative Services Chapter 125

**Rule Caption:** Business Associates Rule, HIPAA Privacy and Security Rule and HITECH Act.

**Adm. Order No.:** DAS 4-2010

**Filed with Sec. of State:** 11-15-2010

**Certified to be Effective:** 11-15-10

**Notice Publication Date:** 10-1-2010

**Rules Amended:** 125-055-0100, 125-055-0105, 125-055-0115, 125-055-0120, 125-055-0125, 125-055-0130

**Rules Repealed:** 125-055-0100(T), 125-055-0105(T), 125-055-0115(T), 125-055-0120(T), 125-055-0125(T), 125-055-0130(T)

**Subject:** The Department of Administrative Services needs permanent HIPAA Privacy and Security Rule Implementation rules to replace expiring temporary rules that revise OAR 125-055-0100 through 125-055-0130 to become compliant with the 2009 Federal Law changes that became effective in February 2010.

The permanent Rules will support the ARRA law changes where Congress added new provisions that affect the DAS business associates rule and the model HIPAA language that DAS provides to state agencies. The new provisions, essentially, make Business Associates subject to penalties and have an impact on breach notification. The Health Information Technology for Economic and Clinical Health (HITECH) Act adds civil money penalty amounts that apply to HIPAA Privacy and Security Rule violations occurring after February 17, 2010.

DAS has adopted the Business Associate requirements into rule so state agencies can incorporate them by reference in appropriate contexts in contracts involving Business Associates.

The new Federal Law changes are significant. The DAS rule must be updated so that any contracts that incorporate the rule as a basis for meeting Business Associate legal obligations meet the new HIPAA requirements.

**Rules Coordinator:** Jeffery Kohlleppe—(503) 378-2349, ext. 325

### 125-055-0100

**Purpose — HIPAA Privacy and Security Rule Implementation; HITECH Act Implementation.**

(1) The purpose of these rules is to set forth the contract requirements to comply with the Business Associate provisions of HIPAA and the implementing Privacy Rule and Security Rule and of the HITECH Act. The Privacy Rule and Security Rule, as amended by the HITECH Act, require an Agency, as a Covered Entity, to obtain certain written assurances from a Business Associate, as that term is defined in the Privacy Rule and Security Rule, that the Business Associate will comply with the Business Associate requirements set forth in 45 CFR 164.502(e) and 164.504(e), and as amended by HITECH. The Privacy Rule requires that a Covered Entity obtain certain written assurances before the Business Associate may disclose, use, or create Protected Health Information. The Security Rule requires an Agency, as a Covered Entity, to obtain certain written assurances from a Business Associate before the Business Associate may create, receive, maintain, or transmit Protected Health Information transmitted by or maintained in Electronic Media on behalf of the Covered Entity. The HITECH Act imposes requirements on an Agency, as a Covered Entity, and on Business Associates of Covered Entities. This Rule contains the written assurances that an Agency must include in its Contract with a Business Associate. Before applying this Rule, Agencies must determine if a Business Associate relationship exists between the Contractor and the Agency as Business

Associate is defined in HIPAA and the Privacy Rule or Security Rule and the HITECH Act. The requirements contained in this Rule apply both to Contracts for trade services and personal services, as defined in OAR 125-246-0110, that involve the use and disclosure of Protected Health Information or Electronic Protected Health Information or both.

(2) This Rule will be interpreted as broadly as necessary to implement and comply with HIPAA, the Privacy Rule and the Security Rule, and the HITECH Act. Any ambiguity in this Rule shall be resolved in favor of a meaning that complies and is consistent with HIPAA, the Privacy Rule and the Security Rule, and the HITECH Act.

Stat. Auth.: ORS 184.305, 184.340 & 279A.140

Stats. Implemented: ORS 279A.140 & The Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d-1320d-8, PL 104-191, sec. 262 & sec. 264

Hist.: DAS 9-2002(Temp), f. & cert. ef. 12-31-02 thru 6-28-03; DAS 3-2003, f. & cert. ef. 6-27-03; DAS 5-2005(Temp), f. & cert. ef. 4-20-05 thru 10-17-05; DAS 12-2005, f. 10-21-05, cert. ef. 10-22-05; DAS 2-2010(Temp), f. & cert. ef. 7-26-10 thru 1-17-11; DAS 4-2010, f. & cert. ef. 11-15-10

### 125-055-0105

#### Definitions

For purposes of rules 125-055-0100 through 125-055-0130 the following terms shall have the meanings set forth below. Capitalized terms not defined herein shall have the same meaning as those terms in the Privacy Rule and the Security Rule and the HITECH Act, including, but not limited to, 42 USC Section 17938 and 45 CFR Section 160.103.

(1) **“Agency”** means an agency of the State of Oregon subject to the procurement authority of DAS pursuant to ORS 279A.140 and that is a Covered Entity.

(2) **“Business Associate”** has the meaning defined in 45 CFR 160.103. A Business Associate performs or assists a Covered Entity in performing a function or activity that involves the use, disclosure, or creation of Protected Health Information. The Workforce, as defined in 45 CFR 160.103, of the Covered Entity is not considered to be a Business Associate nor do their activities create a Business Associate relationship with their employer.

(3) **“Contract”** means the written agreement between an Agency and a Contractor setting forth the rights and obligations of the parties.

(4) **“Covered Entity”** means:

(a) A governmental or private Health Plan;

(b) A Health Care Provider, as defined in ORS 192-519, that transmits any Health Information in electronic form to carry out financial or administrative activities in connection with a Transaction;

(c) A Health Care Clearinghouse; or

(d) A prescription drug card sponsor under Medicare Part D.

(e) Health Plan, Health Information, Health Care Clearinghouse, and Transaction have the same meaning as those terms in 45 CFR 160.103.

(5) **“Electronic Media”** means:

(a) Electronic storage media; and

(b) Transmission media used to exchange information already in electronic storage media.

(6) **“Electronic Protected Health Information”** means Protected Health Information that is created, maintained, received or transmitted by Electronic Media.

(7) **“HIPAA”** means the Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d-1320d-8, Public Law 104-191, sec. 262 and sec. 264.

(8) **“HITECH Act”** means the Health Information Technology for Economic and Clinical Health (“HITECH”) Act, Title XIII of division A and Title IV of Division B of the American Recovery and Reinvestment Act of 2009 (“ARRA”), Public Law 111-5, including any implementing regulations.

(9) **“Health Care Provider”** means the persons or entities that furnish, bill for or are paid for Health Care in the normal course of business, as more fully defined in ORS 192.519.

(10) **“Privacy Rule”** means the Standards for Privacy of Individually Identifiable Health Information at 45 CFR part 160 and part 164, subparts A and E.

(11) **“Protected Health Information”** means Individually Identifiable Health Information that is maintained or transmitted in any Electronic Media or other form or medium by a Covered Entity.

(12) **“Required by Law”** has the meaning defined in 45 CFR section 164.103.

(13) **“Rule”** means this Oregon Administrative rule 125-055-0100 through 125-055-0130.

(14) **“Secretary”** means the Secretary of Health and Human Services (HHS) or any other officer or employee of HHS to whom the authority involved has been delegated.



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(15) “**Security Rule**” means the security standards for Electronic Protected Health Information found at 45 CFR Parts 160, 162, and 164.

Stat. Auth.: ORS 184.305, 184.340 & 279A.140  
Stats. Implemented: ORS 192.519; ORS 279A.140 & The Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d -1320d-8, PL 104-191, sec. 262 & sec. 264  
Hist.: DAS 9-2002(Temp), f. & cert. ef. 12-31-02 thru 6-28-03; DAS 3-2003, f. & cert. ef. 6-27-03; DAS 5-2005(Temp), f. & cert. ef. 4-20-05 thru 10-17-05; DAS 12-2005, f. 10-21-05, cert. ef. 10-22-05; DAS 2-2010(Temp), f. & cert. ef. 7-26-10 thru 1-17-11; DAS 4-2010, f. & cert. ef. 11-15-10

## 125-055-0115

### Business Associate Contract Provisions

(1) A Contract that is subject to the Business Associate requirements set forth in 45 CFR 164.502(e) and 164.504(e) of the Privacy Rule shall contain the following provisions:

(a) **Obligations and Activities of Business Associate:** Business Associate agrees to:

(A) Not use or disclose Protected Health Information or Electronic Protected Health Information other than as permitted or required by this Rule and the Contract, or as Required By Law.

(B) Use appropriate safeguards to prevent use or disclosure of the Protected Health Information and Electronic Protected Health Information other than as provided for by this Rule and the Contract.

(C) Mitigate, to the extent practicable, any harmful effect that is known to Business Associate of a use or disclosure of Protected Health Information or Electronic Protected Health Information by Business Associate in violation of the requirements of this Rule and the Contract.

(D) Report to Agency, as promptly as possible, any use or disclosure of the Protected Health Information or Electronic Protected Health Information not provided for by this Rule and the Contract of which it becomes aware.

(E) Ensure that any agent, including a subcontractor, to whom it provides Protected Health Information or Electronic Protected Health Information received from, or created or received by Business Associate on behalf of Agency agrees to the same restrictions and conditions that apply through this Rule and the Contract to Business Associate with respect to such information.

(F) Provide access, at the request of Agency, and in the time and manner designated by Agency, to Protected Health Information or Electronic Protected Health Information in a Designated Record Set, to Agency or, as directed by Agency, to an Individual in order to meet the requirements under 45 CFR 164.524.

(G) Make any amendment(s) to Protected Health Information or Electronic Protected Health Information in a Designated Record Set that the Agency directs or agrees to pursuant to 45 CFR 164.526 at the request of Agency or an Individual, and in the time and manner designated by Agency.

(H) Make internal practices, books, and records, including policies and procedures relating to the use and disclosure of Protected Health Information and Electronic Protected Health Information received from, or created or received by Business Associate on behalf of, Agency available to Agency and to the Secretary, in a time and manner designated by Agency or the Secretary, for purposes of the Secretary determining Agency’s compliance with the Privacy Rule or Security Rule.

(I) Document disclosures of Protected Health Information and Electronic Protected Health Information and information related to such disclosures as would be required for Agency to respond to a request by an Individual for an accounting of disclosures of Protected Health Information and Electronic Protected Health Information in accordance with 45 CFR 164.528.

(J) Provide to Agency or an Individual, in a time and manner to be designated by Agency, information collected in accordance with subparagraph (I) of this section (a), to permit Agency to respond to a request by an Individual for an accounting of disclosures of Protected Health Information and Electronic Protected Health Information in accordance with 45 CFR 164.528.

(K) Effective February 17, 2010, comply with 45 CFR 164.504(e) and all requirements of the HITECH Act, that relate to privacy and that are made applicable to Covered Entities, as if Business Associate were a Covered Entity.

(b) Permitted Uses and Disclosures by Business Associate:

(A) General Use and Disclosure Provision. Except as otherwise limited or prohibited by this Rule, Business Associate may use or disclose Protected Health Information and Electronic Protected Health Information to perform functions, activities, or services for, or on behalf of, Agency as specified in the Contract and this Rule, provided that such use or disclosure would not violate the Privacy Rule, Security Rule, the HITECH Act, or

other applicable federal or state laws or regulations if done by Agency or the minimum necessary policies and procedures of the Agency. All other uses of Protected Health Information and Electronic Protected Health Information are prohibited.

(B) **Specific Use and Disclosure Provision.**

(i) Except as otherwise limited in this Rule, Business Associate may use Protected Health Information and Electronic Protected Health Information for the proper management and administration of the Business Associate or to carry out the legal responsibilities of the Business Associate.

(ii) Except as otherwise limited in this Rule, Business Associate may disclose Protected Health Information and Electronic Protected Health Information for the proper management and administration of the Business Associate, provided that disclosures are Required By Law, or Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will remain confidential and used or further disclosed only as Required By Law or for the purpose for which it was disclosed to the person, and the person notifies the Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.

(iii) Business Associate may use Protected Health Information and Electronic Protected Health Information to report violations of law to appropriate federal and state authorities, consistent with 45 CFR 164.502(j)(1).

(iv) Business Associate may not aggregate or compile Agency’s Protected Health Information or Electronic Protected Health Information with the Protected Health Information or Electronic Protected Health Information of other Covered Entities unless the Contract permits Business Associate to perform Data Aggregation services. If the Contract permits Business Associate to provide Data Aggregation services, Business Associate may use Protected Health Information to provide Data Aggregation services requested by Agency as permitted by 45 CFR 164.504(e)(2)(i)(B) and subject to any limitations contained in this Rule. If Data Aggregation services are requested by Agency, Business Associate is authorized to aggregate Agency’s Protected Health Information with Protected Health Information of other Covered Entities that the Business Associate has in its possession through its capacity as a business associate to such other Covered Entities provided that the purpose of such aggregation is to provide Agency with data analysis relating to the Health Care Operations of Agency. Under no circumstances may Business Associate disclose Protected Health Information of Agency to another Covered Entity absent the express authorization of Agency.

(c) **Obligations of Agency:**

(A) Agency shall notify Business Associate of any limitation(s) in its notice of privacy practices of Agency in accordance with 45 CFR 164.520, to the extent that such limitation may affect Business Associate’s use or disclosure of Protected Health Information and Electronic Protected Health Information. Agency may satisfy this obligation by providing Business Associate with Agency’s most current Notice of Privacy Practices.

(B) Agency shall notify Business Associate of any changes in, or revocation of, permission by Individual to use or disclose Protected Health Information or Electronic Protected Health Information, to the extent that such changes may affect Business Associate’s use or disclosure of Protected Health Information and Electronic Protected Health Information.

(C) Agency shall notify Business Associate of any restriction to the use or disclosure of Protected Health Information or Electronic Protected Health Information that Agency has agreed to in accordance with 45 CFR 164.522, to the extent that such restriction may affect Business Associate’s use or disclosure of Protected Health Information or Electronic Protected Health Information.

(d) **Permissible Requests by Agency:** Agency shall not request Business Associate to use or disclose Protected Health Information or Electronic Protected Health Information in any manner that would not be permissible under the Privacy Rule or Security Rule if done by Agency, except as permitted by section (1)(b)(B) above.

(e) **Termination of Contract:**

(A) Termination for Cause. Upon Agency’s knowledge of a material breach by Business Associate of the requirements of this Rule, Agency shall:

(i) Notify Business Associate of the breach and specify a reasonable opportunity in the notice for Business Associate to cure the breach or end the violation, and terminate the Contract if Business Associate does not cure the breach of the requirements of this Rule or end the violation within the time specified by Agency;

# ADMINISTRATIVE RULES

(ii) Immediately terminate the Contract if Business Associate has breached a material term of this Rule and cure is not possible in Agency's reasonable judgment; or

(iii) If neither termination nor cure is feasible, Agency shall report the violation to the Secretary.

(iv) The rights and remedies provided in this Rule are in addition to the rights and remedies provided in the Contract.

(B) Effect of Termination.

(i) Except as provided in paragraph (ii) of this subsection (B), upon termination of the Contract, for any reason, Business Associate shall, at Agency's option, return or destroy all Protected Health Information and Electronic Protected Health Information received from Agency, or created or received by Business Associate on behalf of Agency. This provision shall apply to Protected Health Information and Electronic Protected Health Information that is in the possession of subcontractors or agents of Business Associate. Business Associate shall retain no copies of the Protected Health Information and Electronic Protected Health Information.

(ii) In the event that Business Associate determines that returning or destroying the Protected Health Information or Electronic Protected Health Information is infeasible, Business Associate shall provide to Agency notification of the conditions that make return or destruction infeasible. Upon Agency's written acknowledgement that return or destruction of Protected Health Information or Electronic Protected Health Information is infeasible, Business Associate shall extend the protections of this Rule to such Protected Health Information and Electronic Protected Health Information and limit further uses and disclosures of such Protected Health Information and Electronic Protected Health Information to those purposes that make the return or destruction infeasible, for so long as Business Associate maintains such Protected Health Information and Electronic Protected Health Information.

(2) Security Requirements: A Contract that is subject to the Security Rule's Business Associate requirements for Electronic Protected Health Information must comply with both the Privacy Rule and the Security Rule requirements applicable to a Business Associate. In addition to the Privacy Rule requirements set forth in subsection (1) of this rule, the Contract shall contain the following provisions:

(a) Obligations of Business Associate: Business Associate agrees to:

(A) Implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the Electronic Protected Health Information that it creates, receives, maintains, or transmits on behalf of the Agency, and develop and enforce related policies, procedure, and documentation standards (including designation of a security official).

(B) Ensure that any agent, including a subcontractor, to whom it provides Electronic Protected Health Information agrees to implement reasonable and appropriate safeguards to protect it; and

(C) In the event of Discovery of a Breach of Unsecured Protected Health Information: 103

(i) Notify the Agency of such Breach. The notification of a Breach to the Agency must be made as soon as possible and Business Associate shall confer with the Agency as soon as practicable thereafter, but in no event, shall notification to the Agency be later than 30 calendar days after the Discovery of a Breach. Notification shall include identification of each individual whose Unsecured Protected Health Information has been, or is reasonably believed by Business Associate to have been accessed, acquired or disclosed during such Breach and any other information as may be reasonably required by the Agency necessary for the Agency to meet its notification obligations;

(ii) Confer with the Agency as to the preparation and issuance of an appropriate notice to each individual whose Unsecured Protected Health Information has been, or is reasonably believed by Business Associate to have been accessed, acquired or disclosed as a result of such Breach;

(iii) Where the Breach involves more than 500 individuals, confer with the Agency as to the preparation and issuance of an appropriate notice to prominent media outlets within the State or as appropriate, local jurisdictions; and,

(iv) Confer with the Agency as to the preparation and issuance of an appropriate notice to the Secretary of Unsecured Protected Health Information that has been acquired or disclosed in a Breach. If the Breach was with respect to 500 or more individuals, such notice to the Secretary must be provided immediately. If the Breach was with respect to less than 500 individuals, a log may be maintained of any such Breach and the log must be provided to the Secretary annually documenting such Breaches occurring during the year involved.

(v) Except as set forth in (F) below, notifications required by this section must be made without unreasonable delay and in no case later than 60 calendar days after the Discovery of a Breach. Any notice must be provided in the manner and content required by the HITECH Act, sections 13402(e) and (f), and 45 CFR 164.404 through 164.410.

(vi) Any notification required by this section may be delayed by a law enforcement official in accordance with the HITECH Act, section 13402(g).

(vii) For purposes of this section, the terms "Breach" and "Unsecured Protected Health Information" have the meaning set forth in 45 CFR 164.402. A Breach will be considered as "Discovered" in accordance with the HITECH Act, section 13402(c) and 45 CFR 164.404(a)(2).

(D) Effective February 17, 2010, Business Associate shall comply with 45 CFR 164.308, 164.310, 164.312 and 164.316 and all requirements of the HITECH Act, that relate to security and that are made applicable to Covered Entities, as if Business Associate were a Covered Entity.

Stat. Auth.: ORS 184.305, 184.340 & 279A.140

Stats. Implemented: ORS 279A.140 & The Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d-1320d-8, PL 104-191, sec. 262 & sec. 264

Hist.: DAS 9-2002(Temp), f. & cert. ef. 12-31-02 thru 6-28-03; DAS 3-2003, f. & cert. ef. 6-27-03; DAS 5-2005(Temp), f. & cert. ef. 4-20-05 thru 10-17-05; DAS 12-2005, f. 10-21-05, cert. ef. 10-22-05; DAS 2-2010(Temp), f. & cert. ef. 7-26-10 thru 1-17-11; DAS 4-2010, f. & cert. ef. 11-15-10

## 125-055-0120

### Order of Precedence

In the event of a conflict between this Rule and the provisions of the Contract, this Rule shall control. In the event of a conflict between this Rule and the Privacy Rule or the Security Rule or the HITECH Act, or the provisions of the Contract and the Privacy Rule or the Security Rule or the HITECH Act, the Privacy Rule and the Security Rule and the HITECH Act shall control. The requirements set forth in this Rule are in addition to any other provisions of law applicable to the Contract. Provided, however, this Rule shall not supercede any other federal or state law or regulation governing the legal relationship of the parties, or the confidentiality of records or information, except to the extent that HIPAA and the HITECH Act preempt those laws or regulations. Any ambiguity in the Contract shall be resolved to permit Agency and Business Associate to implement and comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule.

Stat. Auth.: ORS 184.305, 184.340 & 279A.140

Stats. Implemented: ORS 279A.140 & The Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d-1320d-8, PL 104-191, sec. 262 & sec. 264

Hist.: DAS 9-2002(Temp), f. & cert. ef. 12-31-02 thru 6-28-03; DAS 3-2003, f. & cert. ef. 6-27-03; DAS 5-2005(Temp), f. & cert. ef. 4-20-05 thru 10-17-05; DAS 12-2005, f. 10-21-05, cert. ef. 10-22-05; DAS 2-2010(Temp), f. & cert. ef. 7-26-10 thru 1-17-11; DAS 4-2010, f. & cert. ef. 11-15-10

## 125-055-0125

### Methods of Compliance

In addition to incorporating the Business Associate requirements contained in this Rule in its Contracts with Business Associates, Agency may comply with this Rule in any of the following ways:

(1) **Memorandum of Understanding.** If Agency and Business Associate are government entities, the parties may comply with the requirements of this Rule by entering into a memorandum of understanding that accomplishes the objectives of this Rule and meets the Business Associate requirements of the Privacy Rule and the Security Rule.

(2) **Amendment.** Agency may comply with the requirements of this Rule by executing an amendment or rider that amends Agency's Contract and that contains the contract provisions required by this Rule.

(3) **Required by Law.** If a Business Associate is Required by Law to perform a function or activity on behalf of an Agency or to provide a service described in the definition of Business Associate to an Agency, such Agency may disclose Protected Health Information to the Business Associate to the extent necessary to comply with the legal mandate without meeting the requirements of this Rule, provided that the Agency attempts in good faith to obtain satisfactory assurances required by OAR 125-055-0115, and, if such attempt fails, documents the attempt and the reasons that such assurances cannot be obtained.

Stat. Auth.: ORS 184.305, 184.340 & 279A.140

Stats. Implemented: ORS 279A.140 & The Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d-1320d-8, PL 104-191, sec. 262 & sec. 264

Hist.: DAS 9-2002(Temp), f. & cert. ef. 12-31-02 thru 6-28-03; DAS 3-2003, f. & cert. ef. 6-27-03; DAS 5-2005(Temp), f. & cert. ef. 4-20-05 thru 10-17-05; DAS 12-2005, f. 10-21-05, cert. ef. 10-22-05; DAS 2-2010(Temp), f. & cert. ef. 7-26-10 thru 1-17-11; DAS 4-2010, f. & cert. ef. 11-15-10

# ADMINISTRATIVE RULES

## 125-055-0130

### Standards in Individual Contracts

(1) Agency and Business Associate may enter into a Contract that contains more stringent standards than those set forth in this Rule as long as such standards do not violate the requirements of the Privacy Rule or the Security Rule or the HITECH Act.

(2) Agencies shall use one of the forms provided or approved by the State Procurement Office of the State Services Division of the Department of Administrative Services when entering into personal services contracts as defined in OAR 125-246-0110. For revised forms up to a cumulative value of \$150,000 and before an Agency may use a revised form, it must obtain its Designated Procurement Officer's approval of any revisions to the form's terms and conditions. For revised forms exceeding a cumulative value of \$150,000 and before an Agency may use a revised form, it must obtain Department of Justice approval of any revisions to the revised form's terms and conditions.

Stat. Auth.: ORS 184.305, 184.340 & 279A.140  
Stats. Implemented: ORS 279A.140 & The Health Insurance Portability and Accountability Act of 1996, 42 USC 1320d -1320d-8, PL 104-191, sec. 262 & sec. 264  
Hist.: DAS 9-2002(Temp), f. & cert. ef. 12-31-02 thru 6-28-03; DAS 3-2003, f. & cert. ef. 6-27-03; DAS 5-2005(Temp), f. & cert. ef. 4-20-05 thru 10-17-05; DAS 12-2005, f. 10-21-05, cert. ef. 10-22-05; DAS 2-2010(Temp), f. & cert. ef. 7-26-10 thru 1-17-11; DAS 4-2010, f. & cert. ef. 11-15-10

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**Department of Consumer and Business Services,  
Insurance Division  
Chapter 836**

**Rule Caption:** Clarifies content of portability notice and clarifies that carriers may provide notice electronically.

**Adm. Order No.:** ID 20-2010

**Filed with Sec. of State:** 10-28-2010

**Certified to be Effective:** 10-28-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 836-053-0750

**Subject:** ORS 743.731 states a legislative intent to make portability plans available to individuals who lose coverage in group health benefit plans. One way to encourage enrollment is to provide clear notice to individuals of the availability of portability plans if group health insurance is discontinued. OAR 836-053-0750 sets out that notification requirement. This rulemaking clarifies the required content of the notice and makes it clear that the carrier must provide the notice directly to the individual rather than through the individual's employer or plan administrator. The amendments to this rule also clarify that the carrier may provide the notice electronically so long as the notice conforms to the Uniform Electronic Transaction Act, ORS 84.001 to 84.061 and 84.070.

**Rules Coordinator:** Sue Munson—(503) 947-7272

## 836-053-0750

### Notification

(1) A carrier that is subject to the requirements of ORS 743.760 and 743.761 shall include an explanation of portability coverage in all policies that are issued to group policyholders in Oregon and in every summary plan description that is issued in connection with such policies. In addition, the carrier shall provide an explanation of portability coverage to an individual losing group coverage, for any reason other than group replacement of coverage, within 10 days following the date of any administrative action taken by a carrier to initiate or document the loss of coverage. The carrier must provide the explanation of portability coverage directly to the individual losing coverage and not through the individual's employer or the plan administrator for the group plan.

(2) The explanation required under section (1) of this rule shall be prominently displayed and shall contain at least the following information:

(a) An explanation of the purpose of portability coverage;

(b) An explanation of the eligibility requirements for portability coverage;

(c) An explanation of the process and timelines by which an eligible individual may enroll in portability coverage including a clear statement that if the individual fails to act within the time given, the individual will lose the opportunity to obtain portability coverage;

(d) A description of the plan options available to eligible individuals;

(e) The telephone number of a carrier representative that is available to answer questions regarding portability coverage; and

(f) Information about how the individual can obtain a summary of the benefit provisions of each plan option. This information may be either:

(A) Mailed to the individual; or

(B) Provided electronically if the individual agrees to accept electronic notice pursuant to ORS 84.013 and the notice and procedures followed by the parties otherwise satisfy the provisions of the Uniform Electronic Transactions Act at ORS 84.001 to 84.061 and 84.070.

Stat. Auth.: ORS 731.244

Stats. Implemented: ORS 743.731, 743.760 & 743.761

Hist.: ID 11-1996, f. 6-28-96, cert. ef. 7-1-96; ID 5-1998, f. & cert. ef. 3-9-98; ID 5-2000, f. & cert. ef. 5-11-00; ID 20-2010, f. & cert. ef. 10-28-10

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**Department of Corrections  
Chapter 291**

**Rule Caption:** Retraction and Restoration of Earned Time Credits for Inmates Needing Residential Alcohol and Drug Treatment (Special Case Factor 25) and Housekeeping Issues.

**Adm. Order No.:** DOC 14-2010(Temp)

**Filed with Sec. of State:** 10-19-2010

**Certified to be Effective:** 10-19-10 thru 4-15-11

**Notice Publication Date:**

**Rules Adopted:** 291-097-0031

**Rules Amended:** 291-097-0010, 291-097-0020, 291-097-0025, 291-097-0040, 291-097-0050

**Subject:** These temporary rule modifications are necessary to remove the Special Case Factor 25 designation (high criminality/high addiction) which requires an inmate with this designation to complete a residential alcohol and drug program. All earned time credits will be retracted if the inmate doesn't complete addiction treatment prior to release. These inmates will still be classified appropriately, but they won't be treated differently than other inmates for noncompliance with programming. Other amendments are necessary for housekeeping issues.

**Rules Coordinator:** Janet R. Worley—(503) 945-0933

## 291-097-0010

### Definitions

(1) Certificate or Degree from a Post-Secondary Education Institution: A certificate or degree awarded by a post-secondary education institution as defined in ORS 337.511 for satisfactory completion of a course of study, which has been approved by the State Board of Education.

(2) Earned Time Credits: Sentence reduction credits (days), up to 30 percent of the sentence imposed, that can be earned by an inmate sentenced under sentencing guidelines, pursuant to ORS 421.121, and these rules. The inmate earns the reductions by compliance with his/her Oregon Corrections Plan and institution conduct.

(a) An inmate who obtains a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010 prior to January 1, 2010, earns the reductions by compliance with his/her Oregon Corrections Plan and institution conduct.

(b) An inmate who obtains a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010 on or after January 1, 2010, earns the reductions by institutional conduct, compliance with his/her Oregon Corrections Plan, and obtaining a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010.

(3) Earned Time Release Date: The release date that has been achieved by an inmate, calculated by subtracting the earned time credits accrued from the maximum date.

(4) Extra Good Time Credits: Sentence reduction credits (days) that can be earned by an inmate sentenced for crimes committed prior to November 1, 1989 (pre-sentencing guidelines), for satisfactory work assignment or participation in an educational program, pursuant to ORS 421.120(1)(c), (d) and (e) and 421.122, and these rules. Days earned reduce the statutory good time date. Methods of computation are delineated in OAR 291-097-0070.

(5) Final Review Period: An increment of at least four months prior to an inmate's projected release date.

# ADMINISTRATIVE RULES

(6) **Functional Unit:** Any organizational component within the Department of Corrections responsible for the delivery of services or coordination of programs.

(7) **Functional Unit Manager:** Any person within the Department of Corrections who reports to either the Director, Deputy Director, or an Assistant Director and has responsibility for the delivery of program services or coordination of program operations.

(8) **Judgment:** Document issued by the court that commits an inmate to the legal and physical custody of the Department of Corrections, and reflects the inmate's term of incarceration, term of post-prison supervision, and court-ordered supervision conditions, if any.

(9) **Inmate:** Any person under the supervision of the Department of Corrections who is not on parole, post-prison supervision or probation status.

(10) **Offender:** Any person under the supervision of the Department of Corrections, local supervisory authority or community corrections who is on probation, parole or post-prison supervision status.

(11) **Offender Information & Sentence Computation Unit (OISC):** The functional unit charged to administrate applicable statutes pertaining to sentencing; develop, implement and revise applicable processes for inmate and offender sentence computation; respond to public information requests with regard to inmates and offenders; certify an inmate's release date; and provide supportive services to Department facilities with regard to inmate sentencing.

(12) **Oregon Corrections Plan (OCP):** An automated case management tool incorporated into the Corrections Information System that serves as the primary tool for tracking an inmate's progress in working to mitigate the identified risk factors.

(13) **Parole Release Date:** The date on which an inmate is ordered to be released from an indeterminate prison sentence(s) to parole by the Board of Parole and Post-Prison Supervision. Parole release may be to the community, detainer or to another Department of Corrections sentence.

(14) **Post-Secondary Education Institution:** An education institution as defined in ORS 337.511.

(15) **Pre-Sentence:** That period of time a defendant spends in physical custody or incarceration from the point of arrest to the date of delivery to the Department to serve that sentence.

(16) **Prison Term:**

(a) **Sentencing Guidelines Sentences:** The length of incarceration time within a Department of Corrections facility as established by the court in the judgment for each crime of conviction.

(b) **Pre-Sentencing Guidelines Sentences:** The length of required incarceration time within a Department of Corrections facility as established by the order of the Board of Parole and Post-Prison Supervision setting of a parole release date.

(17) **Prison Term Analyst:** The staff person from OISC responsible for calculating inmates' sentences, applying sentence reduction credits and establishing release dates pursuant to applicable rules and statutes.

(18) **Projected Release Date:** The date upon which an inmate is anticipated to complete service of the prison term.

(19) **Restoration of Earned Time, Statutory Good Time, Extra Good Time Credits:** Where previously retracted earned time, statutory good time, extra good time and previously forfeited statutory good time and extra good time for parole violators are granted and applied back to the inmate's sentence.

(20) **Retraction:** Where previously granted earned time, statutory good time or extra good time credits are forfeited by an inmate as a result of a significant negative action on the part of the inmate, in accordance with the rule on Prohibited Inmate Conduct and Processing Disciplinary Actions (OAR 291-105), or forfeiture of program earned time credits, advanced at the beginning of the final review period, for failure to comply with the OCP during the final review period.

(21) **Review Period:** A six-month increment, beginning with an inmate's admission date, used to determine an inmate's compliance with institution behavior and his/her OCP.

(22) **Short-Term Transitional/Non-Prison Leave:** A leave for a period not to exceed 90 days preceding an established release date that allows an inmate opportunity to secure appropriate transitional support when necessary for successful reintegration into the community. Short-term transitional leave/non-prison leave is granted in accordance with ORS 421.510 and the Department's rule on Short-Term Transitional Leave, Emergency Leaves, and Supervised Trips (OAR 291-063).

(23) **Statutory Good Time Credits:** Prison term reduction credits (days) applicable to sentences for crimes committed prior to November 1, 1989 (matrix sentences) consisting of a reduction of one day for every two

days served, pursuant to ORS 421.120(1)(a) and (b), and these rules. The application of statutory good time days establishes the initial statutory good time date and is re-calculated upon parole revocation based on the length of the remaining sentence.

(24) **Supplemental Judgment:** The form of judgment prepared by and transmitted to a sentencing court pursuant to Oregon Laws 2009, Chapter 660, §18 (House Bill 3508) which authorizes the Department to consider the inmate for a reduction in the term of incarceration under ORS 421.121 that may not exceed 30 percent of the total term of incarceration in a DOC facility.

Stat. Auth.: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623)  
Stats. Implemented: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623)  
Hist.: CD 14-1990, f. & cert. ef. 7-2-90; CD 17-1993, f. 6-7-93, cert. ef. 6-9-93; CD 11-1996, f. 8-27-96, cert. ef. 9-1-96; DOC 18-2000, f. & cert. ef. 6-26-00; DOC 18-2001, f. & cert. ef. 10-12-01; DOC 23-2008(Temp), f. & cert. ef. 9-12-08 thru 3-10-09; DOC 2-2009, f. & cert. ef. 3-10-09; DOC 15-2009(Temp), f. & cert. ef. 8-31-09 thru 2-23-10; DOC 23-2009, f. & cert. ef. 11-20-09; DOC 6-2010(Temp), f. & cert. ef. 4-14-10 thru 10-11-10; DOC 9-2010, f. & cert. ef. 7-14-10; DOC 14-2010(Temp), f. & cert. ef. 10-19-10 thru 4-15-11

## 291-097-0020

### Calculation and Application of Earned Time Credits

(1) For inmates sentenced on or after November 1, 1989, the maximum amount of earned time credits is 20 percent of the total sentencing guidelines sentence.

(a) In determining whether an inmate will receive earned time credits for the review period under consideration, inmate performance will be evaluated in two areas: 10 percent for compliance with the Oregon Corrections Plan and 10 percent for maintaining appropriate institution conduct. The only possible determination for each area is noncompliance or compliance.

(b) Pursuant to Oregon Laws 2009, chapter 623 and section (4) of this rule, consideration for earned time credit may also be given for an inmate who obtains a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010 on or after January 1, 2010.

(2) For inmates with eligible crimes sentenced on or after July 1, 2009 for a crime committed prior to February 17, 2010, or inmates sentenced prior to July 1, 2009 and for whom the sentencing court has issued a supplemental judgment authorizing the Department of Corrections to consider the inmate eligible for additional earned time credits, the maximum amount of earned time credits is 30 percent of the total sentencing guidelines sentence.

(a) In determining whether an inmate will receive earned time credits for the review period under consideration, inmate performance will be evaluated in two areas: 15 percent for compliance with the Oregon Corrections Plan and 15 percent for maintaining appropriate institution conduct. The only possible determination for each area is noncompliance or compliance.

(b) Pursuant to Oregon Laws 2009, chapter 623 and section (4) of this rule, consideration for earned time credit may also be given for an inmate who obtains a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010 on or after January 1, 2010.

(3) **Earned Time Review Periods:**

(a) Oregon Corrections Plan compliance is defined as acceptable participation in work and self-improvement programs required within the OCP. The required activities within the OCP are determined by ongoing assessment and evaluation, which begins at the inception of the inmate prison term.

(A) An inmate will be considered to be compliant if he/she was not failed from the required program activity(ies) during the review period under consideration, nor did the inmate refuse to participate in required programming during the review period under consideration.

(B) As needed, the counselor will communicate with the treatment or program providers as well as work crew supervisors to evaluate an inmate's compliance with the required program activity(ies).

(C) If the inmate's counselor determines the inmate is non-compliant with the OCP, he/she will approve a program failure for documentation in the inmate's computer record.

(b) Institution conduct compliance is defined as maintaining Level I or Level II major misconduct-free behavior during the review period. Major misconduct is documented in accordance with the Department's rule on Prohibited Inmate Conduct and Processing Disciplinary Actions (OAR 291-105). Any finding of a Level I or Level II major misconduct violation

## ADMINISTRATIVE RULES

during the review period will be considered as noncompliance. The date of the adjudication, not of the incident, will be used for the date of the violation.

(c) At the end of each review period, the prison term analyst will review the inmate's computer records for information reflecting the inmate's compliance with the current Oregon Corrections Plan and institution conduct. Based on the information contained in the inmate's computer records, the prison term analyst will apply either:

(A) An effective 0, 10, or 20 percent reduction to the sentencing guidelines sentence proportional for the review period under consideration for inmates sentenced on or after November 1, 1989, or

(B) An effective 0, 15, or 30 percent reduction to the sentencing guidelines sentence proportional for the review period under consideration for inmates with eligible crimes sentenced on or after July 1, 2009 for a crime committed prior to February 17, 2010 or inmates sentenced prior to July 1, 2009 and for whom the sentencing court has issued a supplemental judgment authorizing the Department to consider the inmate eligible for additional earned time credits.

(d) For inmates housed in non-Oregon Department of Corrections facilities, the designated counselor will review the inmate's institution file including any reports received from the housing facility to determine compliance with the current OCP and institution conduct.

(A) OCP compliance will be determined by the inmate's reported compliance with requirements as determined by Department staff or the housing facility staff.

(B) Due process comparable to the Department's rule on Prohibited Inmate Conduct and Processing Disciplinary Actions (OAR 291-105) shall be applied. Institution conduct non-compliance will be determined by substituting the rule(s) of prohibited conduct, for the rule(s) violated at the housing facility, with the most equivalent charges as defined in the Department's rule on Prohibited Inmate Conduct and Processing Disciplinary Actions (OAR 291-105). The functional unit manager or designee may impose sanctions, in addition to that imposed by the housing facility, related to sentence reductions.

(e) For each review period under consideration for inmates housed in Oregon Department of Corrections facilities, the prison term analyst will list the reasons for applying or not applying earned time credits and record the corresponding percentage of earned time applied to the inmate's sentence on the Earned Time Computation Form (CD 1154D).

(f) For inmates housed in non-Oregon Department of Corrections facilities, the designated counselor will list the reasons for applying or not applying earned time credits and record the corresponding percentage of earned time applied on the Earned Time Computation Form (CD 1154D).

(g) Upon the prison term analyst's or counselor's application of earned time credits toward an inmate's sentence for the review period under consideration, the OISC Unit will recompute the inmate's new earned time release date, file the Earned Time Computation Form (CD 1154D) in the institution file, and provide a copy of the determination to the inmate.

(4) Determination of Earned Time Credits for Education or Apprenticeship Certifications:

(a) Inmates who obtain a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010 prior to January 1, 2010 are not eligible to be considered for earned time credits for education or apprenticeship certifications.

(b) Subject to OAR 291-097-0025 (Retraction of Earned Time Credits), 291-097-0030 (Restoration of Earned Time Credits), and 291-097-0040 (Determination of Earned Time Credits During Final Review Period for Sentencing Guidelines Sentences), at the time an inmate obtains a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010 on or after January 1, 2010, the prison term analyst will apply the amount of earned time credits, not to exceed 60 days, to the amount of earned time credits actually received by the inmate for either maintaining appropriate institution conduct or compliance with his/her Oregon Corrections Plan, in order to bring the inmate's total earned time credits up to the amount of earned time credits the inmate would have received if the inmate maintained appropriate institution conduct and was in full compliance with his/her Oregon Corrections Plan as of the date the inmate obtained the education or apprenticeship certification.

(A) The Department may apply up to 60 days earned time credits for education or apprenticeship certifications toward prior earned time not

credited to the sentence due to adjudicated misconduct during the presentence incarceration or while an inmate is incarcerated in an Oregon county jail prior to the inmate's return to a Department of Corrections facility following an escape, revocation of second look conditional release, or violation of non-AIP or AIP short-term transitional leave, or toward non-compliance with institutional conduct or the Oregon Corrections Plan, and toward earned time previously retracted during the service of the sentence.

(B) In no event will an inmate be credited with more earned time credits than the amount of earned time credits the inmate would have received toward the sentence if the inmate maintained appropriate institutional behavior and was in full compliance with his/her Oregon Corrections Plan as of the date the inmate obtained a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in 660.010.

(C) The earned time credits for education or apprenticeship certifications may not be applied to a sentence whose prison term reached its earned time release date prior to the date the inmate obtained a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in 660.010.

(D) An inmate may be credited with multiple education or apprenticeship certifications as long as no individual sentence receives more than 60 days total earned time credit for obtaining a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in 660.010.

(E) The date the inmate successfully meets the total score requirements for the GED certificate is the date the inmate is deemed to have obtained his/her GED certificate.

(5) Determination of Earned Time Credits During Presentence Incarceration: For crimes committed on or after November 1, 1989, earned time credits will be computed for the period in which an inmate is in custody in a non-Department of Corrections facility prior to sentencing and admission to the Department of Corrections, based solely on the inmate's conduct in the facility.

(a) Conduct compliance will be assumed, unless the Department receives documentation of adjudicated misconduct from the facility.

(A) For inmates sentenced on or after November 1, 1989, the inmate will be granted an effective 0 or 20 percent reduction toward the sentencing guidelines sentence proportional for the length of presentence incarceration.

(B) For inmates with eligible crimes sentenced on or after July 1, 2009 for a crime committed prior to February 17, 2010, or inmates sentenced prior to July 1, 2009 and for whom the sentencing court has issued a supplemental judgment authorizing the Department to consider the inmate eligible for additional earned time credits, the inmate will be granted an effective 0 or 30 percent reduction toward the sentencing guidelines sentence proportional for the length of presentence incarceration.

(b) Any verified major misconduct equivalent to a Level I or Level II major misconduct violation as defined in the Department's rule on Prohibited Inmate Conduct and Processing Disciplinary Actions (OAR 291-105) during any of the presentence incarceration credits applied to the sentence will result in an effective 0 percent reduction toward the sentencing guidelines sentence proportional for the total length of presentence incarceration. The date of the adjudication, not of the incident, will be used for the date of the violation.

(A) For inmates sentenced on or after November 1, 1989, conduct compliance will result in an effective 20 percent reduction in the sentencing guidelines prison term proportional for the length of presentence incarceration.

(B) For inmates with eligible crimes sentenced on or after July 1, 2009 for a crime committed prior to February 17, 2010, or inmates sentenced prior to July 1, 2009 and for whom the sentencing court has issued a supplemental judgment authorizing the Department to consider the inmate eligible for additional earned time credits, conduct compliance will result in an effective 30 percent reduction in the sentencing guidelines prison term proportional for the length of presentence incarceration.

(6) If the inmate escapes, the prison term analyst will close out the current earned time review period, changing the current review period to end the day after escape. An inmate that is returned from an escape to a Department of Corrections facility will have the starting date of the new

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earned time credit cycle begin with the date of return. The escape will constitute a program failure for the period up to the escape.

## (7) Alternative Incarceration Program:

(a) If, during any review period, the inmate is assigned to an Alternative Incarceration Program and for sufficient justification as determined by the functional unit manager's committee to be unsuccessful, the inmate will be considered a program failure as provided by the Department's rule on Alternative Incarceration Programs (OAR 291-062).

(b) If the inmate fails to successfully complete the short-term transitional leave (non-prison leave) granted through the Alternative Incarceration Program, the inmate will be considered a program failure and non-compliant with institution conduct for the length of the inmate's short-term transitional leave. The failure to successfully complete the short-term transitional leave (non-prison leave) will not result in a retraction of the portion of earned time credits for program compliance advanced at the beginning of the final review period as outlined in OAR 291-097-0025(3).

(8) Determination of earned time credits for inmates on non-AIP transitional leave:

(a) Earned time credits will be computed for the period in which an inmate is serving the remainder of his/her sentencing guidelines term of incarceration on short-term transitional leave (OAR 291-063).

(A) Institution conduct and Oregon Corrections Plan compliance will be assumed while an inmate is released on short-term transitional leave.

(B) Earned time credits for the period on transitional leave will be applied at a rate of 20 percent or 30 percent, in accordance with the applicable rate for the sentence at the time of release onto short-term transitional leave.

(b) A revocation of an inmate's short-term transitional leave is deemed non-compliance with the inmate's Oregon Corrections Plan and non-compliance with institution conduct. Upon revocation of short-term transitional leave, an inmate will receive an effective 0 percent reduction for OCP compliance and 0 percent reduction toward the sentencing guidelines sentence for institutional conduct proportional for the length of the inmate's short-term transitional leave.

(c) The failure to successfully complete the short-term transitional leave will not result in a retraction of the portion of earned time credits for program compliance advanced at the beginning of the final review period as outlined in OAR 291-097-0025(3).

(9) If all of an inmate's sentence(s) is vacated, reversed and remanded for new trial, or conviction affirmed and remanded for resentencing, the prison term analyst will close out the current earned time review period to end the day after release to the sentencing court. An inmate that is returned on a resentence will start a new review period, effective the date of return to a Department of Corrections facility. The new earned time credit cycle date will be reflected on the inmate's facesheet.

(10) Determination of earned time credits for inmates serving the remainder of a sentencing guidelines sentence on conditional release (Second Look):

(a) Earned time credits will be computed for the period in which an inmate is serving the remainder of his/her sentencing guidelines term of incarceration in the community on conditional release, based solely on the inmate's compliance with his/her conditional release plan.

(b) Earned time credits for the period on conditional release (Second Look) will be applied at a rate of 20 percent or 30 percent, in accordance with the applicable rate for the sentence at the time of release onto conditional release (Second Look).

(c) Conduct compliance will be assumed, unless the inmate's conditional release is revoked by the sentencing court.

(d) Any revocation of an inmate's conditional release prior to the inmate reaching his/her projected earned time date will result in an effective 0 percent reduction in the sentencing guidelines prison term for the length of the inmate's sentence being served in the community on conditional release.

(11) If an inmate is incarcerated in an Oregon county jail prior to the inmate's return to a Department of Corrections facility following an escape, revocation of second look conditional release, or violation of non-AIP or AIP short-term transitional leave, earned time credits will be computed for the period in which the inmate is in custody based solely on the inmate's conduct in the county jail.

(a) Conduct compliance will be assumed, unless the Department receives documentation of adjudicated misconduct from the facility.

(A) For inmates sentenced on or after November 1, 1989, the inmate will be granted an effective 0 or 20 percent reduction toward the sentencing guidelines sentence proportional for the length of incarceration.

(B) For inmates with eligible crimes sentenced on or after July 1, 2009 for a crime committed prior to February 17, 2010, or inmates sentenced prior to July 1, 2009 and for whom the sentencing court has issued a supplemental judgment authorizing the Department to consider the inmate eligible for additional earned time credits, the inmate will be granted an effective 0 or 30 percent reduction toward the sentencing guidelines sentence proportional for the length of incarceration.

(b) Any verified major misconduct equivalent to a Level I or Level II major misconduct violation as defined in the Department's rule on Prohibited Inmate Conduct and Processing Disciplinary Actions (OAR 291-105) during the incarceration will result in an effective 0 percent reduction toward the sentencing guidelines sentence proportional for the length of incarceration. The date of the adjudication, not of the incident, will be used for the date of the violation.

(A) For inmates sentenced on or after November 1, 1989, conduct compliance will result in an effective 20 percent reduction in the sentencing guidelines prison term proportional for the length of incarceration.

(B) For inmates with eligible crimes sentenced on or after July 1, 2009 for a crime committed prior to February 17, 2010, or inmates sentenced prior to July 1, 2009 and for whom the sentencing court has issued a supplemental judgment authorizing the Department to consider the inmate eligible for additional earned time credits, conduct compliance will result in an effective 30 percent reduction in the sentencing guidelines prison term proportional for the length of incarceration.

Stat. Auth.: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623), Or Laws 2010 Ch 2 (SB1007)

Stats. Implemented: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623), Or Laws 2010 Ch 2 (SB1007)

Hist.: CD 14-1990, f. & cert. ef. 7-2-90; CD 17-1993, f. 6-7-93, cert. ef. 6-9-93; CD 11-1996, f. 8-27-96, cert. ef. 9-1-96; DOC 18-2000, f. & cert. ef. 6-26-00; DOC 18-2001, f. & cert. ef. 10-12-01; DOC 23-2008(Temp), f. & cert. ef. 9-12-08 thru 3-10-09; DOC 2-2009, f. & cert. ef. 3-10-09; DOC 15-2009(Temp), f. & cert. ef. 8-31-09 thru 2-23-10; DOC 23-2009, f. & cert. ef. 11-20-09; DOC 6-2010(Temp), f. & cert. ef. 4-14-10 thru 10-11-10; DOC 9-2010, f. & cert. ef. 7-14-10; DOC 14-2010(Temp), f. & cert. ef. 10-19-10 thru 4-15-11

## 291-097-0025

### Retraction of Earned Time Credits

Time credits previously earned or applied will be retracted as follows:

(1) The inmate is found guilty of a major rule violation after a formal disciplinary hearing or upon waiver of the inmate's right to a hearing, and the disciplinary order directs that earned time credits earned or applied be forfeited in accordance with the Department's rule on Prohibited Inmate Conduct and Processing Disciplinary Actions (OAR 291 105).

(a) A recommendation for retraction of earned time shall be within the range corresponding to the violation level as set forth in **Table 1**.

(b) A recommendation for retraction of earned time credits may not exceed the amount previously applied, including any amount credited to the inmate for obtaining a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010 on or after January 1, 2010.

(2) Failure to comply with the OCP during the final review period will result in a retraction of the portion of the earned time credits for program compliance advanced at the beginning of the final review period. The prison term analyst will document the retraction on the Earned Time Computation form (CD 1154D).

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623)

Stats. Implemented: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623)

Hist.: CD 14-1990, f. & cert. ef. 7-2-90; CD 17-1993, f. 6-7-93, cert. ef. 6-9-93; CD 11-1996, f. 8-27-96, cert. ef. 9-1-96; DOC 18-2001, f. & cert. ef. 10-12-01; DOC 23-2008(Temp), f. & cert. ef. 9-12-08 thru 3-10-09; DOC 2-2009, f. & cert. ef. 3-10-09; DOC 15-2009(Temp), f. & cert. ef. 8-31-09 thru 2-23-10; DOC 23-2009, f. & cert. ef. 11-20-09; DOC 6-2010(Temp), f. & cert. ef. 4-14-10 thru 10-11-10; DOC 9-2010, f. & cert. ef. 7-14-10; DOC 14-2010(Temp), f. & cert. ef. 10-19-10 thru 4-15-11

## 291-097-0031

### Restoration of Earned Time Credits from Special Case Factor 25 Retractions

(1) Special Case Factor 25: Inmates identified as both highly criminal and highly involved with drugs or alcohol through intake screening or subsequent assessment were previously required to participate and complete a residential alcohol and drug program if available prior to the inmate's release or have their program earned time retracted for non-compliance.

(2) For only those inmates currently incarcerated and serving a sentence for a crime committed on or after November 1, 1989, and who were

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previously identified as needing residential alcohol and drug treatment (SCF 25), OISC shall restore all earned time credits previously retracted for SCF 25 non-compliance. Time credits restored shall not exceed those previously retracted.

Stat. Auth.: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030 & 423.075  
Stats. Implemented: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030 & 423.075  
Hist.: DOC 14-2010(Temp), f. & cert. ef. 10-19-10 thru 4-15-11

## 291-097-0040

### Determination of Earned Time Credits During Final Review Period for Sentencing Guideline Sentences

(1) Four months prior to an inmate's projected release date, prison term analysts (or the designated counselor for inmates housed in non-Oregon Department of Corrections facilities) will conduct a final review of inmates' earned time compliance.

(a) Final reviews will be conducted only for inmates serving a sentencing guidelines sentence. Prison term analysts will advance and apply earned time credits for the final review period.

(b) An inmate's full compliance with the OCP and institutional behavior will be assumed during the final review period.

(A) For inmates sentenced on or after November 1, 1989, the prison term analyst will apply an effective 20 percent reduction in sentence for the final review period and the OISC Unit will recompute the inmate's new earned time release date.

(B) For inmates with eligible crimes sentenced on or after July 1, 2009 for a crime committed prior to February 17, 2010, or inmates sentenced prior to July 1, 2009 and for whom the sentencing court has issued a supplemental judgment authorizing the Department to consider the inmate eligible for additional earned time credits, the prison term analyst will apply an effective 30 percent reduction in sentence for the final review period and the OISC Unit will recompute the inmate's new earned time release date.

(2) If, after the completion of a final review and advancement of earned time credits for the final review period, the inmate's prison term is extended as a result of a new sentence or an adjustment in presentence time, the prison term analyst will delete the final review and any earned time credits advanced for the final review period. The prison term analyst will complete a new Earned Time Computation form (CD 1154D) to assure that the extended prison term is reviewed in accordance with these rules.

(3) If, after the completion of a final review and advancement of earned time credits for the final review period, the inmate's prison term is reduced, the OISC Unit will adjust the final review period and any earned time credits advanced for the final review period provided the inmate was in full compliance with his/her Oregon Corrections Plan and institutional behavior at the time of the final review.

(a) If the inmate was in partial compliance with his/her Oregon Corrections Plan or institutional behavior at the time of the final review, the prison term analyst will delete the final review and any earned time credits advanced for the final review period.

(b) The prison term analyst will complete a new Earned Time Computation form (CD 1154D) to assure that the reduced prison term is reviewed in accordance with these rules.

(4) If, after the completion of a final review and advancement of earned time credits for the final review period, the inmate obtains a high school diploma, General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511, or a journey level certification from a registered apprenticeship program as defined in ORS 660.010, the OISC Unit will adjust the final review period and any earned time credits advanced for the final review period in accordance with OAR 291-097-0020(4).

Stat. Auth.: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623), Or Laws 2010 Ch 2 (SB1007)  
Stats. Implemented: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120 - 421.122, 423.020, 423.030, 423.075, OL 2009 Ch 660 (HB 3508), Or Laws 2009 Ch 623 (HB2623), Or Laws 2010 Ch 2 (SB1007)  
Hist.: CD 14-1990, f. & cert. ef. 7-2-90; CD 17-1993, f. 6-7-93, cert. ef. 6-9-93; CD 11-1996, f. 8-27-96, cert. ef. 9-1-96; DOC 18-2001, f. & cert. ef. 10-12-01; DOC 23-2008(Temp), f. & cert. ef. 9-12-08 thru 3-10-09; DOC 2-2009, f. & cert. ef. 3-10-09; DOC 15-2009(Temp), f. & cert. ef. 8-31-09 thru 2-23-10; DOC 23-2009, f. & cert. ef. 11-20-09; DOC 6-2010(Temp), f. & cert. ef. 4-14-10 thru 10-11-10; DOC 9-2010, f. & cert. ef. 7-14-10; DOC 14-2010(Temp), f. & cert. ef. 10-19-10 thru 4-15-11

## 291-097-0050

### Administrative Review

(1) An inmate may obtain an independent review of the determination of his/her OCP performance as documented by the prison term analyst or

designated counselor (for inmates housed in non-Oregon Department of Corrections facilities) for each review period by writing to the Office of Population Management and requesting an administrative review of the determination.

(a) The review request must be in writing on an Inmate Communication form (CD 214), and must state the reason(s) why the inmate believes the determination is not correct. A copy of the Earned Time Computation form under review must also be submitted.

(b) Requests for administrative review must be received by the Office of Population Management no later than 30 days after final determination as indicated on the Earned Time Computation form.

(2) If an inmate submits a proper and timely request for administrative review the Office of Population Management shall review the determination, and either approve or modify the determination, in writing, within 30 days after receipt of the request. A copy of the order shall be provided to the inmate, his/her assigned counselor, and OISC.

[ED. NOTE: Forms referenced are available from the agency.]  
Stat. Auth.: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120-122, 423.020, 423.030 & 423.075  
Stats. Implemented: ORS 137.635, 144.108, 144.110, 161.610, 179.040, 421.120-122, 423.020, 423.030 & 423.075  
Hist.: CD 17-1993, f. 6-7-93, cert. ef. 6-9-93; CD 11-1996, f. 8-27-96, cert. ef. 9-1-96; DOC 18-2001, f. & cert. ef. 10-12-01; DOC 23-2008(Temp), f. & cert. ef. 9-12-08 thru 3-10-09; DOC 2-2009, f. & cert. ef. 3-10-09; DOC 14-2010(Temp), f. & cert. ef. 10-19-10 thru 4-15-11

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## Department of Energy Chapter 330

**Rule Caption:** Biomass Producer Collector Tax Credit program rules.

**Adm. Order No.:** DOE 13-2010

**Filed with Sec. of State:** 11-2-2010

**Certified to be Effective:** 11-2-10

**Notice Publication Date:** 8-1-2010

**Rules Adopted:** 330-170-0010, 330-170-0020, 330-170-0030, 330-170-0040, 330-170-0050, 330-170-0060, 330-170-0070

**Rules Repealed:** 330-170-0010(T), 330-170-0020(T), 330-170-0030(T), 330-170-0040(T), 330-170-0050(T), 330-170-0060(T), 330-170-0070(T)

**Subject:** These rules are intended to implement the process and criteria for certifying Biomass Producer or Collector Tax Credits and establishing the minimum discount value for transferred credits. The rules provide clear guidelines related to the application and qualification criteria. These rules implement legislation from the 2009 session that requires tax credits to be certified, allows the Department of Energy to establish additional criteria used to determine the amount of credit certified, allows the Department of Energy to establish a fee to cover the cost of certification, allows the Department of Energy to define criteria to determine additional characteristics of biomass, and allows the Department of Energy to determine a minimum discount value for the transfer of these tax credits.

**Rules Coordinator:** Kathy Stuttaford—(503) 373-2127

### 330-170-0010

#### Purpose and Scope

(1) OAR chapter 330, division 170 establishes the procedure and criteria for certifying tax credits under ORS 315.141 and 469.790.

(2) These rules apply to tax years beginning on or after January 1, 2010, and before January 1, 2012.

Stat. Auth.: ORS 351.141 & 469.791  
Stats. Implemented: ORS 351.141 & 469.791  
Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

### 330-170-0020

#### Definitions

For the purposes of OAR chapter 330, division 170 the definitions in ORS 315.141 apply and in addition the following definitions shall apply:

(1) "Applicant" or "taxpayer" means an individual or a legal entity (including but not limited to any domestic or foreign corporation, trust, partnership, cooperative, or limited liability company), but does not include a nonprofit organization or a government entity.

(2) "Certificate" means a document issued by the department representing the right to claim a tax credit described in ORS 315.141 for the amount described on the certificate.

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(3) "Charcoal" as used in these rules is biomass produced into a densified, carbon rich product used in filters, as an absorbent, or a fuel marketed for cooking purposes.

(4) "Department" means the Oregon Department of Energy.

(5) "Director" means the Director of the Oregon Department of Energy.

(6) "Firewood" as used in this rule means whole or split pieces of wood that are in a form commonly used for burning in campfires, stoves, or fireplaces

(7) "Yard Debris" is defined in ORS 459.005(30).

Stat. Auth.: ORS 351.141 & 469.791

Stats. Implemented: ORS 351.141 & 469.791

Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

## 330-170-0030

### Applicant Eligibility

To be eligible for certification, the applicant must:

(1) Be an Agricultural Producer or Biomass Collector, including a Biofuel Producer that is also an Agricultural Producer or Biomass Collector;

(2) Have title to the biomass at the time the biomass is delivered to the Biofuel Producer;

(3) Produce or collect, directly or indirectly, and including through agents or employees, the biomass in Oregon; and

(4) Deliver or facilitate the delivery of the biomass to be:

(a) Used as Biofuel in Oregon; or

(b) Used to produce Biofuel in Oregon.

Stat. Auth.: ORS 351.141 & 469.791

Stats. Implemented: ORS 351.141 & 469.791

Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

## 330-170-0030

### Applicant Eligibility

To be eligible for certification, the applicant must:

(1) Be an Agricultural Producer or Biomass Collector, including a Biofuel Producer that is also an Agricultural Producer or Biomass Collector;

(2) Have title to the biomass at the time the biomass is delivered to the Biofuel Producer;

(3) Produce or collect, directly or indirectly, and including through agents or employees, the biomass in Oregon; and

(4) Deliver or facilitate the delivery of the biomass to be:

(a) Used as Biofuel in Oregon; or

(b) Used to produce Biofuel in Oregon.

Stat. Auth.: ORS 351.141 & 469.791

Stats. Implemented: ORS 351.141 & 469.791

Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

## 330-170-0040

### Biomass Eligibility

(1) For the purpose of these rules biomass does not include:

(a) Woody material used to produce firewood, or charcoal briquettes.

(b) Construction and demolition debris or other wood waste that does not have a credit rate listed under ORS 469.790.

(c) Sawdust or other residual wood waste from mill operations.

(d) Algae.

(2) The biomass must be produced into biofuel or used as biofuel in Oregon.

(3) The biomass must meet the definition in these rules and be listed in ORS 469.790.

(4) Biomass that is converted to heat and/or electric energy through combustion must meet the following criteria:

(a) Prior to July 1, 2010 no additional criteria must be met;

(b) On or after July 1, 2010 and prior to November 2, 2010 biomass must be converted at a facility with a minimum overall thermal conversion efficiency of 40%; or

(c) On or after November 2, 2010 biomass must be converted at a facility that meets the current criteria for qualifying cogeneration facilities found in 18 CFR 292.205.

(5) Biomass, not excluded under (1) above, that is converted for thermal use at residential, commercial, institutional, or industrial facilities is eligible.

(6) Waste grease that is not dewatered prior to delivery to a biofuel producer will be assumed to have an eligible biomass content of 20% of the

delivered weight of the oil and water mixture, unless the applicant can demonstrate additional measurement.

(7) Only one taxpayer may receive a certified credit for each unit of biomass.

Stat. Auth.: ORS 351.141 & 469.791

Stats. Implemented: ORS 351.141 & 469.791

Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

## 330-170-0050

### Application Process

(1) A complete application must be received by the department no later than 45 days following the end of the tax year for which the tax credit certification is being requested. Applicants may submit the application via e-mail or mail to the address listed on the department's website.

(a) The application must include:

(A) A complete application, on a form provided by the department;

(B) Proof that the Biomass Collector held title to the biomass at the time the biomass was delivered;

(C) Documentation indicating the physical address, township, range, section, and quarter/quarter section, or other specific geographic indicator of the origination of the biomass;

(D) A summary or settlement sheet indicating each shipment that was received by the Biofuel Producer. Each summary or settlement sheet must include the following:

(i) The date of delivery for each shipment of biomass;

(ii) The type of biomass included in each shipment and applicable tax credit rate for each shipment;

(iii) The amount of biomass delivered in each shipment;

(iv) The weight ticket number or a similar unique identifier;

(v) The name and address of the Biofuel Producer to which the biomass was delivered.

(E) Receipts or certification from the Biofuel Producer(s) indicating the amount of biomass delivered to it by the Agricultural Producer or Biomass Collector and a statement from the Biofuel Producer indicating the amount of biomass that was used or is to be used as Biofuel or to produce Biofuel in Oregon;

(F) Documentation, from the Biofuel Producer indicating adherence to any additional criteria provided in 330-170-0040 that apply to the biomass; and

(G) All calculations used to convert the measure of the biomass to another measure and source references for the calculations and all variables.

(H) An application fee equal to \$0.007 multiplied by the total amount of tax credits requested or \$50, whichever is greater.

(b) If it is not practicable to provide weight tickets or receipts from the Biofuel Producer for animal manure, Biomass Collectors that collect animal manure must include the following information with the application:

(A) Documentation demonstrating the following methodology to determine the amount of animal manure eligible for a tax credit:

(i) The log of animal numbers: [Average number of animals on the farm, by classification, (conduct a separate calculation for milkers, dry cows, heifers, calves)] multiplied by [the average lbs./1,000] = number of 1,000 pound animal units.

(ii) The amount of manure generated: [the number of 1,000 pound animal units] multiplied by [the average manure production value from the Natural Resources Conservation Service Agricultural Waste Management Field Handbook] multiplied by [the number of days in the period], divided by [2,000 pounds]; and

(B) Documentation indicating the manure was used or is to be used as Biofuel or to produce Biofuel in Oregon.

(c) If it is not practicable to provide weight tickets or receipts from the Biofuel Producer, Agricultural Producers that produce oil seed crops, grain crops, grass, wheat, straw or other vegetative biomass that is used to produce virgin oil or alcohol; and that complete the crushing or processing of the biomass into virgin oil, alcohol or other Biofuel, must include the following records with their application::

(A) Documentation demonstrating the quantity of biomass produced, which must include one or more of the following:

(i) Acreage report(s) or yield data submitted to the United States Department of Agriculture;

(ii) Crop insurance records of acreage planted and quantity harvested of biofuel crop; or

(iii) Additional documentation showing the actual yields of the biomass crop.



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(B) Documentation indicating the biomass was used or is to be used to produce virgin oil or alcohol, as Biofuel, or to produce any other type of Biofuel may be submitted in place of receipts from the Biofuel Producer.

(d) Applicants that physically transfer biomass to be processed into biofuel or used as biofuel in a manner that does not allow for weighing of the biomass, and is not detailed above, must supply documentation indicating the amount of biomass as measured by metering equipment or a similar device.

(A) Applicants must provide documentation, including manufacturer's specifications which indicate the measurements are accurate and reliable.

(B) Metering equipment or similar device must be calibrated according to the manufacturer's specifications and the calibration records must be maintained for a period of no less than five years.

(2) The Department may require the applicant to provide further information as needed to complete a review of the application and verify compliance with statute and these rules.

(3) The Department may refund up to 75 percent of the application fee if an applicant withdraws their application prior to review by Department. Only refunds that are \$50 or greater will be issued.

(4) The Department may require the applicant to pay reasonable costs, not to exceed actual costs, incurred in connection with reviewing the application that exceed the original application fee and which the Director determines are incurred solely in connection with processing the application. The Department shall advise the applicant of any additional costs the applicant must pay before the Department incurs the costs.

(5) The applicant must maintain records of the application and any supporting documentation for a period of not less than five years from the date of application.

Stat. Auth.: ORS 351.141 & 469.791

Stats. Implemented: ORS 351.141 & 469.791

Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

## 330-170-0060

### Certification and Denial

(1) If the Department approves an application, the Director will issue a Certificate to the applicant identifying the name of the Certificate holder, the biomass, and the amount of the tax credit certified.

(2) The department may adjust the amount of tax credit certified from the applied amount if miscalculations, inconsistencies or errors are found during the technical review.

(3) If multiple types of eligible biomass are included in a load that is appropriately documented under these rules, the department will apply the lowest credit rate associated with the biomass in determining the amount of certified credit for the entire load of eligible biomass.

(4) If the Department does not approve an application, the Director will provide written notice of denial, including a statement of the findings and reasons for the denial, by mail. The Department may deny the application if:

(a) The application does not comply with applicable statutory provisions and rules;

(b) The applicant does not provide information requested by the Department within a reasonable time;

(c) The application is for biomass that is not eligible for the tax credit, or the Department cannot determine the amount of eligible biomass that is co-mingled or combined with biomass that is not eligible.

(3) The applicant may request reconsideration in writing no later than 60 days after the Director issues a decision denying an application.

Stat. Auth.: ORS 351.141 & 469.791

Stats. Implemented: ORS 351.141 & 469.791

Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

## 330-170-0070

### Minimum Discount Value

The minimum discounted value of a tax credit issued under ORS 315.141 is 90% of the amount of the tax credit.

Stat. Auth.: ORS 351.141 & 469.791

Stats. Implemented: ORS 351.141 & 469.791

Hist.: DOE 9-2010(Temp), f. & cert. ef. 7-1-10 thru 12-28-10; DOE 13-2010, f. & cert. ef. 11-2-10

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**Department of Environmental Quality**  
**Chapter 340**

**Rule Caption:** Update of air quality ambient benchmark concentrations for ethyl benzene, lead, manganese and mercury.

**Adm. Order No.:** DEQ 11-2010

**Filed with Sec. of State:** 10-19-2010

**Certified to be Effective:** 10-19-10

**Notice Publication Date:** 3-1-2010, 5-1-2010

**Rules Amended:** 340-246-0090

**Subject:** The Oregon Department of Environmental Quality adopted a new air toxic ambient benchmark concentration for ethyl benzene and revised three current benchmarks for lead, manganese, and mercury. Air toxics are pollutants known or suspected to cause cancer or other serious health effects. Ambient benchmarks are concentrations of air toxics that serve as goals in the Oregon program. They are based on levels protective of human health considering sensitive populations, like the elderly and children, used to support scientifically sound evaluation and decision-making. The Air Toxics Program requires a periodic review of ambient benchmark concentrations to consider new scientific understanding of chemical toxicity and exposure.

DEQ and its Air Toxics Science Advisory Committee evaluated new developments for four air toxics: lead, ethyl benzene, manganese and mercury. In 2008, the U.S. Environmental Protection Agency adopted a new lower federal National Ambient Air Quality Standard for lead. In addition, the California Environmental Protection Agency's Office of Environmental Health and Hazard Assessment concluded that ethyl benzene should be considered a cancer-causing agent, and that acceptable ambient thresholds for manganese and mercury exposure should be lowered, making them more protective of children's health. After consultation with the committee, DEQ concluded that benchmark for lead should align with the federal standard, a new benchmark should be added for ethyl benzene, and the current benchmark for manganese should be more protective.

DEQ and the advisory committee agree new scientific evidence is insufficient to warrant lowering DEQ's current benchmark concentration for mercury at this time, although the rule now clarifies that this concentration applies only to elemental mercury.

**Rules Coordinator:** Maggie Vandehey—(503) 229-6878

## 340-246-0090

### Ambient Benchmarks for Air Toxics

(1) Purpose. Ambient benchmarks are concentrations of air toxics that serve as goals in the Oregon Air Toxics Program. They are based on human health risk and hazard levels considering sensitive populations. Ambient benchmarks are not regulatory standards, but reference values by which air toxics problems can be identified, addressed and evaluated. The Department will use ambient benchmarks as indicated in these rules, to implement the Geographic, Source Category, and Safety Net Programs. Ambient benchmarks set by the procedures described in this rule apply throughout Oregon, including that area within the jurisdiction of the Lane Regional Air Protection Agency. Ambient benchmarks are subject to public notice and comment before adoption by the Commission as administrative rules.

(2) Establishing Ambient Benchmarks

(a) The Department will consult with the ATSAC to prioritize air toxics for ambient benchmark development. Highest priority air toxics are those that pose the greatest risk to public health.

(b) To prioritize air toxics, the Department will apply the criteria described in OAR 340-246-0090(2)(c) to modeling, monitoring, and emissions inventory data.

(c) Ambient benchmark prioritization criteria will include at least the following:

(A) Toxicity or potency of a pollutant;

(B) Exposure and number of people at risk;

(C) Impact on sensitive human populations;

(D) The number and degree of predicted ambient benchmark exceedances; and

(E) Potential to cause harm through persistence and bio-accumulation.

(d) The Department will develop ambient benchmarks for proposal to the ATSAC based upon a protocol that uses reasonable estimates of plausible upper-bound exposures that neither grossly underestimate nor grossly overestimate risks.

(e) Within three months of the first meeting of the ATSAC, the Department will propose ambient benchmark concentrations for the highest

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priority air toxics for review by the ATSAC. The Department will propose additional and revised air toxics ambient benchmarks for review by the ATSAC based on the prioritization criteria in OAR 340-246-0090(2)(c). Once the ATSAC has completed review of each set of proposed ambient benchmarks, the Department will, within 60 days, begin the process to propose ambient benchmarks as administrative rules for adoption by the Environmental Quality Commission.

(f) If the Department is unable to propose ambient benchmarks to the ATSAC by the deadlines specified in OAR 340-246-0090(2)(e), the ATSAC will review the most current EPA ambient benchmarks. If EPA ambient benchmarks are not available, the ATSAC will review the best available information from other states and local air authorities.

(g) The ATSAC will consider proposed ambient benchmarks and evaluate their adequacy for meeting risk and hazard levels, considering human health, including sensitive human populations, scientific uncertainties, persistence, bio-accumulation, and, to the extent possible, multiple exposure pathways. The ATSAC will conduct this review consistent with the criteria in OAR 340-246-0090(2)(c) and (d). The ATSAC will report these findings to the Department. If the ATSAC unanimously disagrees with the Department's recommendation, the Department will re-consider and re-submit its recommendation at a later date.

(h) The ATSAC will complete review of and report findings on each set of ambient benchmarks as expeditiously as possible, but no later than 12 months after the Department has proposed them. If the ATSAC is unable to complete review of ambient benchmarks within 12 months after the Department's proposal, the Department will initiate rulemaking to propose ambient benchmarks.

(i) The Department will review all ambient benchmarks at least every five years and, if necessary, propose revised or additional ambient benchmarks to the ATSAC. At its discretion, the Department may review and propose a benchmark for review by the ATSAC at any time when new information is available.

(3) Ambient Benchmarks. Benchmark concentrations are in units of micrograms of air toxic per cubic meter of ambient air, on an average annual basis. The Chemical Abstract Service Registry Number (CASRN) is shown in parentheses.

(a) The ambient benchmark for acetaldehyde (75-07-0) is 0.45 micrograms per cubic meter.

(b) The ambient benchmark for acrolein (107-02-8) is 0.02 micrograms per cubic meter.

(c) The ambient benchmark for acrylonitrile (107-13-1) is 0.01 micrograms per cubic meter.

(d) The ambient benchmark for ammonia (7664-41-7) is 200 micrograms per cubic meter.

(e) The ambient benchmark for arsenic (7440-38-2) is 0.0002 micrograms per cubic meter.

(f) The ambient benchmark for benzene (71-43-2) is 0.13 micrograms per cubic meter.

(g) The ambient benchmark for beryllium (7440-41-7) is 0.0004 micrograms per cubic meter.

(h) The ambient benchmark for 1,3-butadiene (106-99-0) is 0.03 micrograms per cubic meter.

(i) The ambient benchmark for cadmium and cadmium compounds (7440-43-9) is 0.0006 micrograms per cubic meter.

(j) The ambient benchmark for carbon disulfide (75-15-0) is 800 micrograms per cubic meter.

(k) The ambient benchmark for carbon tetrachloride (56-23-5) is 0.07 micrograms per cubic meter.

(l) The ambient benchmark for chlorine (7782-50-5) is 0.2 micrograms per cubic meter.

(m) The ambient benchmark for chloroform (67-66-3) is 98 micrograms per cubic meter.

(n) The ambient benchmark for chromium, hexavalent (18540-29-9) is 0.0008 micrograms per cubic meter.

(o) The ambient benchmark for cobalt and cobalt compounds (7440-48-4) is 0.1 micrograms per cubic meter.

(p) The ambient benchmark for 1,4-dichlorobenzene (106-46-7) is 0.09 micrograms per cubic meter.

(q) The ambient benchmark for 1,3-dichloropropene (542-75-6) is 0.25 micrograms per cubic meter.

(r) The ambient benchmark for diesel particulate matter (none) is 0.1 micrograms per cubic meter. The benchmark for diesel particulate matter applies only to such material from diesel-fueled internal combustion sources.

(s) The ambient benchmark for dioxins and furans (1746-01-6) is 0.00000003 micrograms per cubic meter. The benchmark for dioxin is for total chlorinated dioxins and furans expressed as 2,3,7,8-TCDD toxicity equivalents.

(t) The ambient benchmark for ethyl benzene (100-41-4) is 0.4 micrograms per cubic meter.

(u) The ambient benchmark for ethylene dibromide (106-93-4) is 0.002 micrograms per cubic meter.

(v) The ambient benchmark for ethylene dichloride (107-06-2) is 0.04 micrograms per cubic meter.

(w) The ambient benchmark for ethylene oxide (75-21-8) is 0.01 micrograms per cubic meter.

(x) The ambient benchmark for formaldehyde (50-00-0) is 3 micrograms per cubic meter.

(y) The ambient benchmark for n-hexane (110-54-3) is 7000 micrograms per cubic meter.

(z) The ambient benchmark for hydrogen chloride (7647-01-0) is 20 micrograms per cubic meter.

(aa) The ambient benchmark for hydrogen cyanide (74-90-8) is 9 micrograms per cubic meter.

(bb) The ambient benchmark for hydrogen fluoride (7664-39-3) is 14 micrograms per cubic meter.

(cc) The ambient benchmark for lead and lead compounds (7439-92-1) is 0.15 micrograms per cubic meter.

(dd) The ambient benchmark for manganese and manganese compounds (7439-96-5) is 0.09 micrograms per cubic meter.

(ee) The ambient benchmark for elemental mercury (7439-97-6) is 0.3 micrograms per cubic meter.

(ff) The ambient benchmark for methyl bromide (74-83-9) is 5 micrograms per cubic meter.

(gg) The ambient benchmark for methyl chloride (74-87-3) is 90 micrograms per cubic meter.

(hh) The ambient benchmark for methyl chloroform (71-55-6) is 1000 micrograms per cubic meter.

(ii) The ambient benchmark for methylene chloride (75-09-2) is 2.1 micrograms per cubic meter.

(jj) The ambient benchmark for naphthalene (91-20-3) is 0.03 micrograms per cubic meter.

(kk) The ambient benchmark for nickel refinery dust (7440-02-0) is 0.004 micrograms per cubic meter.

(ll) The ambient benchmark for nickel subsulfide (12035-72-2) is 0.002 micrograms per cubic meter.

(mm) The ambient benchmark for soluble nickel compounds (various) is 0.05 micrograms per cubic meter, where soluble nickel compounds may include any or all of the following: nickel acetate (373-02-4), nickel chloride (7718-54-9), nickel carbonate (3333-39-3), nickel carbonyl (13463-39-3), nickel hydroxide (12054-48-7), nickelocene (1271-28-9), and nickel sulfate (7786-81-4).

(nn) The ambient benchmark for phosphine (7803-51-2) is 0.3 micrograms per cubic meter.

(oo) The ambient benchmark for phosphoric acid (7664-38-2) is 10 micrograms per cubic meter.

(pp) The ambient benchmark for total (as the sum of congeners) polychlorinated biphenyls (1336-36-3) is 0.01 micrograms per cubic meter.

(qq) The ambient benchmark for total polycyclic aromatic hydrocarbons (none) is 0.0009 micrograms per cubic meter, where total polycyclic aromatic hydrocarbons are the sum of the toxicity equivalency factor (with respect to benzo(a)pyrene (50-32-8)) adjusted concentrations for all of the following individual polycyclic aromatic hydrocarbons: benzo(a)anthracene (56-55-3), benzo(a)pyrene (50-32-8), benzo(b)fluoranthene (205-99-2), benzo(k)fluoranthene (207-08-9), carbazole (86-74-8), chrysene (218-01-9), dibenz(a,h)acridine (226-36-8), dibenz(a,h)anthracene (226-36-8), dibenz(a,j)acridine (224-42-0), 7H-dibenzo(c,g)carbazole (194-59-2), dibenzo(a,e)pyrene (192-65-4), dibenzo(a,i)pyrene (189-55-9), dibenzo(a,l)pyrene (191-30-0), 7,12-dimethylbenz(a)anthracene (57-97-6), 1,6-dinitropyrene (42397-64-8), 1,8-dinitropyrene (42397-65-9), indeno(1,2,3-c,d)pyrene (193-39-5), 3-methylcholanthrene (56-49-5), 5-methylchrysene (3697-24-3), 1-nitropyrene (5522-43-0), 2-nitrofluorene (607-57-8), 4-nitropyrene (59865-13-3), 5-nitroacenaphthene (607-87-9) 6-nitrochrysene (7496-02-8), acenaphthene (83-32-9), acenaphthylene (208-96-8), anthracene (120-12-7), benzo(g,h,i)perylene (191-24-2), fluoranthene (206-44-0), fluorene (86-73-7), phenanthrene (85-01-8), and pyrene (129-00-0).

(rr) The ambient benchmark for tetrachloroethylene (127-18-4) is 35 micrograms per cubic meter.

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(ss) The ambient benchmark for toluene (108-88-3) is 400 micrograms per cubic meter.

(tt) The ambient benchmark for 2,4- & 2,6 toluene diisocyanate, mixture (26471-62-5) is 0.07 micrograms per cubic meter.

(uu) The ambient benchmark for trichloroethylene (79-01-6) is 0.5 micrograms per cubic meter.

(vv) The ambient benchmark for vinyl chloride (75-01-4) is 0.1 micrograms per cubic meter.

(ww) The ambient benchmark for white phosphorus (7723-14-0) is 0.07 micrograms per cubic meter.

(xx) The ambient benchmark for xylenes (1330-20-7) is 700 micrograms per cubic meter.

(yy) The ambient benchmark for hydrogen sulfide (7783-06-4) is 2.0 micrograms per cubic meter.

(zz) The ambient benchmark for methanol (67-56-1) is 4000 micrograms per cubic meter.

Stat. Auth.: ORS 468.035, 468A.010(1) & 468A.015

Stats. Implemented:

Hist.: DEQ 15-2003, f. & cert. ef. 11-3-03; DEQ 12-2006, f. & cert. ef. 8-15-06; DEQ 9-2010, f. & cert. ef. 8-31-10; DEQ 11-2010, f. & cert. ef. 10-19-10

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**Rule Caption:** Greenhouse gas reporting requirements, fees and program updates.

**Adm. Order No.:** DEQ 12-2010

**Filed with Sec. of State:** 10-27-2010

**Certified to be Effective:** 10-27-10

**Notice Publication Date:** 10-1-2010

**Rules Adopted:** 340-215-0060

**Rules Amended:** 340-215-0010, 340-215-0020, 340-215-0030, 340-215-0040, 340-216-0020, 340-220-0050

**Subject:** Global warming poses a serious threat to Oregon's economy, environment and public health. Greenhouse gas reporting is crucial for Oregon to track and evaluate its greenhouse gas emissions. The Environmental Quality Commission adopted rules in 2008 that require certain air contaminant sources to report greenhouse gas emissions to the Oregon Department of Environmental Quality. The commission adopted rule amendments on October 22, 2010 that expand the reporting requirements to additional emission categories, establish fees and update the reporting program. The rules create reporting requirements for electricity suppliers and fuel distributors, which account for approximately two thirds of total greenhouse gas emissions for the state. The rules establish fees for reporting sources that hold air quality permits with DEQ to cover costs of developing and implementing the reporting program. The rules expand DEQ discretion on circumstances to defer or exempt facilities from reporting. The rules also avoid redundant reporting requirements and assure consistency in reporting by aligning Oregon's requirements with federal greenhouse gas reporting rules.

**Rules Coordinator:** Maggie Vandehey—(503) 229-6878

## 340-215-0010

### Purpose and Scope

(1) The purpose of this division is to establish requirements and procedures for the annual registration and reporting of greenhouse gas emissions to the Department using DEQ-approved reporting protocols.

(2) Subject to the requirements in this division and ORS 468A.100 through 468A.180, the Lane Regional Air Protection Agency is designated by the Environmental Quality Commission as the Agency to implement this division within its area of jurisdiction. The requirements and procedures contained in this division must be used by the Regional Agency to implement this division unless the Regional Agency adopts superseding rules that are at least as restrictive as this division.

Stat. Auth.: ORS 468A.050

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 13-2008, f. & cert. ef. 10-31-08; DEQ 12-2010, f. & cert. ef. 10-27-10

## 340-215-0020

### Definitions

The definitions in OAR 340-200-0020 and this rule apply to this division. If the same term is defined in this rule and OAR 340-200-0020, the definition in this rule applies to this division.

(1) **"Biomass"** means non-fossilized and biodegradable organic material originating from plants, animals, and micro-organisms, including products, byproducts, residues and waste from agriculture, forestry, and related

industries as well as the non-fossilized and biodegradable organic fractions of industrial and municipal wastes, including gases and liquids recovered from the decomposition of non-fossilized and biodegradable organic matter.

(2) **"Carbon dioxide"** (CO<sub>2</sub>) means the chemical compound containing one atom of carbon and two atoms of oxygen.

(3) **"Carbon dioxide equivalent"** (CO<sub>2</sub>e) means the quantity of a given greenhouse gas multiplied by a Global Warming Potential factor provided in DEQ-approved emissions reporting protocols.

(4) **"Consumer-owned utility"** means a people's utility district organized under ORS chapter 261, a municipal utility organized under ORS chapter 225 or an electric cooperative organized under ORS chapter 62.

(5) **"Direct emissions"** means emissions from an air contamination source, including but not limited to fuel combustion activities, process related emissions, and fugitive emissions.

(6) **"Electricity service supplier"** has the meaning given that term in ORS 757.600.

(7) **"Global Warming Potential factor"** (GWP) means the radiative forcing impact of one mass-based unit of a given greenhouse gas relative to an equivalent unit of carbon dioxide over a given period of time.

(8) **"Hydrofluorocarbons"** (HFCs) means gaseous chemical compounds containing only hydrogen, carbon and fluorine atoms.

(9) To **"Import"** means to have ownership of electricity or fuel from locations outside of Oregon at the time electricity is brought into this state through transmission equipment or at the time fuel is brought into this state by any means of transport, other than fuel brought into this state in the fuel tank of a vehicle used for the propulsion of the vehicle.

(10) **"Investor-owned utility"** means a utility that sells electricity and that is operated by a corporation with shareholders.

(11) **"Methane"** (CH<sub>4</sub>) means the chemical compound containing one atom of carbon and four atoms of hydrogen.

(12) **"Metric ton, tonne, or metric tonne"** means one metric tonne (1000 kilograms) or 2204.62 pounds.

(13) **"Nitrous oxide"** (N<sub>2</sub>O) means the chemical compound containing two atoms of nitrogen and one atom of oxygen.

(14) **"Perfluorocarbons"** (PFCs) means gaseous chemical compounds containing only carbon and fluorine atoms.

(15) **"Sulfur hexafluoride"** (SF<sub>6</sub>) means the chemical compound containing one atom of sulfur and six atoms of fluorine.

(16) **"Year"** means calendar year.

Stat. Auth.: ORS 468A.050

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 13-2008, f. & cert. ef. 10-31-08; DEQ 12-2010, f. & cert. ef. 10-27-10

## 340-215-0030

### Applicability

(1) The greenhouse gases subject to OAR 340-215-0030 through 340-215-0060 are carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(2) **Air contamination sources.**

(a) In 2010, any owner or operator of a source listed in paragraphs (A) through (C) below that directly emits 2,500 metric tons or more of carbon dioxide equivalent in 2009, must register and report greenhouse gas emissions regarding greenhouse gases emitted during 2009:

(A) Any source required to obtain a Title V Operating Permit, including those issued under OAR chapter 340, division 218;

(B) Any source required to obtain an Air Contaminant Discharge Permit, including those issued under OAR chapter 340, division 216 and that is referred to by one or more of the selected activities and source types listed in **Table 1**;

(C) Any source required to obtain an Air Contaminant Discharge Permit, including those issued under OAR chapter 340, division 216 that is referred to by the activities and source types listed in **Table 1 Part B** number 83 of OAR chapter 340, division 216, and by the Standard Industrial Classification (SIC) codes in **Table 2**.

(b) Beginning in 2011, any owner or operator of a source listed in paragraphs (A) through (C) below must register and report greenhouse gases directly emitted during the previous year, if the source's direct emissions of carbon dioxide equivalent of greenhouse gases meet or exceed 2,500 metric tons during the previous year. Once a source's direct emissions of carbon dioxide equivalent of greenhouse gases meet or exceed 2,500 metric tons during a year, the owner or operator must annually register and report in each subsequent year, regardless of the amount of the source's direct emissions of greenhouse gases in future years, except as provided in sections (7) and (8).

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(A) Any source required to obtain a Title V Operating Permit, including those issued under OAR chapter 340, division 218.

(B) Any source required to obtain an Air Contaminant Discharge Permit, including those issued under OAR chapter 340, division 216.

(C) The following sources not otherwise listed in paragraphs (A) or (B):

(i) Solid waste disposal facilities required to obtain a permit issued under OAR chapter 340, divisions 93 through 96, excluding facilities that did not accept waste during the previous year and which are not required to report greenhouse gas emissions to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98.

(ii) Wastewater treatment facilities required to obtain an individual National Pollutant Discharge Elimination System permit issued under OAR chapter 340, division 45.

(iii) Electric generating units.

(3) Gasoline, diesel and aircraft fuel dealers. Beginning in 2011, any person listed in this section that imports, sells or distributes gasoline, diesel or aircraft fuel for use in this state must annually register and report greenhouse gas emissions that will result from the combustion of the gasoline, diesel and aircraft fuel imported, sold and distributed during the previous year:

(a) Any dealer, as that term is defined in ORS 319.010, that is subject to the Oregon Motor Vehicle and Aircraft Fuel Dealer License Tax under OAR chapter 735, division 170;

(b) Any seller, as that term is defined in ORS 319.520, that is subject to the Oregon Use Fuel Tax under OAR chapter 735, division 176; and

(c) Any person that imports, sells or distributes during a year at least 5,500 gallons of gasoline, diesel or aircraft fuel that is for use in this state and that is not subject to the Oregon Motor Vehicle and Aircraft Fuel Dealer License Tax or the Oregon Use Fuel Tax under OAR chapter 735, divisions 170 and 176.

(d) Persons listed in sections OAR 340-215-0030(3)(b) and (c) are not required to register and report greenhouse gas emissions that will result from the combustion of any gasoline, diesel or aircraft fuel reported under this division 215 by dealers described in OAR 340-215-0030(3)(a).

(4) Natural gas suppliers. Beginning in 2011, any person that sells or distributes natural gas to end users in this state must annually register and report greenhouse gas emissions that will result from the combustion of the natural gas sold and distributed during the previous year.

(5) Propane importers.

(a) Beginning in 2011, any person that imports propane for use in this state must annually register and report greenhouse gas emissions that will result from the combustion of the propane imported during the previous year.

(b) Persons that import propane for use in this state are not subject to subsection (5)(a) if:

(A) All imports are brought into this state by delivery trucks with a maximum capacity of 3,500 gallons of propane or less, or

(B) All imports consist of propane in canisters of 20 gallons or less.

(6) Electricity suppliers. Beginning in 2011, all investor-owned utilities, electricity service suppliers, consumer-owned utilities, and other persons that import, sell, allocate or distribute electricity to end users in this state must annually register and report greenhouse gas emissions from the generation of the electricity imported, sold, allocated and distributed during the previous year.

(7) General deferrals and exemptions. The Department may defer or exempt specific processes or categories of sources, or specific types of greenhouse gas emissions, from applicability under this division if the Department determines that adequate protocols are not available or that other extenuating circumstances make reporting unfeasible.

(8) Exemptions for air contamination sources.

(a) An owner or operator is no longer subject to section (2) for a source if the owner or operator submits a notification to the Department pursuant to subsection (8)(b), the owner or operator retains records pursuant to subsection (8)(c), and:

(A) The source's direct emissions are less than 2,500 metric tons of carbon dioxide equivalent of greenhouse gases per year for three consecutive years; or

(B) The source ceases all operations that lead to direct emissions of greenhouse gases, such as if the source closes permanently. This paragraph (8)(a)(B) does not apply to seasonal or other temporary cessation of operations, and does not apply to solid waste disposal facilities that are required to report greenhouse gas emissions to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98.

(b) The owner or operator must submit notification that the source is no longer subject to section (2) by March 31 of any year to avoid the requirement to register and report greenhouse gases directly emitted during the previous year. The notification must be submitted on paper or electronic forms issued by the Department.

(c) An owner or operator that, pursuant to paragraph (8)(a)(A), is no longer subject to section (2) for a source, must retain, for five years following notification, all production information, fuel use records, emission calculations and other records used to document the source's greenhouse gas direct emissions for each of the three consecutive years that the source does not meet or exceed the emission threshold.

(d) Notwithstanding subsections (8)(a) through (8)(c), section (2) becomes applicable to the owner or operator again if the source's annual direct emissions equal or exceed 2,500 metric tons of carbon dioxide equivalent of greenhouse gases in any future year.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 468A.050

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 13-2008, f. & cert. ef. 10-31-08; DEQ 12-2010, f. & cert. ef. 10-27-10

## 340-215-0040

### Greenhouse Gas Registration and Reporting Requirements

(1) Air contamination sources. Any owner or operator required to register and report under OAR 340-215-0030(2) must:

(a) Report the source's direct emissions of greenhouse gases during the previous year, excluding emissions from categorically insignificant activity as defined in OAR 340-200-0020, as follows:

(A) Sources not required to report greenhouse gas emissions to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98 may exclude all emissions from categorically insignificant activity, regardless of whether DEQ-approved reporting protocols would otherwise include the reporting of those emissions;

(B) Sources required to report greenhouse gas emissions to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98 must report emissions from categorically insignificant activity if DEQ-approved reporting protocols include the reporting of those emissions;

(b) Report emissions of CO<sub>2</sub> that originate from biomass separately from the source's other greenhouse gas emissions; and

(c) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by the due date for the annual report for non-greenhouse gas emissions specified in the source's Title V Operating Permit or Air Contaminant Discharge Permit, or by March 31 of each year, whichever is later.

(2) Gasoline, diesel and aircraft fuel dealers. Any person required to register and report under OAR 340-215-0030(3) must:

(a) Report the type and quantity of the gasoline, diesel or aircraft fuel imported, sold and distributed for use in this state during the previous year, and the greenhouse gas emissions that will result from the combustion of the gasoline, diesel or aircraft fuel; and

(b) Submit annual reports to the Department by March 31 of each year, as follows:

(A) An annual greenhouse gas emissions registration and report pursuant to section (7); or

(B) Copies of the person's fuel tax reports filed with the Oregon Department of Transportation pursuant to OAR chapter 735, divisions 170 and 176 for fuel imported, sold or distributed during the previous year, provided that the Department may require the submission of additional information if the copies of the reports submitted to the Oregon Department of Transportation are not sufficient to determine greenhouse gas emissions and related information that are otherwise required by this division.

(3) Natural gas suppliers. Any person required to register and report under OAR 340-215-0030(4) must:

(a) Report the type and quantity of the natural gas sold and distributed for use in this state during the previous year, and the greenhouse gas emissions that will result from the combustion of the natural gas; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by March 31 of each year.

(4) Propane wholesalers. Any person required to register and report under OAR 340-215-0030(5) must:

(a) Report the type and quantity of propane imported for use in this state during the previous year, and the greenhouse gas emissions that will result from the combustion of the propane; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by March 31 of each year.

(5) Investor-owned utilities, electricity service suppliers and other electricity suppliers (except consumer-owned utilities). All investor-owned

# ADMINISTRATIVE RULES

utilities, electricity service suppliers and other persons (except consumer-owned utilities) required to register and report under OAR 340-215-0030(6) must:

(a) Report greenhouse gas emissions from the generation of the electricity that was imported, sold, allocated or distributed to end users in this state during the previous year, regardless of whether the electricity was generated in this state or imported, as follows:

(A) Greenhouse gas emissions from generating facilities owned or operated by the person reporting;

(B) Sulfur hexafluoride (SF6) emissions from transmission equipment owned or operated by the person reporting;

(C) The number of megawatt-hours of electricity purchased by the person reporting, including identifying information, if known, on the seller of the electricity to the person reporting and the original generating facility fuel type or types;

(D) An estimate of the amount of greenhouse gas emissions, using default greenhouse gas emissions factors in Table 1, attributable to electricity purchases made by a particular seller to the person reporting.

(E) An estimate of the amount of greenhouse gas emissions, using a default greenhouse gas emissions factor of 1,100 pounds of carbon dioxide equivalent of greenhouse gases per megawatt-hour, attributable to electricity purchases from an unknown origin or from a seller who is unable to identify the original generating facility fuel type or types.

(F) The number of megawatt-hours of electricity purchased for which a renewable energy certificate under ORS 469A.130 has been issued but subsequently transferred or sold to a person other than the person reporting; and

(G) A multijurisdictional entity reporting under this section (5) may rely upon a cost allocation methodology approved by the Public Utility Commission for reporting emissions allocated in this state; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by June 1 of each year.

(6) Consumer-owned utilities. All consumer-owned utilities required to register and report under OAR 340-215-0030(6) must:

(a) Report greenhouse gas emissions from the generation of the electricity that was imported, sold, allocated or distributed to end users in this state during the previous year, regardless of whether the electricity was generated in this state or imported, as follows:

(A) For electricity purchased from the Bonneville Power Administration, report the number of megawatt-hours of electricity purchased by the utility from the Bonneville Power Administration, segregated by the types of contracts entered into by the utility with the Bonneville Power Administration, and if known the percentage of each fuel or energy type used to produce electricity purchased under each type of contract;

(B) For electricity that was not purchased from the Bonneville Power Administration, but was generated by the consumer-owned utility, report greenhouse gas emissions from the generation of the electricity; and

(C) For electricity that was not purchased from the Bonneville Power Administration, and was not generated by the consumer-owned utility, report the number of megawatt-hours of electricity purchased by the consumer-owned utility, including information, if known, on the seller of the electricity to the consumer-owned utility and the original generating facility fuel type or types; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by June 1 of each year. A third party may submit the registration and report on behalf of a consumer-owned utility, and the report may include information for more than one consumer-owned utility, provided that the report contains all information required for each individual consumer-owned utility.

(7) Except as provided in section (8), registration and reports must be submitted on paper or electronic forms (or both) issued by the Department, which will require the following information:

(a) Source information such as source name, address, contact person, phone number, and permit number, if applicable;

(b) Emissions of the applicable greenhouse gases, pursuant to DEQ-approved reporting protocols, including but not limited to information such as estimated annual emissions, activity data, emission factors, conversion factors, global warming potential factor, and the emissions calculation methods used to determine emissions; and

(c) A signed statement certifying that the report is accurate to the best of the certifying individual's knowledge.

(8) Any person required to report greenhouse gases emitted during a year to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98 may submit a copy of that report to the Department in lieu of the registration and report required by section (7) for greenhouse gases

emitted during the same year, provided that the Department may require the submission of additional information if the copy of the report submitted to the United States Environmental Protection Agency is not sufficient to determine greenhouse gas emissions and related information that are otherwise required by this division. The purpose of this section is to eliminate duplicative reporting where possible, but to retain the Department's authority to require reporting of information that is required by this division but not submitted in a report to the United States Environmental Protection Agency.

(9) The Department shall propose reporting protocols for use pursuant to this division and shall approve reporting protocols after holding a 30 day public comment period. The Department shall maintain a reference list of DEQ-approved reporting protocols to assist persons required to register and report under OAR 340-215-0030.

(10) Any person required to report under this division must retain all production information, fuel use records, and emission calculations used to prepare the greenhouse gas annual report. These records and greenhouse gas annual reports must be retained for a minimum of 5 years.

Stat. Auth.: ORS 468A.050

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 13-2008, f. & cert. ef. 10-31-08; DEQ 12-2010, f. & cert. ef. 10-27-10

## 340-215-0060

### Greenhouse Gas Reporting Fees

(1) Any person required to register and report under OAR 340-215-0030(2)(a)(A) or 340-215-0030(2)(b)(A) must submit greenhouse gas reporting fees to the Department as specified in OAR 340-220-0050. The fees must be received by the Department within 30 days after the Department mails the fee invoice.

(2) Any person required to register and report under OAR 340-215-0030(2)(a)(B)-(C) or 340-215-0030(2)(b)(B) must submit greenhouse gas reporting fees to the Department as specified in OAR Chapter 340, Division 216, Table 2, Part 3. The fees must be received by the Department within 30 days after the Department mails the fee invoice.

Stat. Auth.: ORS 468.020 & 468A.050

Stats. Implemented: ORS 468 & ORS 468A

Hist.: DEQ 12-2010, f. & cert. ef. 10-27-10

## 340-216-0020

### Applicability

This division applies to all sources referred to in Table 1. This division also applies to Oregon Title V Operating Permit program sources when an ACDP is required by OAR 340-218-0020 or 340-224-0010. Sources referred to in Table 1 are subject to fees as set forth in Table 2.

(1) No person may construct, install, establish, develop or operate any air contaminant source which is referred to in Table 1 without first obtaining an Air Contaminant Discharge Permit (ACDP) from the Department or Regional Authority, unless otherwise deferred from the requirement to obtain an ACDP in subsection (1)(c) or (d) of this rule. No person may continue to operate an air contaminant source if the ACDP expires, or is terminated or revoked; except as provided in OAR 340-216-0082.

(a) For portable sources, a single permit may be issued for operating at any area of the state if the permit includes the requirements from both the Department and Regional Authorities.

(b) The Department or Regional Authority where the portable source's Corporate offices are located will be responsible for issuing the permit. If the corporate office of a portable source is located outside of the state, the Department will be responsible for issuing the permit.

(c) An air contaminant source required to obtain an ACDP or ACDP Attachment pursuant to a NESHAP or NSPS adopted by the Commission by rule is not required to submit an application for an ACDP or ACDP Attachment until four months after the effective date of the Commission's adoption of the NESHAP or NSPS, and is not required to obtain an ACDP or ACDP Attachment until six months after the Commission's adoption of the NESHAP or NSPS. In addition, the Department may defer the requirement to submit an application for, or to obtain an ACDP or ACDP Attachment, or both, for up to an additional twelve months.

(d) Gasoline dispensing facilities are not required to submit an application for an ACDP or ACDP Attachment until May 1, 2010 or obtain an ACDP or ACDP attachment until June 1, 2010. The Department may defer the requirement to submit an application for, or to obtain an ACDP or ACDP Attachment, or both, for up to an additional six months.

(e) Deferrals of Oregon permitting requirements do not relieve an air contaminant source from the responsibility of complying with federal NESHAP or NSPS requirements.

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(2) No person may construct, install, establish, or develop any source that will be subject to the Oregon Title V Operating Permit program without first obtaining an ACDP from the Department or Regional Authority.

(3) No person may modify any source that has been issued an ACDP without first complying with the requirements of OAR 340-210-0205 through 340-210-0250.

(4) No person may modify any source required to have an ACDP such that the source becomes subject to the Oregon Title V Operating Permit program without complying with the requirements of OAR 340-210-0205 through 340-210-0250.

(5) No person may increase emissions above the PSEL by more than the de minimis levels specified in OAR 340-200-0020 without first applying for and obtaining a modified ACDP.

**NOTE:** This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the EQC under OAR 340-211-0040.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 468.020

Stats. Implemented: ORS 468A

Hist.: DEQ 47, f. 8-31-72, ef. 9-15-72; DEQ 63, f. 12-20-73, ef. 1-11-74; DEQ 107, f. & ef. 1-6-76; Renumbered from 340-020-0033; DEQ 125, f. & ef. 12-16-76; DEQ 20-1979, f. & ef. 6-29-79; DEQ 23-1980, f. & ef. 9-26-80; DEQ 13-1981, f. 5-6-81, ef. 7-1-81; DEQ 11-1983, f. & ef. 5-31-83; DEQ 3-1986, f. & ef. 2-12-86; DEQ 12-1987, f. & ef. 6-15-87; DEQ 27-1991, f. & cert. ef. 11-29-91; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 12-1993, f. & cert. ef. 9-24-93, Renumbered from 340-020-0155; DEQ 19-1993, f. & cert. ef. 11-4-93; DEQ 22-1994, f. & cert. ef. 10-4-94; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 19-1996, f. & cert. ef. 9-24-96; DEQ 22-1996, f. & cert. ef. 10-22-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-1720; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 4-2002, f. & cert. ef. 3-14-02; DEQ 7-2007, f. & cert. ef. 10-18-07; DEQ 8-2007, f. & cert. ef. 11-8-07; DEQ 15-2008, f. & cert. ef. 12-31-08; DEQ 8-2009, f. & cert. ef. 12-16-09; DEQ 9-2009(Temp), f. 12-24-09, cert. ef. 1-1-10 thru 6-30-10; Administrative correction 7-27-10; DEQ 10-2010(Temp), f. 8-31-10, cert. ef. 9-1-10 thru 2-28-11; DEQ 12-2010, f. & cert. ef. 10-27-10

## 340-220-0050

### Specific Activity Fees

(1) The Department will assess specific activity fees for an Oregon Title V Operating Permit program source for the period of August 21, 2007 to June 30, 2008 as follows:

(a) Existing Source Permit Revisions:

(A) Administrative\* — \$ 406;

(B) Simple — \$ 1,626;

(C) Moderate — \$ 12,194;

(D) Complex — \$ 24,387.

(b) Ambient Air Monitoring Review — \$ 3,252.

(2) The Department will assess specific activity fees for an Oregon Title V Operating Permit program source as of July 1, 2008 as follows:

(a) Existing Source Permit Revisions:

(A) Administrative\* — \$ 418;

(B) Simple — \$ 1,672;

(C) Moderate — \$ 12,540;

(D) Complex — \$ 25,081.

(b) Ambient Air Monitoring Review — \$ 3,344.

(3) The Department will assess the following specific activity fee for an Oregon Title V Operating Permit program source for annual greenhouse gas reporting, as required by OAR 340-215-0060(1) — Fifteen percent of the following, not to exceed \$4,500:

(a) The applicable annual base fee (for the period of November 15 of the current year to November 14 of the following year); and

(b) The applicable annual emission fee (for emissions during the previous calendar year).

\*Includes revisions specified in OAR 340-218-0150(1)(a)-(g). Other revisions specified in 340-218-0150 are subject to simple, moderate or complex revision fees.

Stat. Auth.: ORS 468 & 468A

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 20-1993(Temp), f. & cert. ef. 11-4-93; DEQ 13-1994, f. & cert. ef. 5-19-94; DEQ 12-1998, f. & cert. ef. 6-30-98; DEQ 10-1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2600; DEQ 8-2000, f. & cert. ef. 6-6-00; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01; DEQ 11-2003, f. & cert. ef. 7-23-03; DEQ 6-2004, f. & cert. ef. 7-29-04; DEQ 6-2005, f. & cert. ef. 7-11-05; DEQ 7-2006, f. & cert. ef. 6-30-06; DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08; Administrative correction 2-22-08; DEQ 10-2008, f. & cert. ef. 8-25-08; DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10; DEQ 9-2009(Temp), f. 12-24-09, cert. ef. 1-1-10 thru 6-30-10; Administrative correction 7-27-10; DEQ 12-2010, f. & cert. ef. 10-27-10

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**Rule Caption:** Clean Water State Revolving Fund – Use of Federal Funds.

**Adm. Order No.:** DEQ 13-2010

**Filed with Sec. of State:** 10-27-2010

**Certified to be Effective:** 10-27-10

**Notice Publication Date:** 7-1-2010

**Rules Amended:** 340-054-0010, 340-054-0025, 340-054-0065

**Subject:** These rule revisions align Oregon's Clean Water State Revolving Fund loan program with changes in federal requirements. This rulemaking amends the Department of Environmental Quality's loan program in OAR 340-054-0025 and 0065 to establish a green project financial reserve and allow additional subsidization respectfully, as required by federal appropriations. A minor, clarifying edit is made in OAR 340-054-0010 to include a definition for principal forgiveness.

The rulemaking will allow Department of Environmental Quality to set aside 20% of its annual CWSRF capitalization grant as a reserve to fund qualifying green projects, and provide additional subsidization in the form of principal forgiveness to eligible loan applicants. This rulemaking may affect public entities (cities, counties, various public districts and tribal nations) eligible for funding through the Department's Clean Water State Revolving Fund loan program.

**Rules Coordinator:** Maggie Vandehey — (503) 229-6878

## 340-054-0010

### Definitions

The following definitions apply to this division unless a different meaning is required by context:

(1) "Allocation Cycle" means the funding cycle as determined by the Department.

(2) "Applicant" means an eligible Clean Water State Revolving Fund (CWSRF) applicant.

(3) "Available CWSRF" means the amount in the Clean Water State Revolving Fund minus monies for the Clean Water State Revolving Fund administration and prior obligations.

(4) "Borrower" means a CWSRF loan recipient.

(5) "Change Order" means a written order and supporting information from the Borrower to the Borrower's contractor authorizing an addition, deletion or revision in the work within the scope of the contract documents, including any required adjustment in contract price or time.

(6) "Checklist of Exhibits and Requirements" means the most recent version of the list of all the exhibits and required documents that must be submitted in conjunction with the CWSRF application and then be reviewed and approved by the Department before a loan agreement is executed.

(7) "Clean Water Act" means the federal Clean Water Act, 33 USC §1251 - §1387.

(8) "Clean Water State Revolving Fund" or CWSRF means the Water Pollution Control Revolving Fund established under ORS 468.427.

(9) "Collector Sewer" means that portion of the public sewerage system that is installed primarily to receive wastewater directly from individual residences and other individual public or private structures.

(10) "Combined Sewer" means a sewer that is designed as both a sanitary and a storm water sewer.

(11) "Comprehensive Conservation Management Plan" (CCMP) means a plan developed for a designated National Estuary, pursuant to 33 USC § 1330 of the Clean Water Act.

(12) "Construction" means the erection, installation, expansion or improvement of sewage facilities, nonpoint source control and estuary management projects.

(13) "Default" means nonpayment by the Borrower of the principal or interest amount of a CWSRF loan on the payment's due date, failure to comply with the terms or conditions of the CWSRF loan, a formal bankruptcy filing or other written admission of inability to pay CWSRF obligations.

(14) "Department" means the Oregon Department of Environmental Quality.

(15) "Director" means the Director of the Oregon Department of Environmental Quality.

(16) "Documented Health Hazard" means an area-wide failure of on-site sewage disposal systems or other sewage disposal practices resulting in discharge of inadequately treated wastes to the environment as demonstrated by sanitary surveys or other data collection methods and confirmed by the Oregon Office of Public Health Services, within the Department of Human Services pursuant to ORS 222.850 to 222.915, or 431.705 to 431.760, by the Department pursuant to OAR 340-071-0130(3), by either agency pursuant to OAR 660-011-0060, or by county health officials pursuant to applicable local ordinances.

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(17) "Documented Water Quality Problem" means a violation of statutes, rules or permit conditions or an exceedance of water quality standards documented by data and confirmed by the Department.

(18) "Emergency Conditions" means conditions caused by fire, flood, storm, earthquake, vandalism, sabotage or other events that could not have been reasonably foreseen or prevented that require immediate repairs to a sewage facility to prevent significant environmental degradation or a threat to public health.

(19) "EPA" means the U.S. Environmental Protection Agency.

(20) "Estuary Management" means the implementation of actions identified in a Comprehensive Conservation Management Plan.

(21) "Federal Capitalization Grant" means federal dollars allocated to the State of Oregon for a federal fiscal year from funds appropriated by U. S. Congress for the State Revolving Fund under Title VI of the Clean Water Act.

(22) "Ground Water Management Area" means an area in which contaminants in the groundwater have exceeded the levels established under ORS 468B.165 and the affected area is subject to a declaration under ORS 468B.180.

(23) "Implementing Partner" means any individual or organization that has entered into a contract with a public agency to implement a water resource activity within the sponsorship option of a construction loan.

(24) "Infiltration" means the intrusion of groundwater into a collector sewer or interceptor sewer.

(25) "Inflow" means a direct flow of water other than wastewater or groundwater into a collector sewer or interceptor sewer.

(26) "Initiation of Operation" means the date that a facility funded by a CWSRF loan is operationally complete and ready for the purposes for which it was planned, designed and built.

(27) "Intended Use Plan (IUP)" means a document submitted at least annually by the Department to the EPA identifying proposed uses of the CWSRF.

(28) "Interceptor Sewer" means a sewer primarily intended to receive wastewater from collector sewers or other interceptor sewers.

(29) "Local Community Loan" means a loan to a public agency that will then be used by the public agency to establish a local financial program to address estuary management efforts or nonpoint source control activities.

(30) "Maintenance" means regularly scheduled work that is performed to repair, replace or upgrade equipment in a facility, or to prevent or correct a failure or a malfunction of a sewage facility, nonpoint source control or estuary management project.

(31) "Major Sewer Replacement and Rehabilitation" means the repair or replacement of interceptor or collector sewers.

(32) "Nonpoint Source Control" means the implementation of a nonpoint source pollution management activity under section 319 of the Clean Water Act and 40 CFR § 35.3115(b) and included in the most recent edition of the Oregon Nonpoint Source Control Program Plan.

(33) "Nonpoint Source" means diffuse or unconfined sources of pollution where wastes can either enter into or be conveyed by the movement of water to public waters, including individual on-site sewage disposal systems and any other source of pollution of waters of the state not subject to regulation under ORS 468B.050.

(34) "On-site system" has the meaning given in OAR 340-071-0100(90).

(35) "Operation" means the control of sewage collection system pumping stations and treatment unit processes within a sewage facility. Operation also means the control of equipment and processes of nonpoint source control and estuary management projects. Furthermore, operation means the financial and personnel management, records, laboratory control, process control, safety, and emergency planning for these same facilities and projects.

(36) "Operation and Maintenance Manual" means a procedural and guidance document for operating and maintaining a sewage collection system or sewage treatment facility as required by OAR chapter 340, division 052.

(37) "Persistent Bioaccumulative Toxics" means mercury, PCBs, dioxins, furans, benzo(a) pyrene, aldrin, dieldrin, chlordane, DDT, DDE, DDD, hexachlorobenzene, mirex or toxaphene.

(38) "Planning" means monitoring, data collection and measurement, evaluation, analysis, security evaluations, report preparation, environmental review, public education and review process and any other activity leading to a written plan for the provision of sewage facilities, nonpoint source control and estuary management projects intended to remediate an existing or anticipated water pollution problem, but excluding the preparation of detailed bid documents for construction.

(39) "Point Source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which pollutants are or may be discharged.

(40) "Principal Forgiveness" means additional subsidization that allows a borrower to repay only a specified portion of the loan principal.

(41) "Proactive Proposals" means a proposed project that does not address ongoing violations of effluent limits in permits, water quality standards in OAR chapter 340, division 41, or unpermitted discharges.

(42) "Project" means the activities or tasks identified in the application or the loan agreement for which the Borrower may expend or obligate funds.

(43) "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances necessary for the ongoing operation during the design or useful life, if longer, of a sewage facility, nonpoint source control or estuary management project to maintain the facility or project for the purpose for which it was designed and constructed. Replacement does not mean the replacement of the facility or project at the end of its useful life.

(44) "Reserve Capacity" means that portion of the sewage collection system or sewage treatment facility that was incorporated into the design to handle future increases in sewage flows and loading. Reserve capacity must have been identified at the time of design and must be based on demand generated from future development that is consistent with acknowledged local comprehensive plans and land use regulations.

(45) "Security Measure" means the evaluation, planning, design, purchase and installation of equipment and facilities intended to prevent unauthorized physical and electronic intrusion into, or willful damage of, sewage facilities, nonpoint source control or estuary management projects.

(46) "Sewage Collection System" means publicly owned pipelines, conduits, pumping stations, force mains and any other related structures, devices or equipment used to convey wastewater to a sewage treatment facility.

(47) "Sewage Facility" means a sewage collection system or sewage treatment facility.

(48) "Sewage Treatment Facility" means any publicly owned device, structure or equipment used to treat, neutralize, stabilize, reuse or dispose of wastewater and treatment residuals.

(49) "Small Community" means a public agency serving a population of 5,000 or less.

(50) "Special Status Water Body" means the following water bodies of the state: federally designated Wild and Scenic Rivers, State Scenic Waterways, federally designated Sole Source Aquifers, the federally designated Lower Columbia River and Tillamook Bay estuaries, the Clackamas, North Santiam and McKenzie River sub basins of the Three Basin Rule (OAR 340-041-0470) and locally designated "significant" water bodies or wetlands as related to the Department of Land Conservation and Development Goal 5.

(51) "Sponsoring Community" means a public agency with the authority to finance and implement both a sewage facility project and water resource activity through the sponsorship option of a construction loan.

(52) "Sponsorship Option" means the Department's financing mechanism that allows a public agency's sewage collection system or sewage treatment facility project and a qualifying water resource activity to be financed through a single CWSRF loan. The Department, as an incentive to the public agency (referred to in OAR 340-054-0024(3) as a sponsoring community), discounts the interest rate on the resulting loan. The intention of this type of financing is to provide restoration or protection to a local water resource in conjunction with a traditional project without significantly increasing utility rates.

(53) "Storm water" means water derived from rainfall, snowmelt or other storm events that flows across the ground's surface rather than infiltrating the ground.

(54) "Surface Water" means streams, lakes, reservoirs, estuaries and the topographical features that define their volume.

(55) "Urgent Repair" means the immediate stabilization of equipment and facilities pertaining to a sewage collection system or sewage treatment facility that have failed unexpectedly or are in imminent threat of failure as the result of age or wear, and the failure poses an immediate and significant threat to environmental quality or public health.

(56) "Value Engineering" means a specialized cost control technique specifically applicable to the design of sewage treatment facilities that identifies cost savings that can be made without sacrificing the reliability or efficiency of the project.

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(57) "Wastewater" means waters carrying wastes from individual public or private structures combined with infiltration and inflow.

(58) "Wastewater Reuse" means a project that reuses treated effluent from a sewage treatment system, commercial, or industrial process and, as a result of treatment, is suitable for a direct beneficial purpose or a controlled use that could not otherwise occur.

(59) "Water Pollution Control Revolving Fund" means the "CWSRF".

(60) "Water Quality Standards" means the standards established in OAR chapter 340, division 41 for surface waters and the minimum protection requirements established in OAR chapter 340, division 40 for groundwater.

(61) "Water Resource Activity" means a nonpoint source control or an estuary management activity funded through the sponsorship option in OAR 340-054-0024(3). These activities include the protecting or restoring of riparian habitat to prevent loss of biological diversity or ecological health, establishing conservation easements, acquiring riparian lands or wetlands and other activities.

(62) "Waters of the State" means the same as defined in ORS 468B.005(8).

(63) "Wellhead Protection Area" has the meaning provided in OAR 340-040-0150(13).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 468.423 - 468.440

Stats. Implemented: ORS 468.423

Hist.: DEQ 2-1989, f. & cert. ef. 3-10-89; DEQ 30-1990, f. & cert. ef. 8-1-90; DEQ 1-1993, f. & cert. ef. 1-22-93; DEQ 3-1995, f. & cert. ef. 1-23-95; DEQ 10-2003, f. & cert. ef. 5-27-03; DEQ 3-2010(Temp), f. & cert. ef. 5-4-10 thru 10-29-10; DEQ 13-2010, f. & cert. ef. 10-27-10

## 340-054-0025

### Application Process; Project Priority List; Intended Use Plan; Allocation of Funds

The Department will periodically, but not less than annually, develop and submit an Intended Use Plan (IUP) to EPA as described in section 606 of the CWA and 40 CFR §35.3150. The IUP will describe the proposed uses of the CWSRF and will include a project priority list numerically ranking all eligible applications received. The Department will develop the IUP using the following processes in this rule.

(1) Notice: The Department will notify interested parties at least annually of the opportunity to submit applications. Interested parties include, but are not limited to, watershed councils, counties, soil and water conservation districts, special districts and all of the incorporated cities listed in the current edition of the Oregon Blue Book.

(2) Applications: For a project to be considered for the project priority list, an Applicant must submit a completed application; the application must address an imminent, actual or threatened water quality problem; and the project must be eligible for funding under OAR 340-054-0015.

(3) Timing: In addition to applications received in response to the solicitation for applications indicated in OAR 340-054-0025(1), the Department will accept applications at any time.

(4) Project Priority List Ranking:

(a) The Department will develop a project priority list by ranking all eligible proposed projects using the criteria in Table 1 of this rule. Projects will be numerically ranked based on the sum of the points awarded each proposed project. A maximum of one hundred (100) points is available for a proposed project.

(b) The Department will update the project priority list and the IUP at least every four months or upon receipt by the Department of five eligible applications, whichever timeframe is shorter. If no eligible applications are received during a four month period, the project priority list will not be updated.

TABLE 1

#### CWSRF Project Ranking Criteria

Category 1: Proposed Project's anticipated benefit for water quality or public health

1A — (0 or 8 points) — Project addresses water quality or public health issue within a "special status" water body

1B — (0-6 points) — Project addresses noncompliance with water quality standards, a public health issue or effluent limits related to surface waters

1C — (0-6 points) — Project addresses noncompliance with water quality standards or a public health issue related to groundwater

1D — (0-12 points) — Project ensures that a source already in compliance maintains that compliance.

1E — (0-8 points) — Project improves or sustains aquatic habitat supporting state or federally threatened or endangered species

1F — (0-12 points) — Project incorporates wastewater reuse or a water quality-related conservation process

1G — (0-7 points) — Project improves water quality by mitigating any of the following pollutants: temperature, dissolved oxygen, contaminated sediments, toxics on the EPA Priority Pollutants List, bacteria or nutrients

1H — (0-5 points) — Project supports the implementation of a Total Maximum Daily Load (TMDL) allocation or action plan for a Ground Water Management Area

1I — (0-6 points) — Project addresses a water quality or public health issue involving "Persistent Bioaccumulative Toxics" (PBT's)

Category 2: Potential water quality or public health consequences of not funding the proposed project

2A — (0-5 points) — If the proposed project is not implemented, water quality standards are likely to be exceeded or existing exceedances are likely to worsen

2B — (0-5 points) — If the proposed project is not implemented, the resulting impact is likely to cause a public health problem

2C — (0-5 points) — A unique opportunity to implement the proposed project currently exists due to timing, finances or other limitations that would not allow this project to be implemented in the future

Category 3: Other considerations

3A — (0-3 points) — Project has significant educational or outreach component

3B — (0-3 points) — Project demonstrates innovative technology which is transferable

3C — (0-3 points) — Project is a partnership with other group(s), incorporating self-help, financial or in-kind support

3D — (0-5 points) — Project incorporates monitoring, reporting or adaptive management

3E — (0 or 1 point) — Project addresses or includes risk management, safety or security measures

3F — (0-minus 5 points) — Applicant's past performance with previous Department loans or grants such as, but not limited to, failure to satisfy match requirements of a grant, failure to complete the project or failure to submit any other required deliverable in a timely manner.

(5) Draft Intended Use Plan, Public Notice and Review:

(a) The Department will update the IUP whenever changes are made to the PPL.

(b) With each update the Department will notify all applicants whose projects are included within the draft IUP of their ranking on the PPL.

(c) The Department will provide notice and an opportunity for the public to comment on proposed changes to the IUP, and will make the draft IUP available to the public.

(d) Except for revisions to the IUP resulting from applications for expedited loans, the Department will provide at least 30 days for public comments on the draft IUP. The Department will provide at least 5 days for comment on changes to the IUP resulting from new applications for expedited loans.

(e) During the comment period, any Applicant may request the Department to reevaluate a project's rank on the proposed project priority list or to make other changes to the IUP.

(f) The Department will consider all comments submitted during the comment period before finalizing the IUP.

(6) Allocation of Funds:

(a) During any Department program year (July 1 through June 30), no Borrower on the project priority list (including either loan increases or new project loans) may be allocated more than the greater of \$2.5 million or 15% of the total available funds as reported in the initial IUP for that program year. If CWSRF moneys are available after allocating this limit to each eligible Applicant, additional funds may be allocated above this limit.

(b) The Department will establish the following funding categories within the CWSRF: Expedited Loan Reserve, Small Community Reserve, Planning Reserve, Green Project Reserve and general fund. The Department will first allocate annual funds to the four reserves in accordance with the criteria in sections (6)(c)(A), (6)(c)(B), (6)(c)(C) and (6)(c)(D). Funds not allocated to one of the reserves will be allocated to the CWSRF general fund.

(c) The Department will assign projects on the priority list to an appropriate reserve or to the CWSRF general fund. Requests for increases to existing loans will be awarded first. Increases will be awarded from the appropriate reserve or the general fund. Following any allocations for increases, the Department will award loans to projects within each reserve and the general fund for new projects as described in sections (6)(c)(A), (6)(c)(B), (6)(c)(C), (6)(c)(D) and (6)(c)(E).

(A) Expedited Loans Reserve. A reserve of \$2 million will be established to fund expedited loans. The Director may increase the cap on this reserve. Individual urgent repair loans are limited to \$150,000. The maximum amount available for a single emergency loan is \$1.85 million. Emergency loans and urgent repair loans will be awarded in rank order. Unused funds still remaining in the expedited loan reserve on May 31 of the program year can be reallocated to the CWSRF general fund.

(B) Small Community Reserve. A maximum of 15% of the total CWSRF monies will be available in each program year for allocation to small community loans. Local community, design or construction projects eligible within this reserve will be awarded loans in rank order.

(i) Each project allocation from this reserve will be for not more than the greater of \$750,000 or 25% of the reserve, until all eligible small community requests have been allocated funds. If reserve funds still remain on March 1st of the program year, these remaining funds may be allocated to any unfunded portions of a small community loan request in the order the loan agreements were executed;



# ADMINISTRATIVE RULES

(ii) After reallocating as directed in OAR 340-054-0025(6)(c)(B)(i) above, any funds still remaining in the small community reserve can be moved to the CWSRF general fund.

(C) Planning Loan Reserve. A maximum of \$3 million of the total CWSRF will be available in each program year for allocation to planning loans. Projects will be selected from the project priority list in rank order for this reserve.

(i) Each individual allocation from the planning loan reserve will initially not exceed \$150,000. If reserve funds still remain on March 1st of the program year, these remaining funds may be reallocated to any unfunded portions of planning loan requests in the order the loan agreements were executed;

(ii) After reallocating as directed in OAR 340-054-0025(6)(c)(C)(i) above, any funds still remaining in the planning reserve can be moved to the CWSRF general fund.

(D) Green Project Reserve. The department will establish a green project reserve to ensure funding of green projects as required by the current fiscal year capitalization grant. Funds from this reserve will only be used to finance that portion of a project determined to be green infrastructure, water or energy efficiency improvements, and other environmentally innovative activities. Eligible projects within this reserve will be awarded funding in rank order.

(i) Funds remaining in the green project reserve cannot be reallocated to the CWSRF general fund.

(E) General Fund. All new design or construction project loans not funded from a reserve will be allocated from the general fund. Any remaining emergency or urgent repair, small community or planning projects not already allocated funds from their respective reserves, or allocated less than the total loan amount requested, may be awarded funding in rank order subject to available funds and the maximum loan amount for the program year.

(F) Loan Increases. Upon request, the Department may increase the funding for previously financed projects up to the maximum loan amount defined for each borrower in section (6)(a) of this rule. These loan increases may be offered by either providing an additional loan at the current interest rate or increasing the amount of the existing loan. Awards for loan increases will be awarded in rank order.

(7) Project Priority List Modification:

(a) The following conditions apply to projects on the project priority list.

(A) Ranked projects may remain on the project priority list for up to 36 months while pursuing funding. After 36 months, the Department will notify the Applicant in writing that the project is being removed from the list.

(B) Applicants whose projects are removed from the project priority list because they have exceeded the 36 month limit may resubmit their projects to the program for ranking and incorporation into the next update of the IUP.

(C) The Department may provide one six-month extension to applicants requesting to remain on the list beyond the 36 month limit. Applicants requesting an extension must submit a progress report indicating the status of their effort in pursuing CWSRF financing and an updated time frame indicating when they expect to have completed all requirements necessary to be awarded funding.

(D) The Department may remove a project from the project priority list upon written notice to the applicant at any time the Department determines that the project does not meet eligibility requirements, the Borrower no longer requires CWSRF financing or the Applicant requests removal.

Stat. Auth.: ORS 468.423 - 468.440

Stats. Implemented: ORS 468.433 & 468.437

Hist.: DEQ 2-1989, f. & cert. ef. 3-10-89; DEQ 30-1990, f. & cert. ef. 8-1-90; DEQ 1-1993, f. & cert. ef. 1-22-93; DEQ 3-1995, f. & cert. ef. 1-23-95; DEQ 10-2003, f. & cert. ef. 5-27-03; DEQ 1-2009(Temp), f. 4-27-09, cert. ef. 5-1-09 thru 10-27-09; DEQ 7-2009, f. & cert. ef. 10-28-09; DEQ 3-2010(Temp), f. & cert. ef. 5-4-10 thru 10-29-10; DEQ 13-2010, f. & cert. ef. 10-27-10

## 340-054-0065

### Loan Terms and Interest Rates

As required by ORS 468.440, the following loan terms and interest rates are established:

(1) Types of Loans. A CWSRF loan must be one of the following types of loans:

(a) A loan secured by a general obligation bond or other full faith and credit obligation of the Borrower, which is supported by the Borrower's unlimited ad valorem taxing power.

(b) A loan secured by a bond or other obligation of the Borrower that is not subject to appropriation and has been rated Investment Grade by

Moody's Investor Services, Standard and Poor's Corporation or another national rating service acceptable to the Department.

(c) A Revenue Secured Loan that complies with section (2) of this rule.

(d) An Alternative Loan that complies with section (3) of this rule.

(e) A Discretionary Loan that complies with section (4) of this rule.

(2) Revenue Secured Loans. These loans must:

(a) Be represented by a properly executed loan agreement, bonds or other unconditional obligations to pay from specified revenues that are pledged to the Borrower; the obligation to pay may not be subject to the appropriation of funds.

(b) Include a rate provision that requires the Borrower to impose and collect revenues sufficient to pay:

(A) All expenses of operation, maintenance and replacement of a sewage facility, nonpoint source control or estuary management projects.

(B) All debt service.

(C) All other financial obligations (such as contributions to reserve accounts) imposed in connection with prior lien obligations.

(D) An amount equal to the coverage requirements of the loan. This requirement is the product of the coverage factor times the debt service due in that year on the CWSRF loan. The coverage factor used must correspond to the coverage factor and reserve percentage set selected by the Borrower from subsection (d) of this section.

(E) Amounts required to provide coverage on prior lien obligations or new lien obligations the Borrower may incur that the Department determines are inadequately secured or otherwise may adversely affect the ability of the Borrower to repay the CWSRF loan.

(c) Contain a reserve provision requiring the Borrower to maintain a pledged reserve that is dedicated to the payment of the CWSRF loan and meets the following requirements:

(A) The loan reserve must be maintained in an amount that is at least equal to the product of the reserve percentage shown in subsection (d) of this section times one half the average annual debt service during the repayment period based on the repayment schedule or revised repayment schedule in the loan agreement. The reserve percentage selected from subsection (d) of this section must correspond to the coverage factor selected for the CWSRF loan.

(B) Loan reserves may be funded with cash of the Borrower, a letter of credit, repayment guaranty or other third party commitment to advance funds that is satisfactory to the Department. If the Department determines that funding of the reserve as described above imposes an undue hardship on the Borrower, the Department may allow reserves to be funded with CWSRF loan proceeds.

(d) Comply with the one of the following sets of coverage factors and reserve percentages:

Coverage Factor\*—Reserve Percentage\*\*

Option 1: 1.05:1—100%

Option 2: 1.15:1—75%

Option 3: 1.25:1—50%

Option 4: 1.35:1—25%

\*Net Income to Debt Service

\*\*Percentage of 1/2 the Average Annual Debt Service

(e) Include a requirement for periodic rate review and adjustment of rates, if necessary, to ensure estimated revenues in subsequent years are sufficient.

(f) Include a requirement that if revenues fail to achieve the required rate level, the Borrower must promptly adjust rates and charges to assure future compliance with the rate requirements. The Department may determine that failure to adjust rates does not constitute a default if the Borrower transfers unencumbered resources in an amount equal to the revenue deficiency to the utility system that produces the revenues.

(g) Include a requirement that if the reserve account is depleted for any reason, the Borrower must take prompt action to restore the reserve to the required minimum amount.

(h) Include a requirement restricting additional debt appropriate to the financial condition of the Borrower.

(i) Prohibit the Borrower from selling, transferring or encumbering any financial or fixed asset of the utility system that produces the pledged revenues if the Borrower is in violation of any CWSRF loan requirements, or if such sale, transfer or encumbrance may cause a violation of any CWSRF loan requirements.

(3) Alternative Loans. The Department may authorize Alternative Loans for reasonable alternative methods of financing if the Borrower demonstrates to the satisfaction of the Department that:

(a) It may be unduly burdensome or costly to the Borrower to borrow money from the CWSRF through general obligation bonds, revenue bonds

# ADMINISTRATIVE RULES

or a revenue-secured loan, as described in subsection (1)(a), (b) or (c) of this rule.

(b) The Alternative Loan has a credit quality that is substantially equal to, or better than, the credit quality of a Revenue Secured Loan to that Borrower. In determining whether an Alternative Loan meets the requirement, the Department may consult with a financial advisor and may charge the Applicant the reasonable costs of such consultation.

(4) Discretionary Loan. The Department will make a Discretionary Loan only to a small community that the Department determines cannot practicably comply with the requirements of subsection (1)(a), (b), (c) or (d) of this rule. Discretionary Loans must comply with section (5) of this rule and otherwise be on terms approved by the Department. No new Discretionary Loans may be made at any time that the total principal amount of Discretionary Loans outstanding exceeds 5% of the total assets of the Fund.

(5) Interest Rates:

(a) Base rate. The base rate used in computing the interest rates on all direct loans for a quarter will be based on the average of the weekly state and local government bond interest rates for the preceding quarter. This base rate will be the "state and local bonds" entry reported in "Federal Statistical Release, H.15." This entry is quoted by the Federal Reserve from the "Bond Buyer Index" for general obligation bonds (20 years to maturity, mixed quality).

(b) Planning Loans. The interest rate for planning loans will be equal to 25% of the base rate.

(c) Local Community Loans. The interest rate for local community loans will be equal to 50% of the base rate.

(d) Urgent Repair Loans. The interest rate for urgent repair loans will be equal to the base rate.

(e) Discretionary Loans. The interest rate for discretionary loans funded under section (4) of this rule will be equal to 50% of the base rate.

(f) Proactive Design and Construction Loans (including qualifying wastewater reuse projects). Loans for proactive design or construction projects will be made at one of the following interest rates:

(A) 45% of the base rate (with a maximum repayment period of 10 years);

(B) 55% of the base rate (with a maximum repayment period of 20 years);

(g) All Other Direct Loans. Except as provided in OAR 340-54-0065(12), all other CWSRF Loans will be made at one of the following interest rates:

(A) 25% of the base rate (with a maximum repayment period of 5 years);

(B) 55% of the base rate (with a maximum repayment period of 10 years);

(C) 60% of the base rate (with a maximum repayment period of 15 years);

(D) 65% of the base rate (with a maximum repayment period of 20 years).

(h) Sponsorship option. When the sponsorship option is implemented in conjunction with a construction loan, the resulting reduced interest rate is defined as a rate calculated to approximate the semi-annual payment for a loan obtained to construct the sewage collection system or sewage treatment facility by itself, or a one percent interest rate, whichever is higher.

(i) Bond proceeds that are matching funds for federal capitalization grants may be used to fund direct loans at the interest rates listed in this section. This subsection will not be affected by any change in the source of repayment for matching bonds.

(6) Interest Accrual and Payment Periods. Interest accrual begins at the time of each loan disbursement from the CWSRF to the Borrower. All outstanding accrued interest will be included with each loan repayment.

(7) Annual Fee. The Borrower must pay the necessary and reasonable costs of administering the fund through the loan's Annual Fee. An annual fee of 0.5% of the unpaid balance will be charged on each loan, except planning loans, during the repayment period. This fee is due and payable in addition to the payments identified in the loan agreement's payment schedule.

(8) Review of interest rates and fees. The interest rates on CWSRF loans described in OAR 340-054-0065(5) of this rule will be effective for all loan agreements executed on or after June 1, 2003.

(9) Commencement of Loan Repayment. Principal and interest repayments on loans will begin within one year of the date of Initiation of Operations or project completion, as determined by the Department.

(10) Loan Term. All loans must be fully repaid within 20 years of the date of Initiation of Operations or project completion, in accordance with a

schedule determined by the Department. Generally, the loan repayment term will be no longer than the useful life of the assets financed and will be based on the Borrower's ability to pay.

(a) The loan term for planning loans will not exceed five years.

(b) The loan term for local community loans will not exceed ten years.

(c) The loan term for urgent repair loans will not exceed ten years.

(d) The loan term for discretionary loans will not exceed twenty years

(e) Loan terms for emergency loans, design loans or construction loans are described in OAR 340-054-0065(5)(g).

(f) Loan terms for proactive design loans or construction loans are described in OAR 340-054-0065(5)(f). Prepayments will be allowed at any time without penalty on all CWSRF loans except as provided for in OAR 340-054-0065(12) of this rule.

(11) Minor Variations in Loan Terms. The Department may allow minor variations in the financial terms of loans described in this section to facilitate administration and repayment of loans.

(12) Leveraged Loans. The Department may:

(a) Increase the size of the fund by selling state bonds to be repaid and secured by CWSRF loan repayments, reserves and reserve interest earnings.

(b) Fund loans with bond proceeds as a part of a leveraged loan program with the following terms and conditions:

(A) Selling bonds to leverage the CWSRF program will increase the Department's ability to provide loan assistance to help public agencies comply with the Department's mandates.

(B) Interest rates on leveraged loans will be less than the interest rate paid by the state on bonds sold to fund the leveraged loans. Rates will be fixed at 65% of the base rate.

(C) Loan fees for leveraged loans will not exceed the amount charged for direct loans of the same size and repayment period.

(D) Costs of bond issuance and related transaction costs will be paid out of bond proceeds to the extent permitted by law.

(E) Notwithstanding other provisions of this rule, the Department may make changes to the terms and conditions of leveraged CWSRF loans to make them marketable. To the maximum extent practicable, the terms and conditions will be the same as for direct loans.

(13) Additional subsidization. The department must provide additional subsidization to the minimum extent required by the current fiscal year capitalization grant. This additional subsidization will be in the form of principal forgiveness in accordance with the criteria established in this rule. Loans with additional subsidization in the form of principal forgiveness are subject to standard interest rates, fees, and loan terms as defined in the rules of this division.

(a) Principal forgiveness for a point source project. Eligibility and the amount of principal forgiveness for a point source project are based on the community's median household income (MHI). The MHI used to calculate the level of principal forgiveness is based on the most recent and available income data provided by the U.S. Census Bureau. When an applicant is not a jurisdiction whose MHI is reported directly by the U. S. Census Bureau, sub-data such as census tract or block tract data will be used as a basis for calculating the applicant's MHI. In lieu of U.S. Census Bureau data, an income survey approved by the department may also be used to determine a community's MHI.

(A) Principal forgiveness threshold. An applicant whose MHI, as calculated in subsection (a) of this section, is equal to or greater than the statewide MHI is not eligible for principal forgiveness.

(B) Calculating the amount of principal forgiveness.

(i) For an applicant whose MHI is less than the statewide MHI, the applicant's MHI is multiplied by an affordability index and then the result is divided by twelve. The result of this calculation yields an affordability rate expressed in dollars per month. The department will use the affordability rate to determine the maximum amount of additional subsidization for which the applicant is eligible. A projected sewer rate, reflecting the additional costs of the proposed project, must be submitted by the applicant and approved in writing by the department.

(ii) The affordability index is used to calculate the affordability rate. The affordability index of 1.25 percent is the department's standard factor representing the percentage of a household's income necessary to cover the cost of sewer service. This factor is adjusted semi-annually for inflation based on the Portland, Oregon consumer price index as listed by the Oregon Employment Department.

(iii) Calculating the affordability rate (AR):  $AR = (\text{Applicant's MHI} \times \text{affordability index}) / 12$

# ADMINISTRATIVE RULES

(iv) If the affordability rate (in cost per month) is less than the projected sewer rate (in cost per month), then the applicant is eligible for principal forgiveness.

(C) Principal forgiveness amount. The maximum amount of principal forgiveness is the amount required to reduce the projected sewer rate to a level equal to the calculated affordability rate. The total amount of principal forgiveness will not exceed 75 percent of the loan amount or \$1 million, whichever is less.

(b) Principal forgiveness for a nonpoint source control or an estuary management project. A nonpoint source control or an estuary management project is eligible for principal forgiveness. The amount of principal forgiveness offered to any one project may not exceed 30 percent of the loan amount or \$1 million, whichever is less.

(c) Principal forgiveness for a planning project. A planning project is eligible for principal forgiveness. The amount of principal forgiveness offered to any one planning project may not exceed 30 percent of the loan amount.

Stat. Auth.: ORS 468.423 - 468.440

Stats. Implemented: ORS 468.433 & 468.437

Hist.: DEQ 2-1989, f. & cert. ef. 3-10-89; DEQ 31-1989(Temp), f. & cert. ef. 12-14-89; DEQ 30-1990, f. & cert. ef. 8-1-90; DEQ 1-1993, f. & cert. ef. 1-22-93; DEQ 3-1995, f. & cert. ef. 1-23-95; DEQ 10-2003, f. & cert. ef. 5-27-03; DEQ 3-2010(Temp), f. & cert. ef. 5-4-10 thru 10-29-10; DEQ 13-2010, f. & cert. ef. 10-27-10

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## Department of Fish and Wildlife Chapter 635

**Rule Caption:** Treaty Indian Fall Commercial Gill Net and Hook-and-line Fisheries Authorized In Columbia River.

**Adm. Order No.:** DFW 149-2010(Temp)

**Filed with Sec. of State:** 10-18-2010

**Certified to be Effective:** 10-19-10 thru 10-31-10

**Notice Publication Date:**

**Rules Amended:** 635-041-0075

**Rules Suspended:** 635-041-0075(T)

**Subject:** This amended rule allows the commercial sales of fish caught during the Treaty Indian fall commercial gill net fishery in the Columbia River above Bonneville Dam (Zone 6). Rule modifications authorize a new 3.5 day fishery which begins at 6:00 a.m. Tuesday, October 19 and runs through 6:00 p.m. Friday, October 22, 2010. Amendments also restrict sales of platform and hook-and-line caught fish to those harvested prior to 6:00 p.m. Friday, October 22, 2010. Modifications are consistent with action taken October 18, 2010 by the Columbia River Compact agencies of Oregon and Washington in concert with the Columbia River Treaty Tribes.

**Rules Coordinator:** Therese Kucera—(503) 947-6033

### 635-041-0075

#### Fall Salmon Season

(1) The commercial platform and hook-and-line fisheries and the Yakama, Warm Springs and Umatilla tribal subsistence fisheries downstream of Bonneville Dam (bank fishing only) conducted under agreements with the states of Oregon and Washington opened 6:00 a.m. Wednesday, June 16, 2010 and continue until further notice. The commercial platform and hook-and-line fisheries above Bonneville Dam (Zone 6) opened 6:00 a.m. Wednesday, June 16, 2010 and continue until further notice.

(a) Allowable sales include Chinook, steelhead, sockeye, coho, walleye, shad, yellow perch, bass and carp. Sturgeon caught in the tribal fisheries below Bonneville Dam may not be retained or sold. However, white sturgeon between 43 and 54 inches in fork length taken from The Dalles and John Day pools and white sturgeon between 38 and 54 inches in fork length taken from the Bonneville Pool may be kept for subsistence use. Fish may NOT be sold on USACE Property below Bonneville Dam, but may be caught and transported off USACE property for sale.

(b) Gear is restricted to subsistence fishing gear:

(A) In Zone 6: hoopnets, dipnets and rod and reel with hook-and-line are allowed; and

(B) Below Bonneville Dam: hoopnets, dipnets, spears, gaffs, clubs, fouling hooks and rod and reel with hook-and-line are allowed.

(c) Salmon, steelhead, walleye, shad, carp, bass, catfish and yellow perch landed during any open commercial fishing period prior to 6:00 p.m. Friday, October 22, 2010 may be sold at any time. Fish harvested after 6:00 p.m. Friday, October 22, 2010 may not be sold but may be retained for subsistence purposes.

(d) Closed areas in Zone 6, except the Spring Creek sanctuary, are as set forth in OAR 635-041-0045 and remain in effect. Closed areas downstream of Bonneville Dam, are as set forth in OAR 635-041-0015 and remain in effect.

(2) Commercial sales of gill net caught fish from Zone 6 of the mainstem Columbia River is allowed beginning 6:00 a.m. Tuesday, August 24, 2010. Authorized gill net fishing periods are: 6:00 a.m. Tuesday, August 24 through 6:00 p.m. Friday, August 27, 2010 (3.5 days); 6:00 a.m. Monday, August 30 through 6:00 p.m. Friday, September 3, 2010 (4.5 days); 6:00 a.m. Tuesday, September 7 through 6:00 p.m. Saturday, September 11, 2010 (4.5 days); 6:00 a.m. Monday, September 13 through 6:00 p.m. Friday, September 17, 2010 (4.5 days); 6:00 a.m. Monday, September 27 through 6:00 p.m. Wednesday, September 29, 2010 (2.5 days); 6:00 a.m. Monday, October 11 through 6:00 p.m. Wednesday, October 13, 2010 (2.5 days); and 6:00 a.m. Tuesday, October 19 through 6:00 p.m. Friday, October 22, 2010 (3.5 days).

(a) No minimum mesh size restriction is in effect through September 17, 2010. Effective Monday, September 27 at 6:00 a.m. the minimum mesh size restriction is 8 inches.

(b) Allowable sales include salmon, steelhead, walleye, shad, yellow perch, catfish, bass and carp.

(c) Sturgeon may not be sold. However, white sturgeon between 43 and 54 inches in fork length taken from The Dalles and John Day pools and white sturgeon between 38 and 54 inches in fork length taken from the Bonneville Pool may be kept for subsistence use.

(d) Salmon, steelhead, walleye, shad, carp, bass, catfish, and yellow perch landed during an open commercial fishing period may be sold at any time.

(e) All standard river mouth and dam sanctuaries in Zone 6, except Spring Creek Hatchery sanctuary, as set forth in OAR 635-041-0045, remain in effect.

(3) Sales of salmon, steelhead, walleye, shad, carp, bass and yellow perch caught in Yakama Nation tributary fisheries in the Wind River, Big White Salmon River, Klickitat River, and Icicle Creek during those days and hours when the tributaries are open under lawfully enacted tribal fishing periods are allowed.

(a) Sale of steelhead is prohibited after October 17, 2010.

(b) Sale of fish outside designated fishing areas is allowed only if accompanied by a Transport Permit authorized by the Yakama Nation.

(4) Until further notice, sales of adipose fin-clipped Chinook salmon, caught in Nez Perce tributary fisheries in the Snake River Basin Tributary Treaty Area, including treaty spring fisheries in the Imnaha and Grande Ronde subbasins, may be sold during those days and hours when the tributaries are open under lawfully enacted tribal fishing periods.

Stat. Auth.: ORS 496.118 & 506.119

Stats. Implemented: ORS 506.109, 506.129 & 507.030

Hist.: FWC 25-1979, f. & cert. ef. 8-2-79; FWC 36-1979(Temp), f. & cert. ef. 8-22-79; FWC 47-1979(Temp), f. & cert. ef. 9-21-79; FWC 44-1980(Temp), f. & cert. ef. 8-22-80; FWC 46-1980(Temp), f. & cert. ef. 9-13-80; FWC 33-1981(Temp), f. & cert. ef. 9-15-81; FWC 58-1982(Temp), f. & cert. ef. 8-27-82; FWC 62-1982(Temp), f. & cert. ef. 9-7-82; FWC 63-1982(Temp), f. & cert. ef. 9-14-82; FWC 75-1982 (Temp), f. & cert. ef. 10-29-82; FWC 36-1983, f. & cert. ef. 8-18-83; FWC 49-1983(Temp), f. & cert. ef. 9-26-83; FWC 51-1983(Temp), f. & cert. ef. 9-30-83; FWC 55-1983(Temp), f. & cert. ef. 10-4-83; FWC 46-1984, f. & cert. ef. 8-30-84; FWC 55-1984(Temp), f. & cert. ef. 9-10-84; FWC 58-1984(Temp), f. & cert. ef. 9-17-84; FWC 61-1984 (Temp), f. & cert. ef. 9-21-84; FWC 70-1984(Temp), f. & cert. ef. 10-9-84; FWC 47-1985, f. & cert. ef. 8-23-85; FWC 60-1985(Temp), f. & cert. ef. 9-13-85; FWC 63-1985(Temp), f. & cert. ef. 9-24-85; FWC 42-1986, f. & cert. ef. 8-15-86; FWC 53-1986(Temp), f. & cert. ef. 9-4-86; FWC 54-1986(Temp), f. & cert. ef. 9-5-86; FWC 57-1986(Temp), f. & cert. ef. 9-11-86; FWC 60-1986(Temp), f. & cert. ef. 9-26-86; FWC 62-1986(Temp), f. & cert. ef. 10-2-86; FWC 63-1987, f. & cert. ef. 8-7-87; FWC 74-1987(Temp), f. & cert. ef. 9-4-87; FWC 75-1987 (Temp), f. & cert. ef. 9-1-87; FWC 78-1987(Temp), f. & cert. ef. 9-15-87; FWC 80-1987(Temp), f. & cert. ef. 9-18-87; FWC 87-1987(Temp), f. & cert. ef. 10-9-87; FWC 89-1987(Temp), f. & cert. ef. 10-12-87; FWC 67-1988, f. & cert. ef. 8-15-88; FWC 72-1988(Temp), f. & cert. ef. 8-19-88; FWC 77-1988(Temp), f. & cert. ef. 9-2-88; FWC 91-1988(Temp), f. & cert. ef. 9-16-88; FWC 95-1988 (Temp), f. & cert. ef. 9-27-88, cert. ef. 9-28-88; FWC 54-1989(Temp), f. & cert. ef. 8-7-89; FWC 87-1989(Temp), f. & cert. ef. 9-1-89; FWC 95-1989(Temp), f. & cert. ef. 9-19-89; FWC 96-1989 (Temp), f. & cert. ef. 9-21-89; FWC 99-1989(Temp), f. & cert. ef. 9-27-89; FWC 100-1989(Temp), f. & cert. ef. 9-28-89; FWC 80-1990(Temp), f. & cert. ef. 8-7-90, cert. ef. 8-8-90; FWC 90-1990, f. & cert. ef. 8-31-90; FWC 96-1990(Temp), f. & cert. ef. 9-10-90; FWC 98-1990(Temp), f. & cert. ef. 9-14-90, cert. ef. 9-17-90; FWC 85-1991, f. & cert. ef. 8-12-91; FWC 96-1991, f. & cert. ef. 9-9-91; FWC 101-1991(Temp), f. & cert. ef. 9-10-91; FWC 103-1991(Temp), f. & cert. ef. 9-17-91, cert. ef. 9-18-91; FWC 110-1991(Temp), f. & cert. ef. 9-27-91; FWC 73-1992(Temp), f. & cert. ef. 8-10-92; FWC 86-1992(Temp), f. & cert. ef. 9-1-92, cert. ef. 9-2-92; FWC 87-1992(Temp), f. & cert. ef. 9-7-92; FWC 91-1992(Temp), f. & cert. ef. 9-16-92, cert. ef. 9-17-92; FWC 96-1992(Temp), f. & cert. ef. 9-22-92, cert. ef. 9-23-92; FWC 105-1992(Temp), f. & cert. ef. 10-2-92, cert. ef. 10-5-92; FWC 107-1992 (Temp), f. & cert. ef. 10-9-92; FWC 47-1993, f. & cert. ef. 8-6-93, cert. ef. 8-9-93; FWC 52-1993, f. & cert. ef. 8-30-93; FWC 57-1993(Temp), f. & cert. ef. 9-13-93; FWC 59-1993(Temp), f. & cert. ef. 9-20-93; FWC 61-1993(Temp), f. & cert. ef. 9-24-93; FWC 55-1994(Temp), f. & cert. ef. 8-29-94; FWC 61-1994(Temp), f. & cert. ef. 9-7-94, cert. ef. 8-8-94; FWC 74-1994(Temp), f. & cert. ef. 10-12-94; FWC 68-1995(Temp), f. & cert. ef. 8-25-95, cert. ef. 8-29-95; FWC 72-1995(Temp), f. & cert. ef. 9-1-95; FWC 75-1995(Temp), f. & cert. ef. 9-12-95, cert. ef. 9-13-95; FWC 46-1996, f. & cert. ef. 8-23-96; FWC 48-1996(Temp), f. & cert. ef. 8-29-96, cert. ef. 9-2-96; FWC 51-1996(Temp), f. & cert. ef. 9-9-96; FWC 53-1996(Temp), f. & cert. ef. 9-26-96; FWC 54-1996(Temp), f. & cert. ef. 9-23-96; FWC 48-1997, f. & cert. ef. 8-25-97; FWC 52-1997(Temp), f. & cert. ef. 8-29-97, cert. ef. 9-2-97; FWC 57(Temp), f. & cert. ef. 9-9-97; FWC 60-1997(Temp), f. & cert. ef. 9-17-97; DFW 68-

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1998(Temp), f. & cert. ef. 8-25-98 thru 9-25-98; DFW 76-1998(Temp), f. & cert. ef. 9-8-98 thru 9-25-98; DFW 77-1998(Temp), f. 9-14-98, cert. ef. 9-15-98 thru 9-25-98; DFW 79-1998(Temp), f. 9-21-98, cert. ef. 9-22-98 thru 9-25-98; DFW 80-1998(Temp), f. 9-23-98, cert. ef. 9-24-98 thru 9-25-98; DFW 59-1999(Temp), f. & cert. ef. 8-23-99 thru 9-11-99; DFW 62-1999(Temp), f. 9-2-99, cert. ef. 9-3-99 thru 9-11-99; DFW 65-1999(Temp), f. 9-14-99, cert. ef. 9-15-99 thru 9-17-99; DFW 69-1999(Temp), f. & cert. ef. 9-17-99 thru 9-18-99; DFW 72-1999(Temp), f. 9-21-99, cert. ef. 9-22-99 thru 10-22-99; DFW 74-1999(Temp), f. 9-28-99, cert. ef. 9-29-99 thru 10-22-99; Administrative correction 11-17-99; DFW 50-2000(Temp), f. 8-18-00, cert. ef. 8-21-00 thru 9-9-00; DFW 60-2000(Temp), f. 9-11-00, cert. ef. 9-12-00 thru 12-31-00; DFW 61-2000(Temp), f. 9-15-00, cert. ef. 9-19-00 thru 12-31-00; Administrative correction 6-19-01; DFW 75-2001(Temp), f. & cert. ef. 8-20-01 thru 9-8-01; DFW 87-2001(Temp), f. 9-10-01, cert. ef. 9-11-01 thru 9-15-01; DFW 91-2001(Temp), f. & cert. ef. 9-19-01 thru 12-31-01; DFW 94-2001(Temp), f. 9-26-01, cert. ef. 9-27-01 thru 12-31-01; DFW 100-2001(Temp), f. 10-16-01, cert. ef. 10-17-01 thru 12-31-01; DFW 89-2002(Temp), f. 8-16-02, cert. ef. 8-18-02 thru 12-31-02; DFW 98-2002(Temp), f. & cert. ef. 8-30-02 thru 12-31-02; DFW 102-2002(Temp), f. & cert. ef. 9-13-02 thru 12-31-02; DFW 104-2002(Temp), f. & cert. ef. 9-19-02 thru 12-31-02; DFW 113-2002(Temp), f. 10-14-02, cert. ef. 10-15-02 thru 12-31-02; DFW 77-2003(Temp), f. & cert. ef. 8-13-03 thru 12-31-03; DFW 81-2003(Temp), f. 8-25-03, cert. ef. 8-26-03 thru 12-31-03; DFW 91-2003(Temp), f. 9-12-03 cert. ef. 9-16-03 thru 12-31-03; DFW 97-2003(Temp), f. 9-22-03, cert. ef. 9-24-03 thru 12-31-03; DFW 101-2003(Temp), f. 9-26-03, cert. ef. 10-1-03 thru 12-31-03; DFW 103-2003(Temp), f. 10-3-03, cert. ef. 10-8-03 thru 12-31-03; DFW 104-2003(Temp), f. 10-10-03, cert. ef. 10-11-03 thru 12-31-03; DFW 88-2004(Temp), f. & cert. ef. 8-23-04 thru 12-31-04; DFW 95-2004(Temp), f. 9-17-04, cert. ef. 9-19-04 thru 12-31-04; DFW 99-2004(Temp), f. & cert. ef. 9-24-04 thru 12-31-04; DFW 104-2004(Temp), f. 10-12-04 cert. ef. 10-13-04 thru 12-31-04; DFW 110-2004(Temp), f. & cert. ef. 10-29-04 thru 12-31-04; Administrative correction, 2-18-05; DFW 96-2005(Temp), f. & cert. ef. 8-22-05 thru 12-31-05; DFW 104-2005(Temp), f. & cert. ef. 9-12-05 thru 12-31-05; DFW 109-2005(Temp), f. & cert. ef. 9-19-05 thru 12-31-05; DFW 113-2005(Temp), f. & cert. ef. 9-28-05 thru 12-31-05; DFW 120-2005(Temp), f. & cert. ef. 10-11-05 thru 12-31-05; Administrative correction 1-19-06; DFW 71-2006(Temp), f. 7-31-06, cert. ef. 8-1-06 thru 12-31-06; DFW 86-2006(Temp), f. 8-18-06, cert. ef. 8-21-06 thru 12-31-06; DFW 94-2006(Temp), f. 9-8-06, cert. ef. 9-11-06 thru 12-31-06; DFW 101-2006(Temp), f. 9-15-06, cert. ef. 9-18-06 thru 12-31-06; DFW 107-2006(Temp), f. 9-28-06, cert. ef. 10-3-06 thru 12-31-06; DFW 115-2006(Temp), f. 10-13-06, cert. ef. 10-15-06 thru 12-31-06; Administrative correction 1-16-07; DFW 60-2007(Temp), f. 7-30-07, cert. ef. 8-1-07 thru 12-31-07; DFW 77-2007(Temp), f. 8-17-07, cert. ef. 8-22-07 thru 12-31-07; DFW 88-2007(Temp), f. 9-10-07, cert. ef. 9-11-07 thru 12-31-07; DFW 95-2007(Temp), f. 9-21-07, cert. ef. 9-25-07 thru 12-31-07; DFW 100-2007(Temp), f. 9-28-07, cert. ef. 10-3-07 thru 12-31-07; DFW 110-2007(Temp), f. 10-16-07, cert. ef. 10-20-07 thru 12-31-07; DFW 106-2008(Temp), f. 9-4-08, cert. ef. 9-6-08 thru 10-31-08; DFW 109-2008(Temp), f. 9-12-08, cert. ef. 9-15-08 thru 10-31-08; DFW 112-2008(Temp), f. 9-17-08, cert. ef. 9-18-08 thru 10-31-08; DFW 117-2008(Temp), f. & cert. ef. 9-22-08 thru 10-31-08; DFW 122-2008(Temp), f. & cert. ef. 9-29-08 thru 10-31-08; DFW 125-2008(Temp), f. 10-6-08, cert. ef. 10-7-08 thru 10-31-08; DFW 134-2008(Temp), f. & cert. ef. 10-17-08 thru 10-31-08; DFW 141-2008(Temp), f. 11-10-08, cert. ef. 11-12-08 thru 11-30-08; DFW 88-2009(Temp), f. 7-31-09, cert. ef. 8-1-09 thru 12-31-09; DFW 95-2009(Temp), f. 8-19-09, cert. ef. 8-24-09 thru 12-31-09; DFW 111-2009(Temp), f. 9-11-09, cert. ef. 9-13-09 thru 9-30-09; DFW 114-2009(Temp), f. 9-18-09, cert. ef. 9-21-09 thru 10-31-09; DFW 119-2009(Temp), f. & cert. ef. 9-29-09 thru 10-31-09; DFW 129-2009(Temp), f. 10-13-09, cert. ef. 10-14-09 thru 10-31-09; Administrative correction 11-19-09; DFW 111-2010(Temp), f. 7-30-10, cert. ef. 8-1-10 thru 10-31-10; DFW 120-2010(Temp), f. 8-18-10, cert. ef. 8-24-10 thru 10-31-10; DFW 128-2010, f. & cert. ef. 9-10-10 thru 10-31-10; DFW 136-2010(Temp), f. 9-24-10, cert. ef. 9-27-10 thru 10-31-10; DFW 142-2010(Temp), f. 10-8-10, cert. ef. 10-9-10 thru 10-31-10; DFW 149-2010(Temp), f. 10-18-10, cert. ef. 10-19-10 thru 10-31-10

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**Rule Caption:** Additional Fall Commercial Drift Gill Net Fishing Periods Authorized for the Columbia River.

**Adm. Order No.:** DFW 150-2010(Temp)

**Filed with Sec. of State:** 10-18-2010

**Certified to be Effective:** 10-19-10 thru 11-30-10

**Notice Publication Date:**

**Rules Amended:** 635-042-0060

**Rules Suspended:** 635-042-0060(T)

**Subject:** This amended rule implements one fall non-Indian commercial salmon drift gill net fishing period in Columbia River zones 1 through 3 using nets with no minimum mesh size restriction. Amendments adopted also implement two fall non-Indian commercial salmon drift gill net fishing periods in Columbia River zones 4 through 5 using a 8 inch minimum mesh size.

**Rules Coordinator:** Therese Kucera—(503) 947-6033

## 635-042-0060

### Late Fall Salmon Season

(1) Salmon and white sturgeon may be taken by drift gill nets for commercial purposes from the Columbia River during the open fishing periods and areas identified in section (2) below. Retention of green sturgeon is prohibited.

#### (2) Open Seasons:

(a) Zones 1-3, as identified in OAR 635-042-0001 as follows:

6:00 a.m. to 6:00 p.m. Wednesday, October 20, 2010 (12 hours).

(b) Zones 4-5, as identified in OAR 635-042-0001 as follows:

7:00 p.m. Tuesday, October 19 to 7:00 a.m. Wednesday, October 20, 2010 (12 hours);

and

7:00 p.m. Thursday, October 21 to 7:00 a.m. Friday, October 22, 2010 (12 hours).

(3) Only drift gill nets may be used. In the open periods described in section (2)(a) above gear is restricted to gill nets with a 8-inch minimum and 9.75-inch maximum mesh size only. In the open period described in

section (2)(b) above there is no minimum mesh size restriction. In the open periods described in section (2)(c) above gear is restricted to gill nets with a 8-inch minimum mesh size only. Nets not specifically authorized for use in this fishery may be onboard the vessel if properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater. Nets that are fished at any time between official sunset and official sunrise must have lighted buoys on both ends of the net unless the net is attached to the boat. If the net is attached to the boat, then one lighted buoy on the opposite end of the net from the boat is required.

(4) A maximum of eight (8) white sturgeon, 43-54 inches in fork length, may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday) the fishery is open through Saturday, October 16, 2010 and five (5) white sturgeon, 43-54 inches in fork length, may be possessed or sold by each participating vessel effective Sunday, October 17, 2010. The sturgeon possession and sales limit includes mainstem fisheries only. The Columbia River Select Areas are currently closed to the retention of white sturgeon.

(5) Closed waters, as described in OAR 635-042-0005 for Grays Bay, Elokomin-B, Cowlitz, Kalama-B, Lewis-B, Sandy and Washougal rivers sanctuaries are in effect, as applicable, during the open fishing periods identified in sections (2)(a) and (2)(b) above beginning October 19, 2010. The Grays Bay sanctuary is defined as those waters of the Columbia River and Grays Bay northerly of a line projected from Rocky Point Light (flashing green 4-second) easterly to Harrington Point. Deep River Select Area remains open.

Stat. Auth.: ORS 496.118 & 506.119

Stats. Implemented: ORS 506.109, 506.129 & 507.030

Hist.: FWC 40-1979, f. & ef. 9-10-79; FWC 45-1979(Temp), f. & ef. 9-21-79; FWC 52-1979(Temp), f. & ef. 11-2-79; FWC 48-1980(Temp), f. & ef. 9-19-80; FWC 51-1980(Temp), f. & ef. 9-22-80; FWC 55-1980(Temp), f. & ef. 9-26-80; FWC 56-1980(Temp), f. & ef. 9-29-80; FWC 58-1980(Temp), f. & ef. 10-17-80; FWC 37-1981(Temp), f. & ef. 9-24-81; FWC 38-1981(Temp), f. & ef. 9-29-81; FWC 69-1982(Temp), f. & ef. 9-30-82; FWC 72-1982(Temp), f. & ef. 10-20-82; FWC 56-1983(Temp), f. & ef. 10-5-83; FWC 54-1984(Temp), f. & ef. 9-10-84; FWC 59-1984(Temp), f. & ef. 9-18-84; FWC 66-1984(Temp), f. & ef. 9-26-84; FWC 68-1984(Temp), f. & ef. 10-2-84; FWC 58-1985(Temp), f. & ef. 9-13-85; FWC 62-1985(Temp), f. & ef. 9-24-85; FWC 66-1985(Temp), f. & ef. 10-11-85; FWC 54-1986(Temp), f. & ef. 9-5-86; FWC 64-1986(Temp), f. & ef. 10-3-86; FWC 67-1986(Temp), f. & ef. 10-17-86; FWC 74-1987(Temp), f. & ef. 9-4-87; FWC 75-1987(Temp), f. & ef. 9-11-87; FWC 80-1987(Temp), f. & ef. 9-18-87; FWC 87-1987(Temp), f. & ef. 10-9-87; FWC 91-1987(Temp), f. & ef. 10-16-87; FWC 85-1988(Temp), f. & cert. ef. 9-9-88; FWC 93-1988(Temp), f. & cert. ef. 9-16-88; FWC 99-1988(Temp), f. & cert. ef. 10-7-88; FWC 100-1988(Temp), f. 10-21-88, cert. ef. 10-24-88; FWC 94-1989(Temp), f. 9-15-89, cert. ef. 9-17-89; FWC 97-1989(Temp), f. & cert. ef. 9-21-89; FWC 109-1989(Temp), f. & cert. ef. 10-6-89; FWC 113-1989(Temp), f. & cert. ef. 11-9-89; FWC 100-1990(Temp), f. & cert. ef. 9-18-90; FWC 101-1990(Temp), f. & cert. ef. 9-19-90; FWC 102-1990(Temp), f. & cert. ef. 9-20-90; FWC 114-1990, f. & cert. ef. 10-8-90; FWC 105-1991, f. & cert. ef. 9-20-91; FWC 118-1991, f. & cert. ef. 10-4-91; FWC 122-1991(Temp), f. & cert. ef. 10-18-91; FWC 129-1991(Temp), f. 11-1-91, cert. ef. 11-3-91; FWC 97-1992(Temp), f. & cert. ef. 9-22-92; FWC 100-1992(Temp), f. 9-25-92, cert. ef. 9-27-92; FWC 107-1992(Temp), f. & cert. ef. 10-9-92; FWC 109-1992(Temp), f. 10-19-92, cert. ef. 10-20-92; FWC 110-1992(Temp), f. & cert. ef. 10-22-92; FWC 80-1995(Temp), f. 9-27-95, cert. ef. 10-9-95; FWC 46-1996, f. & cert. ef. 8-23-96; FWC 58-1996(Temp), f. 9-27-96, cert. ef. 9-30-96; FWC 60-1996(Temp), f. & cert. ef. 10-7-96; FWC 62(Temp), f. 10-18-96, cert. ef. 10-21-96; FWC 61-1997(Temp), f. 9-23-97, cert. ef. 9-24-97; FWC 62-1997(Temp), f. & cert. ef. 10-6-97; FWC 64-1997(Temp), f. & cert. ef. 10-14-97; FWC 65-1997(Temp), f. & cert. ef. 10-20-97; FWC 68-1997(Temp), f. & cert. ef. 11-3-97; DFW 79-1999(Temp), f. 10-8-99, cert. ef. 10-11-99 thru 12-31-99; DFW 83-1999(Temp), f. 10-26-99, cert. ef. 10-27-99 thru 12-31-99; DFW 79-1999(Temp), f. & cert. ef. 11-4-99 thru 11-5-99; Administrative correction 11-17-99; DFW 62-2000(Temp), f. 9-15-00, cert. ef. 9-19-00 thru 12-31-00; DFW 68-2000(Temp), f. 10-6-00, cert. ef. 10-9-00 thru 12-31-00; DFW 71-2000(Temp), f. 10-20-00, cert. ef. 10-23-00 thru 12-31-00; DFW 74-2000(Temp), f. 10-27-00, cert. ef. 10-30-00 thru 12-31-00; Administrative correction 6-20-01; DFW 89-2001(Temp), f. 9-14-01 thru 12-31-01; DFW 92-2001(Temp), f. & cert. ef. 9-19-01 thru 12-31-01; DFW 93-2001(Temp), f. 9-21-01, cert. ef. 9-24-01 thru 12-31-01; DFW 98-2001(Temp), f. 10-8-01, cert. ef. 12-31-01; DFW 106-2001(Temp), f. & cert. ef. 10-26-01 thru 12-31-01; DFW 104-2002(Temp), f. & cert. ef. 9-19-02 thru 12-31-02; DFW 106-2002(Temp), f. & cert. ef. 9-24-02 thru 12-31-02; DFW 109-2002(Temp), f. & cert. ef. 9-27-02 thru 12-31-02; DFW 112-2002(Temp), f. 10-10-02, cert. ef. 10-14-02 thru 12-31-02; DFW 122-2002(Temp), f. 10-24-02, cert. ef. 10-28-02 thru 12-31-02; DFW 92-2003(Temp), f. 9-12-03 cert. ef. 9-15-03 thru 12-31-03; DFW 95-2003(Temp), f. & cert. ef. 9-17-03 thru 12-31-03; DFW 98-2003(Temp), f. 9-22-03, cert. ef. 9-23-03 thru 12-31-03; DFW 105-2003(Temp), f. 10-10-03, cert. ef. 10-12-03 thru 12-31-03; DFW 107-2003(Temp), f. 10-21-03, cert. ef. 10-26-03 thru 12-31-03; DFW 95-2004(Temp), f. 9-17-04, cert. ef. 9-19-04 thru 12-31-04; DFW 98-2004(Temp), f. & cert. ef. 9-22-04 thru 12-31-04; DFW 99-2004(Temp), f. & cert. ef. 9-24-04 thru 12-31-04; DFW 101-2004(Temp), f. & cert. ef. 9-29-04 thru 12-31-04; DFW 102-2004(Temp), f. 10-1-04, cert. ef. 10-4-04 thru 12-31-04; DFW 109-2004(Temp), f. & cert. ef. 10-19-04 thru 12-31-04; Administrative correction, 2-18-05; DFW 109-2005(Temp), f. & cert. ef. 9-19-05 thru 12-31-05; DFW 110-2005(Temp), f. & cert. ef. 9-26-05 thru 12-31-05; DFW 113-2005(Temp), f. & cert. ef. 9-28-05 thru 12-31-05; DFW 116-2005(Temp), f. 10-4-05, cert. ef. 10-5-05 thru 12-31-05; DFW 120-2005(Temp), f. & cert. ef. 10-11-05 thru 12-31-05; DFW 124-2005(Temp), f. & cert. ef. 10-18-05 thru 12-31-05; DFW 126-2005(Temp), f. 10-21-05, cert. ef. 10-23-05 thru 12-31-05; Administrative correction 1-19-06; DFW 102-2006(Temp), f. 9-15-06, cert. ef. 9-19-06 thru 12-31-06; DFW 106-2006(Temp), f. 9-22-06, cert. ef. 9-25-06 thru 12-31-06; DFW 111-2006(Temp), f. 9-29-06, cert. ef. 10-2-06 thru 12-31-06; DFW 112-2006(Temp), f. 10-4-06, cert. ef. 10-8-06 thru 12-31-06; DFW 114-2006(Temp), f. & cert. ef. 10-12-06 thru 12-31-06; DFW 120-2006(Temp), f. & cert. ef. 10-18-06 thru 12-31-06; Administrative correction 1-16-07; DFW 91-2007(Temp), f. 9-18-07, cert. ef. 9-19-07 thru 12-31-07; DFW 94-2007(Temp), f. 9-21-07, cert. ef. 9-24-07 thru 12-31-07; DFW 97-2007(Temp), f. 9-25-07,

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cert. ef. 9-26-07 thru 12-31-07; DFW 98-2007(Temp), f. 9-26-07, cert. ef. 9-27-07 thru 12-31-07; DFW 99-2007(Temp), f. 9-28-07, cert. ef. 10-1-07 thru 12-31-07; DFW 104-2007(Temp), f. & cert. ef. 10-3-07 thru 12-31-07; DFW 107-2007(Temp), f. & cert. ef. 10-10-07 thru 12-31-07; DFW 109-2007(Temp), f. 10-16-07, cert. ef. 10-17-07 thru 12-31-07; DFW 111-2007(Temp), f. 10-22-07, cert. ef. 10-23-07 thru 12-31-07; DFW 112-2007(Temp), f. 10-24-07, cert. ef. 10-25-07 thru 12-31-07; DFW 113-2008(Temp), f. 9-17-08, cert. ef. 9-18-08 thru 12-31-08; DFW 119-2008(Temp), f. & cert. ef. 9-24-08 thru 12-31-08; DFW 127-2008(Temp), f. 10-7-08, cert. ef. 10-8-08 thru 12-31-08; DFW 132-2008(Temp), f. 10-14-08, cert. ef. 10-15-08 thru 12-31-08; DFW 136-2008(Temp), f. & cert. ef. 10-21-08 thru 12-31-08; DFW 117-2009(Temp), f. 9-23-09, cert. ef. 9-24-09 thru 10-31-09; DFW 120-2009(Temp), f. & cert. ef. 9-30-09 thru 10-31-09; DFW 122-2009(Temp), f. & cert. ef. 10-5-09 thru 10-31-09; DFW 124-2009(Temp), f. & cert. ef. 10-7-09 thru 10-31-09; DFW 130-2009(Temp), f. & cert. ef. 10-13-09 thru 10-31-09; DFW 134-2009(Temp), f. & cert. ef. 10-20-09 thru 10-31-09; DFW 135-2009(Temp), f. & cert. ef. 10-27-09 thru 10-31-09; Administrative correction 11-19-09; DFW 139-2010(Temp), f. & cert. ef. 10-5-10 thru 11-30-10; DFW 146-2010(Temp), f. 10-13-10, cert. ef. 10-14-10 thru 11-30-10; DFW 150-2010(Temp), f. 10-18-10, cert. ef. 10-19-10 thru 11-30-10

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**Rule Caption:** Commercial Chetco River Terminal Area Chinook Salmon Fishery Reopens.

**Adm. Order No.:** DFW 151-2010(Temp)

**Filed with Sec. of State:** 10-19-2010

**Certified to be Effective:** 10-20-10 thru 10-31-10

**Notice Publication Date:**

**Rules Amended:** 635-003-0085

**Rules Suspended:** 635-003-0085(T)

**Subject:** Amended rule to reopen the commercial Chetco River terminal area Chinook salmon fishery effective 12:01 a.m. October 20, 2010 with a landing and possession limit of 10 Chinook per vessel due to remaining quota from the pre-season allocation for this valuable resource.

**Rules Coordinator:** Therese Kucera—(503) 947-6033

## 635-003-0085

### Extended Commercial Seasons

In addition to the open seasons prescribed in OAR 635-003-0003 there are open seasons for Chinook salmon as follows:

(1) Elk River Ocean Terminal Area — from October 15 through the earlier of November 30 or quota of 1,250 Chinook in the area described in section (1)(a) of this rule.

(a) The open area is all Pacific Ocean waters shoreward of a line drawn from Cape Blanco (42°50'20" N. Lat.) thence SW to Black Rock (42°49'24" N. Lat. 124°35'00" W. Long.), thence SSW to Best Rock (42°47'24" N. Lat. 124°35'42" W. Long.), thence SE to 42°40'30" N. Lat. 124°29'00" W. Long., thence to shore (Humbog Mountain).

(b) During the season described in this section (1), it is unlawful to take Chinook salmon less than 28 inches in total length; it is unlawful to use multipoint or barbed hooks or to fish more than four spreads per line; it is unlawful to make more than one landing of Chinook per day; and it is unlawful to have in possession or to land more than 20 Chinook per day taken in this fishery. Landings are restricted to Port Orford.

(c) All vessels landing salmon caught in this season must report to ODFW within one hour of delivery or prior to transport away from the port of landing by either calling (541) 867-0300, ext. 252 or by e-mail to elksw.trollreport@state.or.us. Notification shall include vessel name and number, number of salmon by species, port of landing, location of delivery, and estimated time of delivery.

(2) Tillamook Bay Ocean Terminal Area — from September 1 through the earlier of October 31 or quota of 600 Chinook in the area described in section (2)(a) of this rule:

(a) The open area is all Pacific Ocean waters inside an area between Pyramid Rock (45°29'48" N. Lat.) and Twin Rocks 45°35'54" N. Lat.) and seaward three nautical miles offshore;

(b) During the season described in this section (2), it is unlawful to take Chinook salmon less than 28 inches in total length and it is unlawful to use multipoint or barbed hooks or to fish more than four spreads per line; and it is unlawful to have in possession or to land more than 25 Chinook per calendar week (Sunday through Saturday). Landings are restricted to Garibaldi.

(c) All vessels landing salmon caught in this season must report to the Department within one hour of delivery or prior to transport away from the port of landing by either calling (541) 867-0300, ext. 271 or by e-mail to tillsw.trollreport@state.or.us. Notification shall include vessel name and number, number of salmon by species, port of landing, location of delivery, and estimated time of delivery.

(3) Chetco River Ocean Terminal Area — from October 13 through October 15 and October 20 in the area described in section (3)(a) of this rule:

(a) The open area is all Pacific Ocean waters inside an area south of the north shore of Twin Rocks (42°05'36" N. Lat.) to the Oregon/California border (42°00'00" N. Lat.) and seaward three nautical miles offshore;

(b) During the season described in this section (3) it is unlawful to take Chinook salmon less than 28 inches in total length; it is unlawful to use multipoint or barbed hooks, or to fish more than four spreads per line; it is unlawful to make more than one landing of Chinook per day; and it is unlawful to have in possession or to land more than 20 Chinook per day taken in this fishery through October 15 and 10 Chinook per day on October 20. Landings are restricted to Brookings.

(c) All vessels landing salmon caught in this season must report to ODFW within one hour of delivery or prior to transport away from the port of landing by either calling (541) 867-0300, ext. 252 or by e-mail to kmzortrollreport@state.or.us. Notification shall include vessel name and number, number of salmon by species, port of landing, location of delivery, and estimated time of delivery.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.129

Hist: DFW 6-2005, f. & cert. ef. 2-14-05; DFW 36-2005(Temp), f. & cert. ef. 5-4-05 thru 10-27-05; DFW 48-2005(Temp), f. 5-23-05, cert. ef. 5-24-05 thru 10-27-05; DFW 49-2005(Temp), f. 6-1-05, cert. ef. 6-3-05 thru 10-27-05; DFW 59-2005(Temp), f. 6-21-05, cert. ef. 6-26-05 thru 10-27-05; DFW 97-2005(Temp), f. & cert. ef. 8-23-05 thru 12-31-05; Administrative correction 1-19-06; DFW 43-2006(Temp), f. & cert. ef. 6-16-06 thru 11-16-06; DFW 70-2006(Temp), f. 7-28-06, cert. ef. 7-29-06 thru 12-31-06; DFW 85-2006(Temp), f. 8-18-06, cert. ef. 8-19-06 thru 2-14-07; DFW 93-2006(Temp), f. 9-7-06, cert. ef. 9-8-06 thru 12-31-06; Administrative correction 1-16-07; DFW 48-2007(Temp), f. 6-22-07, cert. ef. 6-23-07 thru 9-16-07; DFW 73-2007(Temp), f. 8-17-07, cert. ef. 8-18-07 thru 9-30-07; Administrative correction 10-16-07; DFW 66-2008(Temp), f. 6-20-08, cert. ef. 6-21-08 thru 10-31-08; Administrative correction 11-18-08; DFW 52-2009, f. & cert. ef. 5-18-09; DFW 147-2010(Temp), f. & cert. ef. 10-15-10 thru 10-31-10; DFW 151-2010(Temp), f. 10-19-10, cert. ef. 10-20-10 thru 10-31-10

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**Rule Caption:** Modifications to Southwest Zone Sport Chinook Salmon Regulations for the Chetco River.

**Adm. Order No.:** DFW 152-2010(Temp)

**Filed with Sec. of State:** 10-27-2010

**Certified to be Effective:** 10-30-10 thru 12-31-10

**Notice Publication Date:**

**Rules Amended:** 635-016-0090

**Rules Suspended:** 635-016-0090(T)

**Subject:** This amended rule opens a sport Chinook salmon season in the Chetco River, that had been temporarily closed to protect Chinook stacked up at the head-of-tide due to early season low flows. These modifications allow opportunity for harvest of both naturally and hatchery produced fall Chinook in the Chetco River mainstem.

**Rules Coordinator:** Therese Kucera—(503) 947-6033

## 635-016-0090

### Inclusions and Modifications

(1) The **2010 Oregon Sport Fishing Regulations** provide requirements for the Southwest Zone. However, additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the **2010 Oregon Sport Fishing Regulations**.

(2) Notwithstanding all other requirements provided in the 2010 Oregon Sport Fishing Regulations, the following restrictions apply to angling in waters of the Southwest Zone:

(a) Within the Coos River Basin the following additional rules apply:

(A) All waters of the South Fork Coos River upstream from the head of tidewater at Dellwood at RM 10.0 are closed for Chinook salmon from August 1 through December 31 and closed for steelhead from August 1 through November 14; and

(B) Within the Coquille River Basin the following additional rules apply:

(A) Open for non fin-clipped coho salmon in Coquille River and Bay upstream to the Highway 42S bridge (Sturdivant Park) at RM 24.0 from September 1 through 12:00 midnight Sunday, October 10, 2010 when attainment of a quota of 1,200 non fin-clipped adult coho is expected to have been met. The daily catch limit may include one adult non fin-clipped coho salmon per day and one non fin-clipped jack coho salmon, and no more than 5 total adult non fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone.

(c) Within the Tenmile Lakes Basin the following additional rules apply:

(A) Tenmile Lakes (Coos County) upstream from Hilltop Bridge are open for non fin-clipped coho salmon from October 1 through the earlier of December 31 or attainment of an adult coho quota of 500 non-finclipped

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coho. The daily catch limit may include one adult non fin-clipped coho salmon per day and one non fin-clipped jack coho salmon, and no more than 5 total adult non fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone. Only one rod per angler may be used while angling for coho. Streams that empty into North and South Tenmile Lakes are not open to coho salmon angling, nor is the canal that connects North and South Tenmile Lakes.

(d) All waters of Floras Creek upstream of the County Road 124 bridge over Floras Creek at RM 5.0 are closed for Chinook salmon between August 1 and December 31.

(e) All waters of the Sixes River upstream of Edson Creek at RM 10.0 are closed for Chinook salmon between August 1 and December 31.

(f) All waters of the Chetco River mainstem, including tidewater, open for Chinook salmon and steelhead October 30 through December 31.

(g) All waters of the Winchuck River mainstem, including tidewater, are closed to angling from August 1 through November 5.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 496.138 & 496.146

Stats. Implemented: ORS 496.162

Hist.: FWC 80-1993(Temp), f. 12-21-93, cert. ef. 1-1-94; FWC 82-1993, f. 12-22-93, cert. ef. 1-1-94; FWC 31-1994, f. 5-26-94, cert. ef. 6-20-94; FWC 79-1994(Temp), f. 10-21-94, cert. ef. 7-22-94; FWC 22-1995, f. 3-7-95, cert. ef. 3-10-95; FWC 34-1995, f. & cert. ef. 5-1-95; FWC 57-1995(Temp), f. 7-3-95, cert. ef. 7-4-95; FWC 59-1995(Temp), f. 7-24-95, cert. ef. 8-1-95; FWC 77-1995, f. 9-13-95, cert. ef. 1-1-96; FWC 82-1995(Temp), f. 9-29-95, cert. ef. 10-1-95; FWC 90-1995(Temp), f. 11-29-95, cert. ef. 1-1-96; FWC 20-1996, f. & cert. ef. 4-29-96; FWC 52-1996, f. & cert. ef. 9-11-96; FWC 61-1996, f. & cert. ef. 10-9-96; FWC 72-1996, f. 12-31-96, cert. ef. 1-1-97; FWC 73-1996(Temp), f. 12-31-96, cert. ef. 1-1-97; FWC 5-1997, f. & cert. ef. 2-4-97; FWC 17-1997(Temp), f. 3-19-97, cert. ef. 4-1-97; FWC 32-1997(Temp), f. & cert. ef. 5-23-97; FWC 75-1997, f. 12-31-97, cert. ef. 1-1-98; DFW 24-1998(Temp), f. & cert. ef. 3-25-98 thru 9-15-98; DFW 34-1998, f. & cert. ef. 5-4-98; DFW 52-1998(Temp), f. 7-10-98, cert. ef. 7-11-98 thru 7-24-98; DFW 55-1998(Temp), f. & cert. ef. 7-24-98 thru 12-31-98; DFW 70-1998, f. & cert. ef. 8-28-98; DFW 100-1998, f. 12-23-98, cert. ef. 1-1-99; DFW 36-1999, f. & cert. ef. 5-20-99; DFW 96-1999, f. 12-27-99, cert. ef. 1-1-00; DFW 48-2000(Temp), f. 8-14-00, cert. ef. 8-15-00 thru 12-31-00; DFW 83-2000(Temp), f. 12-28-00, cert. ef. 1-1-01 thru 1-31-01; DFW 1-2001, f. 1-25-01, cert. ef. 2-1-01; DFW 8-2001, f. & cert. ef. 3-5-01; DFW 40-2001(Temp) f. & cert. ef. 5-24-01 thru 11-20-01; DFW 42-2001(Temp), f. 5-25-01, cert. ef. 5-29-01 thru 7-31-01; DFW 70-2001, f. & cert. ef. 8-10-01; DFW 72-2001(Temp), f. 8-10-01, cert. ef. 8-16-01 thru 12-31-01; DFW 90-2001(Temp), f. 9-14-01, cert. ef. 9-15-01 thru 12-31-01; DFW 97-2001(Temp), f. 10-4-01, cert. ef. 11-1-01 thru 12-31-01; DFW 105-2001(Temp), f. 10-26-01, cert. ef. 11-1-01 thru 12-31-01; DFW 122-2001(Temp), f. & cert. ef. 12-31-01 thru 5-31-02; DFW 123-2001, f. 12-31-01, cert. ef. 1-1-02; DFW 5-2002(Temp) f. 1-11-02 cert. ef. 1-12-02 thru 7-11-02; DFW 26-2002, f. & cert. ef. 3-21-02; DFW 37-2002, f. & cert. ef. 4-23-02; DFW 55-2002(Temp), f. 5-28-02, cert. ef. 7-1-02 thru 11-31-02; DFW 91-2002(Temp) f. 8-19-02, cert. ef. 8-20-02 thru 11-1-02 (Suspended by DFW 101-2002(Temp), f. & cert. ef. 10-3-02 thru 11-1-02); DFW 124-2002(Temp), f. & cert. ef. 10-30-02 thru 12-31-02 (Suspended by DFW 125-2002(Temp), f. 11-8-02, cert. ef. 11-9-2002); DFW 130-2002, f. 11-21-02, cert. ef. 1-1-03; DFW 90-2003(Temp), f. 9-12-03 cert. ef. 9-13-03 thru 12-31-03; DFW 125-2003, f. 12-11-03, cert. ef. 1-1-04; DFW 117-2004, f. 12-13-04, cert. ef. 1-1-05; DFW 127-2004, f. 12-22-04, cert. ef. 1-1-05; DFW 136-2005, f. 12-7-05, cert. ef. 1-1-06; DFW 24-2006(Temp), f. 4-25-06, cert. ef. 5-13-06 thru 10-31-06; DFW 37-2006(Temp), f. 6-2-06, cert. ef. 6-5-06 thru 12-1-06; DFW 79-2006, f. 8-11-06, cert. ef. 1-1-07; DFW 47-2007(Temp), f. 6-18-07, cert. ef. 6-21-07 thru 10-31-07; DFW 56-2007(Temp), 7-6-07, cert. ef. 8-1-07 thru 12-31-07; DFW 136-2007, f. 12-31-07, cert. ef. 1-1-08; DFW 137-2007, f. 12-31-07, cert. ef. 1-1-08; DFW 54-2008(Temp), f. 5-28-08, cert. ef. 6-1-08 thru 7-31-08; DFW 67-2008(Temp), f. 6-20-08, cert. ef. 8-1-08 thru 12-31-08; DFW 138-2008(Temp), f. 10-28-08, cert. ef. 11-1-08 thru 11-30-08; DFW 140-2008(Temp), f. 11-4-08, cert. ef. 11-5-08 thru 12-31-08; DFW 156-2008, f. 12-31-08, cert. ef. 1-1-09; DFW 57-2009(Temp), f. 5-27-09, cert. ef. 6-1-09 thru 7-31-09; DFW 77-2009(Temp), f. 6-29-09, cert. ef. 7-1-09 thru 7-31-09; DFW 87-2009(Temp), f. 7-31-09, cert. ef. 8-1-09 thru 12-31-09; DFW 113-2009(Temp), f. & cert. ef. 9-18-09 thru 12-31-09; DFW 141-2009(Temp), f. 11-4-09, cert. ef. 11-7-09 thru 12-21-09; DFW 143-2009(Temp), f. 11-17-09, cert. ef. 11-19-09 thru 12-31-09; DFW 144-2009, f. 12-8-09, cert. ef. 1-1-10; DFW 65-2010(Temp), f. 5-18-10, cert. ef. 5-22-10 thru 5-31-10; DFW 76-2010, f. 6-8-10, cert. ef. 8-1-10; DFW 143-2010(Temp), f. 10-8-10, cert. ef. 10-10-10 thru 12-31-10; DFW 152-2010(Temp), f. 10-27-10, cert. ef. 10-30-10 thru 12-31-10

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**Rule Caption:** Elk River Commercial Terminal Area Chinook Salmon Fishery Closes.

**Adm. Order No.:** DFW 153-2010(Temp)

**Filed with Sec. of State:** 10-29-2010

**Certified to be Effective:** 10-29-10 thru 10-31-10

**Notice Publication Date:**

**Rules Amended:** 635-003-0085

**Rules Suspended:** 635-003-0085(T)

**Subject:** Amended rule closes the commercial Elk River terminal area Chinook salmon fishery effective 11:59 p.m. October 29, 2010 due to the anticipated attainment of the allocation for this valuable resource.

**Rules Coordinator:** Therese Kucera—(503) 947-6033

**635-003-0085**

**Extended Commercial Seasons**

In addition to the open seasons prescribed in OAR 635-003-0003 there are open seasons for Chinook salmon as follows:

(1) Elk River Ocean Terminal Area — from October 15 through October 29 in the area described in section (1)(a) of this rule.

(a) The open area is all Pacific Ocean waters shoreward of a line drawn from Cape Blanco (42°50'20" N. Lat.) thence SSW to Black Rock (42°49'24" N. Lat. 124°35'00" W. Long.), thence SSW to Best Rock (42°47'24" N. Lat. 124°35'42" W. Long.), thence SE to 42°40'30" N. Lat. 124°29'00" W. Long., thence to shore (Humbug Mountain).

(b) During the season described in this section (1), it is unlawful to take Chinook salmon less than 28 inches in total length; it is unlawful to use multipoint or barbed hooks or to fish more than four spreads per line; it is unlawful to make more than one landing of Chinook per day; and it is unlawful to have in possession or to land more than 20 Chinook per day taken in this fishery. Landings are restricted to Port Orford.

(c) All vessels landing salmon caught in this season must report to ODFW within one hour of delivery or prior to transport away from the port of landing by either calling (541) 867-0300, ext. 252 or by e-mail to elksw.trollreport@state.or.us. Notification shall include vessel name and number, number of salmon by species, port of landing, location of delivery, and estimated time of delivery.

(2) Tillamook Bay Ocean Terminal Area - from September 1 through the earlier of October 31 or quota of 600 Chinook in the area described in section (2)(a) of this rule:

(a) The open area is all Pacific Ocean waters inside an area between Pyramid Rock (45°29'48" N. Lat.) and Twin Rocks 45°35'54" N. Lat.) and seaward three nautical miles offshore;

(b) During the season described in this section (2), it is unlawful to take Chinook salmon less than 28 inches in total length and it is unlawful to use multipoint or barbed hooks or to fish more than four spreads per line; and it is unlawful to have in possession or to land more than 25 Chinook per calendar week (Sunday through Saturday). Landings are restricted to Garibaldi.

(c) All vessels landing salmon caught in this season must report to the Department within one hour of delivery or prior to transport away from the port of landing by either calling (541) 867-0300, ext. 271 or by e-mail to tillsw.trollreport@state.or.us. Notification shall include vessel name and number, number of salmon by species, port of landing, location of delivery, and estimated time of delivery.

(3) Chetco River Ocean Terminal Area — from October 13 through October 15 and October 20 in the area described in section (3)(a) of this rule:

(a) The open area is all Pacific Ocean waters inside an area south of the north shore of Twin Rocks (42°05'36" N. Lat.) to the Oregon/California border (42°00'00" N. Lat.) and seaward three nautical miles offshore;

(b) During the season described in this section (3) it is unlawful to take Chinook salmon less than 28 inches in total length; it is unlawful to use multipoint or barbed hooks, or to fish more than four spreads per line; it is unlawful to make more than one landing of Chinook per day; and it is unlawful to have in possession or to land more than 20 Chinook per day taken in this fishery through October 15 and 10 Chinook per day on October 20. Landings are restricted to Brookings.

(c) All vessels landing salmon caught in this season must report to ODFW within one hour of delivery or prior to transport away from the port of landing by either calling (541) 867-0300, ext. 252 or by e-mail to kmzr.trollreport@state.or.us. Notification shall include vessel name and number, number of salmon by species, port of landing, location of delivery, and estimated time of delivery.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.129

Hist: DFW 6-2005, f. & cert. ef. 2-14-05; DFW 36-2005(Temp), f. & cert. ef. 5-4-05 thru 10-27-05; DFW 48-2005(Temp), f. 5-23-05, cert. ef. 5-24-05 thru 10-27-05; DFW 49-2005(Temp), f. 6-1-05, cert. ef. 6-3-05 thru 10-27-05; DFW 59-2005(Temp), f. 6-21-05, cert. ef. 6-26-05 thru 10-27-05; DFW 97-2005(Temp), f. & cert. ef. 8-23-05 thru 12-31-05; Administrative correction 1-19-06; DFW 43-2006(Temp), f. & cert. ef. 6-16-06 thru 11-16-06; DFW 70-2006(Temp), f. 7-28-06, cert. ef. 7-29-06 thru 12-31-06; DFW 85-2006(Temp), f. 8-18-06, cert. ef. 8-19-06 thru 2-14-07; DFW 93-2006(Temp), f. 9-7-06, cert. ef. 9-8-06 thru 12-31-06; Administrative correction 1-16-07; DFW 48-2007(Temp), f. 6-22-07, cert. ef. 6-23-07 thru 9-16-07; DFW 73-2007(Temp), f. 8-17-07, cert. ef. 8-18-07 thru 9-30-07; Administrative correction 10-16-07; DFW 66-2008(Temp), f. 6-20-08, cert. ef. 6-21-08 thru 10-31-08; Administrative correction 11-18-08; DFW 52-2009, f. & cert. ef. 5-18-09; DFW 147-2010(Temp), f. & cert. ef. 10-15-10 thru 10-31-10; DFW 151-2010(Temp), f. 10-19-10, cert. ef. 10-20-10 thru 10-31-10; DFW 153-2010(Temp), f. & cert. ef. 10-29-10 thru 10-31-10

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**Rule Caption:** Recreational Sturgeon Fisheries in the Willamette River Below the Falls Close.

**Adm. Order No.:** DFW 154-2010(Temp)

**Filed with Sec. of State:** 11-8-2010

**Certified to be Effective:** 11-8-10 thru 12-31-10

# ADMINISTRATIVE RULES

## Notice Publication Date:

**Rules Amended:** 635-017-0095

**Rules Suspended:** 635-017-0095(T)

**Subject:** This amended rule closes the recreational white sturgeon fishery in the Willamette River below the Falls, including Multnomah Channel and the Gilbert River. Due to increased angler effort, the pre-season allocation for this valuable resource is projected to have been met.

**Rules Coordinator:** Therese Kucera—(503) 947-6033

## 635-017-0095

### Sturgeon Season

(1) The **2010 Oregon Sport Fishing Regulations** provide requirements for the Willamette Zone. However, additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the **2010 Oregon Sport Fishing Regulations**.

(2) The Willamette River downstream of Willamette Falls (including Multnomah Channel and the Gilbert River) is open to the retention of white sturgeon three days per week, Thursday, Friday, and Saturday during the following periods:

(a) January 1 through March 31; and

(b) November 1 through November 8.

(3) The retention of white sturgeon in the areas identified in section

(2) of this rule is prohibited April 1 through October 31 and November 9 through December 31.

(4) Bank angling is prohibited from the east shore of the Willamette River the entire year in the area beginning west of Highway 99E, at the northern-most extent of the parking area near the intersection of 8th Street and Highway 99E in Oregon City, approximately 290 feet downstream of the Oregon City/West Linn bridge (Hwy 43) and extending upstream approximately 1715 feet to the retaining wall extending into the Willamette River at the NW corner of the Blue Heron Paper Mill.

(5) Only white sturgeon with a fork length of 38-54 inches may be retained. Retention of green sturgeon is prohibited all year in all areas.

(6) Angling for sturgeon, including catch-and-release, is prohibited seven days per week during May 1 through August 31 from Willamette Falls downstream to the I-205 Bridge.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 496.162 & 506.129

Hist.: DFW 2-2005(Temp), f. & cert. ef. 1-21-05 thru 7-19-05; DFW 55-2005, f. & cert. ef. 6-17-05; DFW 136-2005, f. 12-7-05, cert. ef. 1-1-06; DFW 145-2005(Temp), f. 12-21-05, cert. ef. 1-1-06 thru 3-31-06; DFW 5-2006, f. & cert. ef. 2-15-06; DFW 79-2006, f. 8-11-06, cert. ef. 1-1-07; DFW 131-2006(Temp), f. 12-20-06, cert. ef. 1-1-07 thru 6-29-07; DFW 7-2007(Temp), f. 1-31-07, cert. ef. 2-1-07 thru 7-30-07; DFW 24-2007, f. 4-16-07, cert. ef. 5-1-07; DFW 74-2007(Temp), f. 8-17-07, cert. ef. 8-18-07 thru 12-31-07; DFW 135-2007(Temp), f. 12-28-07, cert. ef. 1-1-08 thru 6-28-08; DFW 136-2007, f. 12-31-07, cert. ef. 1-1-08; DFW 7-2008, f. & cert. ef. 2-11-08; DFW 86-2008(Temp), f. & cert. ef. 7-25-08 thru 12-31-08; DFW 148-2008(Temp), f. 12-19-08, cert. ef. 1-1-09 thru 6-29-09; DFW 156-2008, f. 12-31-08, cert. ef. 1-1-09; DFW 15-2009, f. & cert. ef. 2-25-09; DFW 144-2009, f. 12-8-09, cert. ef. 1-1-10; DFW 34-2010, f. 3-16-10, cert. ef. 4-1-10; DFW 90-2010(Temp), f. 6-29-10, cert. ef. 7-5-10 thru 12-31-10; DFW 154-2010(Temp), f. & cert. ef. 11-8-10 thru 12-31-10

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## Department of Human Services, Administrative Services Division and Director's Office Chapter 407

**Rule Caption:** Update of Criminal Records Check Rules for Department of Human Services Providers.

**Adm. Order No.:** DHSD 10-2010

**Filed with Sec. of State:** 10-29-2010

**Certified to be Effective:** 10-31-10

**Notice Publication Date:** 10-1-2010

**Rules Adopted:** 407-007-0275

**Rules Amended:** 407-007-0200, 407-007-0210, 407-007-0220, 407-007-0230, 407-007-0240, 407-007-0250, 407-007-0280, 407-007-0290, 407-007-0300, 407-007-0315, 407-007-0320, 407-007-0330, 407-007-0340

**Rules Repealed:** 407-007-0210(T), 407-007-0275(T)

**Subject:** The Department of Human Services is updating the criminal records check rules for providers to align with ORS 443.004 and make permanent two temporary rules (OAR 407-007-0210 and 407-007-0275). The crimes lists are being updated due to new crimes added to the Oregon Revised Statutes since 2009 and to align with

the Adam Walsh Act and ORS 443.004. Rule language is being clarified and amended to meet Secretary of State guidelines and to align with current practice and needed changes to the criminal records check process.

**Rules Coordinator:** Jennifer Bittel—(503) 947-5250

## 407-007-0200

### Purpose

(1) The purpose of these rules, OAR 407-007-0200 to 407-007-0370, is to provide for the reasonable screening under ORS 181.534 and 181.537 of subject individuals to determine if they have a history of criminal behavior such that they should not be allowed to work, volunteer, be employed, reside, or otherwise perform in positions covered by these rules.

(2) These rules apply to evaluating criminal records and potentially disqualifying conditions of a subject individual when conducting fitness determinations based upon such information. The fact that a subject individual is approved does not guarantee employment or placement. These rules do not apply to individuals subject to OAR 407-007-0000 to 407-007-0100.

Stat. Auth.: ORS 181.534, 181.537, 409.050, 410.020, 411.060, 411.122, 418.016, 418.640, 441.055, 443.730, 443.735 & 678.153

Stats. Implemented: ORS 181.534, 181.537, 409.010, 411.060 & 411.122

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; Renumbered from 410-007-0200, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0210

### Definitions

As used in OAR 407-007-0200 to 407-007-0370, unless the context of the rule requires otherwise, the following definitions apply:

(1) "Appointing authority" means the individual designated by the qualified entity responsible for appointing authorized designees and contact persons. Examples include but are not limited to human resources staff with the authority to offer and terminate employment, business owners, a member of the board of directors, a director, or a program administrator.

(2) "Approved" means, with regard to a fitness determination, that a subject individual, following a final fitness determination, is fit to work, volunteer, be employed, or otherwise perform in the position listed on the Background Check Request form.

(3) "Approved with restrictions" means an approval in which some restriction is made including but not limited to the subject individual, the subject individual's environment, the type or number of clients for whom the subject individual may provide care, or the information to which the subject individual has access.

(4) "Authorized designee (AD)" means an individual designated by the Department of Human Services, or an approved qualified entity authorized by the Department of Human Services to receive and process criminal records check request forms from subject individuals and criminal records information from the Department of Human Services.

(5) "Background Check Unit (BCU)" means the Department of Human Services' Background Check Unit.

(6) "Care" means the provision of care, treatment, education, training, instruction, supervision, placement services, recreation, or support to children, the elderly, or individuals with disabilities (see ORS 181.537).

(7) "Client" means any individual who receives services, care, or funding for care through the Department of Human Services.

(8) "Closed case" means a criminal records check application that has been closed without a final fitness determination.

(9) "Contact person (CP)" means an individual who is designated by the Department of Human Services or an approved qualified entity to receive and process criminal records check request forms from subject individuals, but who is not authorized to receive criminal records information from the Department of Human Services.

(10) "Criminal records check" means obtaining and reviewing criminal records as required by these rules and includes any or all of the following:

(a) An Oregon criminal records check where criminal offender information is obtained from the Oregon State Police (OSP) using the Law Enforcement Data System (LEDS). The Oregon criminal records check may also include a review of other criminal records information.

(b) A national criminal records check where records are obtained from the Federal Bureau of Investigation (FBI) through the use of fingerprint cards sent to OSP and other identifying information. The national criminal records check may also include a review of other criminal records information.

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(c) A state-specific criminal records check where records are obtained from law enforcement agencies, courts, or other criminal records information resources located in, or regarding, a state or jurisdiction outside Oregon.

(11) "Criminal offender information" means records, including fingerprints and photographs, received, compiled, and disseminated by OSP for purposes of identifying criminal offenders and alleged offenders and maintained as part of an individual's records of arrest, the nature and disposition of criminal charges, sentencing, confinement, and release, but does not include the retention by OSP of records of transfer of inmates between penal institutions or other correctional facilities. It also includes the OSP Computerized Criminal History System (see OAR 257-010-0015).

(12) "Denied" means, with regard to a fitness determination, that a subject individual

(a) Following a fitness determination including a weighing test, is not fit to work, volunteer, be employed, reside, or otherwise hold the position listed on the Background Check Request form.

(b) If determined to be a subject individual under OAR 407-007-0275, is not eligible to hold the position at or through the qualified entity listed on the Background Check Request form due to a conviction for one or more crimes listed in OAR 407-007-0275.

(13) "Department" means the Department of Human Services, the Oregon Health Authority, or both.

(14) "Fitness determination" means the decision in a case that is not closed, and includes:

(a) The decision regarding a Background Check Request form and preliminary review (a preliminary fitness determination); or

(b) The decision regarding a Background Check Request form, completed criminal records check, including gathering other information as necessary, and a final review by an AD (a final fitness determination).

(15) "Good cause" means a valid and sufficient reason for not complying with time frames set during the criminal records check process or contested case hearing process that includes but is not limited to an explanation of circumstances beyond a subject individual's reasonable control.

(16) "Hearing representative" means a Department employee representing the Department in a contested case hearing.

(17) "Hired on a preliminary basis" means a condition in which a qualified entity allows a subject individual to work, volunteer, be trained, or reside in an environment following the submission of a completed Background Check Request form. Hired on a preliminary basis may also be called probationary status.

(18) "Other criminal records information" means information obtained and used in the criminal records check process that is not criminal offender information from OSP. Other criminal records information includes but is not limited to police investigations and records, information from local or regional criminal records information systems, justice records, court records, information from the Oregon Judicial Information Network, sexual offender registration records, warrants, Oregon Department of Corrections records, Oregon Department of Transportation's Driver and Motor Vehicle Services Division information, information provided on the Background Check Request forms, disclosures by a subject individual, and any other information from any jurisdiction obtained by or provided to the Department for the purpose of conducting a fitness determination.

(19) "Position" means the position listed on the Background Check Request form which determines whether the individual is a subject individual under these or Department program rules.

(20) "Qualified entity (QE)" means a community mental health or developmental disability program, local health department, or an individual, business, or organization, whether public, private, for-profit, nonprofit, or voluntary, that provides care, including a business or organization that licenses, certifies, or registers others to provide care (see ORS 181.537).

(21) "Subject individual (SI)" means an individual on whom the Department may conduct a criminal records check and from whom the Department may require fingerprints for the purpose of conducting a national criminal records check.

(a) An SI includes any of the following:

(A) An individual who is licensed, certified, registered, or otherwise regulated or authorized for payment by the Department and who provides care.

(B) An employee, contractor, temporary worker, or volunteer who provides care, or has access to clients, client information, or client funds, within any entity or agency licensed, certified, registered, or otherwise regulated by the Department.

(C) Any individual who is paid directly or indirectly with public funds who has or will have contact with recipients of:

(i) Services within an adult foster home (defined in ORS 443.705);

(ii) Services within a residential facility (defined in ORS 443.400);

(iii) Services through in-home care agencies (defined on ORS 443.305); or

(iv) Services through home health agencies (defined in ORS 443.005).

(D) Any direct care staff secured by any residential care facility, assisted living facility, or nursing facility through the services of a personnel services or staffing agency who works in the facility.

(E) Except as excluded in section (21)(b)(C) and (D) of this rule, an individual who lives in a facility that is licensed, certified, registered, or otherwise regulated by the Department to provide care. The position of this SI includes but is not limited to resident manager, household member, or boarder.

(F) An individual working or volunteering for a private licensed child caring agency or system of care contractor providing child welfare services pursuant to ORS chapter 418.

(G) A homecare worker, personal care services provider, or an independent provider employed by a Department client who provides care to the client if the Department helps pay for the services.

(H) A child care provider and their employees reimbursed through the Department's child care program and other individuals in child care facilities that are exempt from certification or registration by the Child Care Division of the Oregon Employment Department (OED). This includes all individuals who reside in or who are frequent visitors to the residence or facility where the child care services are provided and who may have unsupervised access to the children (see OAR 461-165-0180).

(I) An AD or CP in any entity or agency licensed, certified, registered, otherwise regulated by the Department, or subject to these rules.

(J) An individual providing on the job certified nursing assistant classes to staff within a long term care facility.

(K) A student at a long term care facility enrolled in a certified nursing assistant class for employment at the facility.

(L) Any individual serving as an owner, operator, or manager of a room and board facility pursuant to OAR chapter 411, division 68.

(M) Any individual who is required to complete a criminal records check pursuant to other Department program rules or a contract with the Department or if the requirement is within Department's statutory authority. Specific statutory authority or reference to these rules and the positions under the contract subject to a criminal records check must be specified in the contract. This inclusion as a subject individual would not be negated by section (21)(b) of this rule.

(b) An SI does not include:

(A) Any individual under 16 years of age.

(B) An individual receiving training in a Department-licensed or Department-certified facility as part of the required curriculum through any college, university, or other training program and who is not an employee in the facility in which training is provided. The individual may not be considered a volunteer under these rules. Facilities must ensure that all students or interns have passed a substantially equivalent background check process through the training program or are:

(i) Actively supervised at all times as defined in OAR 407-007-0315; and

(ii) Not allowed to have unsupervised access to vulnerable individuals.

(C) Department clients or QE clients, unless specific written permission to conduct a criminal records check is received from the Department. The only circumstance in which the Department shall allow a check to be performed on a client pursuant to this paragraph is if the client falls within the definition of "subject individual" as listed in sections (21)(a)(A)-(D) and 21(a)(F)-(M) of this rule.

(D) Individuals working in child care facilities certified or registered by the OED.

(E) Individuals employed by a private business that provides services to clients and the general public and is not regulated by the Department.

(F) Individuals employed by a business that provides appliance or structural repair for clients and the general public, and who are temporarily providing these services in an environment regulated by the Department. The QE shall ensure active supervision of these individuals while on QE property and the QE may not allow unsupervised contact with QE clients or residents. This exclusion does not apply to a business that receives funds from the Department for care provided by an employee of the business.



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(G) Individuals employed by a private business in which a client of the Department is working as part of a Department-sponsored employment service program. This exclusion does not apply to an employee of a business that receives funds from the Department for care provided by the employee.

(H) Employees and volunteers working in hospitals, ambulatory surgical centers, special inpatient care facilities, outpatient renal dialysis facilities, and freestanding birthing centers as defined in ORS 442.015.

(I) Volunteers, who are not under the direction and control of any entity licensed, certified, registered, or otherwise regulated by the Department.

(J) Individuals employed or volunteering in a Medicare-certified health care business which is not subject to licensure or certification by the State of Oregon.

(K) Individuals working in restaurants or at public swimming pools.

(L) Hemodialysis technicians.

(M) Employees, contractors, temporary workers, or volunteers who provide care, or have access to clients, client information, or client funds of an alcohol and drug program that is certified, licensed, or approved by the Department's Addictions and Mental Health Division to provide prevention, evaluation, or treatment services. This exclusion does not apply to programs specifically required by other Department rules to conduct criminal records checks in accordance with these rules.

(N) Individuals working for a transit service provider which conducts background checks pursuant to ORS 267.237.

(O) Individuals being certified by the Department as interpreters pursuant to ORS 409.623. This exclusion does not apply to Department-certified interpreters when being considered for a specific position.

(P) Provider group categories that were authorized for payment by the Department for care if the provider group categories were not covered by a Department criminal record check process prior to 2004.

(Q) Emergency medical technicians and first responders certified by the Department's Emergency Medical Services and Trauma Systems program.

(R) Employees, contractors, temporary workers, or volunteers of continuing care retirement communities registered under OAR chapter 411, division 067.

(22) "Weighing test" means a process in which one or more ADs consider available information to make a fitness determination when an SI has potentially disqualifying convictions or conditions.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.534, 181.537, 409.010 & 443.004

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 77-2004(Temp), f. & cert. ef. 10-1-04 thru 3-29-05; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0210, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; Hist.: DHSD 2-2008(Temp), f. & cert. ef. 3-31-08 thru 9-26-08; DHSD 7-2008, f. 8-29-08, cert. ef. 9-1-08; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 8-2010(Temp), f. & cert. ef. 8-12-10 thru 2-7-11; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0220

### Criminal History Check Required

(1) The Department or a Department authorized QE shall conduct criminal records checks on all SIs through LEDS maintained by OSP in accordance with ORS chapter 181 and the rules adopted thereto (see OAR chapter 257, division 15).

(2) If a national criminal records check of an SI is necessary, OSP shall provide the Department the results of criminal records checks conducted pursuant to ORS 181.534, including fingerprint identification, through the FBI.

(3) An SI is required to have a check in the following circumstances:

(a) An individual who becomes an SI on or after the effective date of these rules.

(b) The SI changes employers to a different QE.

(c) Except as provided in section (4) of this rule, the individual, whether previously considered an SI or not, changes positions under the same QE, and the new position requires a criminal records check.

(d) The individual, whether previously considered an SI or not, changes Department-issued licenses, certifications, or registrations, and the license, certification, or registration requires a criminal records check under these rules.

(e) A criminal records check is required by federal or state laws or regulations, other Department administrative rules, or by contract with the Department.

(f) When the Department or the AD has reason to believe that a criminal records check is justified. Examples include but are not limited to any indication of possible criminal behavior by an SI or quality assurance monitoring of a previously conducted criminal records check.

(4) A criminal records check is not required under the following circumstances:

(a) A personal care services provider, Lifespan Respite care provider, or an independent provider paid with Department funds who changes or adds clients, and the prior, documented criminal records check conducted within the previous 24 months through the Department has been approved without restrictions.

(b) The SI is a child care provider as described in OAR 461-165-0180 who has been approved without restrictions and who changes or adds clients.

(c) The SI remains with a QE in the same position while the QE merges with another QE, is sold to another QE, or changes names. The changes may be noted in documentation attached to the notice of fitness determination but do not warrant a new criminal records check.

(5) An AD must document in writing the reason why a new criminal records check was not completed.

(6) Criminal records checks are completed on SIs who otherwise meet the qualifications of the position in question. A criminal records check may not be used to screen applicants for a position.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.534, 181.537 & 409.010

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 77-2004(Temp), f. & cert. ef. 10-1-04 thru 3-29-05; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0220, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0230

### Qualified Entity

(1) A QE and its appointing authorities must be approved in writing by the Department pursuant to these rules in order to appoint an AD or CP. Unless specifically indicated otherwise in these rules, all QEs and appointing authorities discussed in these rules are considered approved.

(2) Except as provided in section (3) of this rule, all QEs shall ensure the completion of criminal records checks for SIs who are the QE's employees, volunteers, or other SIs under the direction or control of the QE.

(a) The QE's appointing authority shall appoint ADs or CPs within 30 calendar days following Department approval, or within time frames required by Department program offices.

(b) Unless specifically allowed by the Department, an appointing authority may not appoint themselves as an AD.

(c) Appointing authorities in all QEs shall appoint one or more ADs, or have a written agreement with another QE to handle AD responsibilities.

(d) Appointing authorities in all QEs may also appoint one or more CPs, or may have a written agreement with another QE to perform CP responsibilities.

(3) The Department's appointing authorities shall appoint ADs and CPs within the Department. Department-employed ADs shall make fitness determinations for the following QEs:

(a) Private QEs with fewer than 10 employed SIs are not eligible to appoint ADs. These QEs shall do one of the following:

(A) Use another QE to perform AD responsibilities instead of using the Department. If another QE is used, the two QEs must have a written agreement. The QE must provide the Department with a copy of the agreement.

(B) Appoint one or more CPs, or have a written agreement with another QE to perform CP responsibilities. The QE must provide the Department with a copy of the agreement.

(b) QEs with SIs not under the direction and control of the QE but who provide care under programs administered by the QE may have the Department ADs make fitness determinations.

(A) The QE shall appoint one or more CPs, or use an AD or CP appointed under section (2) of this rule to perform CP responsibilities.

(B) The QE may appoint an AD for SIs not under the direction and control of the QE if the QE chooses to do so or is required to do so under other Department program rules or contract with the Department. The QE shall notify the Department in writing which programs are affected and which AD shall perform the responsibilities for each program.

(c) QEs may have specific direction by administrative rule or Department program about AD or CP appointments.

(A) Administrative rules governing certain QEs may prohibit AD appointment or CP appointment, such as private licensed child caring agencies.

(B) Department program offices may determine that:

(i) Certain QEs may not have their own ADs or CPs, but must use ADs or CPs at a local Department branch or a local QE. Examples include but are not limited to adult foster homes and child foster homes.

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(ii) Specific QEs may have specific AD or CP requirements resulting from licensing actions, sanctions, or from quality assurance monitoring.

(d) The Department may require certain QEs to use Department-employed ADs to make fitness determinations. Examples include but are not limited to initial opening of a new QE, newly adopted administrative rules creating a new type of QE, or Department investigation or review of the QE.

(4) The Department may revoke approval of the QE to appoint or maintain ADs if the Department is investigating a compliance issue or determines that the QE, or an AD or CP appointed by the QE, has failed to comply with these rules. The BCU and the appropriate entity or program office within the Department may develop a plan of action to resolve the compliance issues.

(5) The QE's appointing authorities shall appoint ADs and CPs as needed to remain in compliance with these rules. If a QE no longer has an AD or CP for any reason, the appointing authorities shall ensure that new ADs or CPs are appointed within 30 calendar days from the date of no longer having ADs or CPs, and shall communicate any changes to the BCU.

(6) The Department shall provide QEs with periodic training and on-going technical assistance.

(7) Any decisions made by the Department in regard to these rules are final and may not be overturned by any QE, its ADs or CPs.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.534, 181.537 & 409.010

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 77-2004(Temp), f. & cert. ef. 10-1-04 thru 3-29-05; OMAP 85-2004(Temp), f. & cert. ef. 11-4-04 thru 3-29-05; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0230, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0240

### Authorized Designees and Contact Persons

(1) All requirements in this section must be completed within 90 calendar days. To receive Department approval, all ADs and CPs must meet the following requirements:

(a) ADs and CPs for the Department must be employed by the Department. For QEs, the ADs and CPs must be one of the following:

(A) Employed by the agency for which they will handle criminal records check information.

(B) Contracted with the QE to perform as an AD or CP.

(C) Employed by another similar QE or a parent QE (e.g., assisted living facility AD helping another assisted living facility).

(b) ADs and CPs shall complete a certification program and successfully pass any testing as required by the Department.

(c) An appointing authority shall appoint an AD or CP in writing on a form provided by the Department. The applicant AD or CP shall complete and submit the form to the Department for processing and registration.

(d) The Department shall conduct an Oregon criminal records check, a national criminal records check, and if necessary, a state-specific criminal records check. The AD or CP must have:

(A) No conviction for a potentially disqualifying permanent review crime;

(B) No convictions for any other crime in the past 15 years;

(C) No potentially disqualifying conditions; and

(D) If an AD, Criminal Justice Information Systems (CJIS) clearance and approval to view criminal records in accordance with OSP rules.

(e) The Department shall conduct an abuse check if Department program rules require an abuse check on SIs and the BCU has the authority to conduct the abuse check. The AD or CP may not have been found responsible for abuse of a vulnerable person.

(2) The Department shall deny the individual's status as an AD or CP if the individual does not meet the AD or CP requirements. Once denied, the individual may no longer perform the duties of an AD or CP. There are no exceptions for individuals who do not meet the AD or CP requirements.

(3) Approved ADs and CPs shall have the following responsibilities:

(a) Demonstrate understanding of and adherence to these rules in all actions pertaining to the criminal records check process.

(b) Act as the Department's designee in any action pursuant to these rules and the criminal records check process. The AD or CP may not advocate for an SI during any part of the criminal records check process, including contesting a fitness determination.

(c) Ensure that adequate measures are taken to protect the confidentiality of the records and documents required by these rules. Only an AD may view criminal offender information. A CP may not view criminal offender information.

(d) Verify the identity of an SI. The AD or CP shall verify identity or ensure that the same verification requirements are understood by each individual responsible for verifying identity.

(A) If conducting a criminal records check on the SI for the first time or at rehire of the SI, the AD or CP shall verify identity by using methods which include but are not limited to asking the SI for current and valid government-issued photo identification and confirming the information on the photo identification with the SI, the information written on the Background Check Request form, and the information written on the fingerprint card if a national criminal records check is conducted.

(B) If an AD or CP is verifying the identity of an SI who is being rechecked, review of government-issued photo identification may not be necessary, but the AD or CP shall verify the SI's name, current address, and any aliases or previous names.

(e) Ensure that an SI is not permitted to work, volunteer, reside, or otherwise hold any position covered by these rules before the completion of a preliminary fitness determination and submission of the Background Check Request form to the Department along with a fingerprint card if the SI discloses out of state criminal records or residency.

(f) Ensure that when an SI is hired on a preliminary basis, the need for active supervision is understood by each individual responsible for providing active supervision.

(g) Ensure that if an SI is removed from working on a preliminary basis, the SI is immediately removed from the position and remains removed until the completion of a final fitness determination or unless the BCU reinstates hired on a preliminary basis.

(h) Notify the Department of any changes regarding an SI who still has a criminal records check being processed, including but not limited to address or employment status changes.

(i) Monitor the status of criminal records check applications and investigate any delays in processing.

(j) Ensure that documentation required by these rules is processed and maintained in accordance with these rules.

(k) Notify the BCU immediately if arrested, charged, or convicted of any crime.

(4) A CP may not conduct final fitness determinations or review criminal offender information. A CP has the following limitations when making preliminary fitness determinations:

(a) The CP may review the SIs completed Background Check Request form to ensure completeness of the form, verify identity, and to determine if the SI has any potentially disqualifying convictions or conditions.

(b) The CP may allow the SI to be hired on a preliminary basis only after the CP has reviewed the Background Check Request form and determined there is no indication that the SI has any potentially disqualifying convictions under OAR 407-007-0280 or conditions under OAR 407-007-0290.

(c) The CP shall not allow an SI who discloses any potentially disqualifying convictions or conditions to work on a preliminary basis.

(d) If the SI discloses potentially disqualifying convictions or conditions, the CP shall forward the Background Check Request form to an AD for preliminary fitness determination, or to the BCU for processing if there is no local AD available.

(5) In addition to the responsibilities listed in section (3) of this rule, the AD shall:

(a) Review the completed Background Check Request form (if not already done so by a CP) and conduct a preliminary fitness determination to determine eligibility for probationary status before forwarding the Background Check Request form to the BCU.

(b) Make a final fitness determination on all SIs when the Department returns their Background Check Request form to the AD for final review. The decision of an AD may not be overruled by an employee, owner, or board member of a QE who is not an AD.

(c) Participate in the appeal process if requested by the Department.

(d) Ensure the confidentiality and integrity of criminal records check documents. After the completion of a criminal records check, ADs not involved with original fitness determinations may not review criminal records check documents to gain information on an SI's criminal history. If a review is necessary, the AD must have written approval from the Department prior to reviewing any documents.

(6) An AD may not have access to criminal offender information, other criminal information (except the Background Check Request form), or make a fitness determination if there is a conflict of interest between the AD and the SI.

(a) A conflict of interest includes but is not limited to the following situations:

# ADMINISTRATIVE RULES

(A) If the AD is related to the SI. In this context, "related" means spouse, domestic partner, natural parent, child, sibling, adopted child, adopted parent, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, or cousin.

(B) If the AD has a close personal or financial relationship, other than an employee-employer relationship, with the SI.

(b) When there is a conflict of interest and the QE has no other ADs available to conduct the fitness determination, the Department shall complete the fitness determination.

(7) The Department may change AD or CP status in the following circumstances which include but are not limited to:

(a) The Department shall inactivate AD or CP status when the AD or CP position with the QE ends or when the QE terminates the appointment. The QE shall notify the Department immediately upon the end of the position or termination of the appointment.

(b) The Department or QE shall suspend or revoke the appointment if an AD or CP fails to comply with responsibilities or fails to continue to meet the requirements for AD or CP, as applicable. After suspending or revoking the appointment, the QE must immediately notify the BCU in writing. If the Department takes the action, it must immediately notify the QE in writing.

(c) The Department shall revoke AD or CP status if an AD or CP fails to recertify.

(8) Any changes to AD or CP status are not subject to appeal rights unless the denial or termination results in immediate loss of employment or position. ADs or CPs losing employment or position have the same hearing rights as other SIs under these rules. (9) If an AD or CP leaves employment with the QE for any reason, the Department shall inactivate AD or CP status. If the individual finds employment with another QE, a new appointment, application, and registration must be completed.

(10) The Department shall review and recertify appointments of ADs and CPs, up to and including a new application, criminal records check, abuse check if required, and additional training, to under the following circumstances:

(a) Every three years; or

(b) Any time the Department has reason to believe the individual no longer meets the AD or CP requirements including but not limited to indication of criminal behavior or indication of noncompliance with these rules.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.534, 181.537 & 409.010

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0240, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0250

### Oregon Criminal History Check Process

(1) A QE and SI shall use the Background Check Request form to request a criminal records check that must include the following information:

(a) Name and aliases;

(b) Date of birth;

(c) Address and recent residency information;

(d) Driver license or identification card information;

(e) Position the SI is completing the Background Check Request form;

(f) Disclosure of all criminal history;

(A) The SI must disclose all arrests, charges, and convictions regardless of outcome or when the arrests, charges, or convictions occurred.

(B) The disclosed crimes and the dates must reasonably match the SI's criminal offender information and other criminal records information, as determined by the Department.

(g) Disclosure of other information to be considered in the event of a weighing test.

(2) The Background Check Request form shall include the following notices:

(a) A notice regarding disclosure of Social Security number indicating that:

(A) The SI's disclosure is voluntary; and

(B) The Department requests the Social Security number solely for the purpose of positively identifying the SI during the criminal records check process.

(b) A notice that the SI may be subject to fingerprinting as part of a criminal records check.

(3) The BCU shall review each Background Check Request form received for completeness and timeliness. If the BCU rejects the form, the QE's AD or CP shall immediately remove the SI from the position. If the QE still plans to hire the SI, the QE shall resolve the reasons for rejection and re-submit the form.

(4) The Department or an approved QE under contract with OSP for LEDS access shall conduct an Oregon criminal records check after a completed Background Check Request form is received. Using information submitted on the Background Check Request form, the Department or QE may obtain criminal offender information from LEDS and may request other criminal records information as needed.

(5) The Department and all QEs receiving LEDS information shall handle criminal offender information in accordance with applicable OSP requirements in ORS chapter 181 and the rules adopted pursuant thereto (see OAR chapter 257, division 15).

(6) The Department may conduct a fingerprint-based national criminal records check after an Oregon criminal records check has been completed.

(A) A fingerprint-based national criminal records check may be completed under any of the following circumstances:

(A) The SI has been outside Oregon:

(i) For 60 or more consecutive days during the previous 18 months and the SI is a child care provider or other individual included in OAR 461-165-0180.

(ii) For 60 or more consecutive days during the previous five years for all other SIs.

(B) The LEDS check, SI disclosures, or any other criminal records information obtained by the Department indicate there may be criminal records outside of Oregon.

(C) The SI has an out-of-state driver license.

(D) The Department has reason to question the identity or criminal record of the SI.

(E) A fingerprint-based criminal records check is required by federal or state laws or regulations, other Department rules, or by contract with the Department.

(F) The SI is an AD or CP.

(G) The Department has reason to believe that fingerprints are needed to make a final fitness determination.

(b) The Department must receive consent from the parent or guardian to obtain fingerprints from an SI under 18 years of age.

(c) The SI shall complete and submit a fingerprint card when requested by the Department. The Department shall send the request to the QE and the AD or CP shall notify the SI.

(A) The SI shall use a fingerprint card provided by the Department. The Department shall give the SI notice regarding the Social Security number as set forth in OAR 407-007-0250(2)(a).

(B) The SI shall submit the fingerprint card to the BCU within 21 calendar days of the request.

(i) The Department shall close the application, making it a closed case, if the fingerprint card is not received within 21 calendar days. When a case is closed, the SI may not be allowed to work, volunteer, be employed, or otherwise perform in positions covered by these rules, and shall be immediately terminated and removed from the position.

(ii) The Department may extend the time allowed for good cause provided by the SI or QE.

(C) The Department may require new fingerprint cards if previous cards are rejected by OSP or the FBI.

(7) The Department may also conduct a state-specific criminal records check instead of or in addition to a national criminal records check. Reasons for a state-specific criminal records check include but are not limited to:

(a) When the Department has reason to believe that out-of-state criminal records may exist and a national criminal records check may not be accomplished.

(b) When the Department has been unable to complete a national criminal records check due to illegible fingerprints.

(c) When the national criminal records check results show incomplete information about charges or criminal records without final disposition.

(d) When there is indication of residency or criminal records in a state that does not submit all criminal records to the FBI.

(e) When, based on available information, the Department has reason to believe that a state-specific criminal records check is necessary.

(8) In order to complete a criminal records check and fitness determination, the Department may require additional information from the SI

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including but not limited to additional criminal, judicial, other background information, or proof of identity.

(9) The Department may conduct a criminal records check in situations of imminent danger.

(a) If the Department determines there is indication of criminal behavior that could more likely than not pose an immediate risk to vulnerable individuals, the Department shall conduct a new criminal records check on an SI without the completion of a new Background Check Request form.

(b) If the Department determines that a fitness determination based on the new criminal records check would be adverse to the SI, the Department shall provide the SI, if available, the opportunity to disclose criminal records, potentially disqualifying conditions, and other information as indicated in OAR 407-007-0300 before the completion of the fitness determination.

(10) All criminal records checks conducted under this rule shall be documented in writing.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.534, 181.537 & 409.010

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0250, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0275

### Disqualifying Crimes Under ORS 443.004

(1) The crimes listed in section (3) of this rule are disqualifying crimes for those employees and individuals subject to ORS 443.004, and as specified in the relevant program administrative rules. For the purpose of this rule, a subject individual does not include a peer support specialist who:

(a) Is providing peer support services as defined by OAR 309-032-1505;

(b) Is under the supervision of a qualified clinical supervisor;

(c) Has completed training required by the Department; and

(d) Is currently receiving or has formerly received mental health services, or is in recovery from a substance use disorder and meets the abstinence requirements for staff providing services in alcohol or other drug treatment programs.

(2) Individuals who are employees and hired prior to July 28, 2009 are exempt from section (3) of this rule provided that the employee remains in the same position working for the same employer after July 28, 2009. This exemption is not applicable to licensees.

(3) Public funds may not be used to support, in whole or in part, the employment of an individual in any capacity identified in section (1) of this rule who has been convicted:

(a) In the last 10 years of a crime involving the delivery or manufacture of a controlled substance; or

(b) Of any of the following crimes:

(A) ORS 163.095, Aggravated murder

(B) ORS 163.115, Murder

(C) ORS 163.118, Manslaughter I

(D) ORS 163.125, Manslaughter II

(E) ORS 163.145, Criminally negligent homicide

(F) ORS 163.149, Aggravated vehicular homicide

(G) ORS 163.165, Assault III

(H) ORS 163.175, Assault II

(I) ORS 163.185, Assault I

(J) ORS 163.187, Strangulation

(K) ORS 163.200, Criminal mistreatment II

(L) ORS 163.205, Criminal mistreatment I

(M) ORS 163.225, Kidnapping II

(N) ORS 163.235, Kidnapping I

(O) ORS 163.263, Subjecting another person to involuntary servitude

II

(P) ORS 163.264, Subjecting another person to involuntary servitude

I

(Q) ORS 163.266, Trafficking in persons

(R) ORS 163.275, Coercion

(S) ORS 163.355, Rape III

(T) ORS 163.365, Rape II

(U) ORS 163.375, Rape I

(V) ORS 163.385, Sodomy III

(W) ORS 163.395, Sodomy II

(X) ORS 163.405, Sodomy I

(Y) ORS 163.408, Unlawful sexual penetration II

(Z) ORS 163.411, Unlawful sexual penetration I

(AA) ORS 163.415, Sexual abuse III

(BB) ORS 163.425, Sexual abuse II

(CC) ORS 163.427, Sexual abuse I

(DD) ORS 163.432, Online sexual corruption of a child II, if the offender reasonably believed the child to be more than five years younger than the offender

(EE) ORS 163.433, Online sexual corruption of a child I, if the offender reasonably believed the child to be more than five years younger than the offender

(FF) ORS 163.435, Contributing to the sexual delinquency of a minor

(GG) ORS 163.445, Sexual misconduct, if the offender is at least 18 years of age

(HH) ORS 163.465, Public indecency

(II) ORS 163.467, Private indecency

(JJ) ORS 163.525, Incest with a child victim

(KK) ORS 163.535, Abandonment of a child

(LL) ORS 163.537, Buying or selling a person under 18 years of age

(MM) ORS 163.670, Using a child in display of sexually explicit conduct

(NN) ORS 163.680, Paying for viewing a child's sexually explicit conduct

(OO) ORS 163.684, Encouraging child sexual abuse I

(PP) ORS 163.686, Encouraging child sexual abuse II

(QQ) ORS 163.687, Encouraging child sexual abuse III

(RR) ORS 163.688, Possession of materials depicting sexually explicit conduct of a child I

(SS) ORS 163.689, Possession of materials depicting sexually explicit conduct of a child II

(TT) ORS 163.700, Invasion of personal privacy

(UU) ORS 164.055, Theft I

(VV) ORS 164.057, Aggravated theft I

(WW) ORS 164.098, Organized retail theft

(XX) ORS 164.125, Theft of services, if charged as a felony

(YY) ORS 164.215, Burglary II

(ZZ) ORS 164.225, Burglary I

(AAA) ORS 164.325, Arson I

(BBB) ORS 164.377, Computer crime, if charged with a felony

(CCC) ORS 164.405, Robbery II

(DDD) ORS 164.415, Robbery I

(EEE) ORS 165.022, Criminal possession of a forged instrument I

(FFF) ORS 165.032, Criminal possession of a forgery device

(GGG) ORS 165.800, Identity theft

(HHH) ORS 165.803, Aggravated identity theft

(III) ORS 167.012, Promoting prostitution

(JJJ) ORS 167.017, Compelling prostitution

(KKK) ORS 167.054, Furnishing sexually explicit material to a child

(LLL) ORS 167.057, Luring a minor

(MMM) ORS 181.594, Sex crimes, including transporting child pornography into the state

(c) Of an attempt, conspiracy, or solicitation to commit a crime described in section (2)(b) of this rule; or

(d) Of a crime in another jurisdiction that is substantially equivalent to a crime described in section (2)(b) of this rule.

(4) The Department may conduct a weighing test under ORS 181.534 on employees and individuals convicted of any crime in section (3) of this rule. However, the preclusive effect of ORS 443.004 shall outweigh all other factors described in OAR 407-007-0300.

Stat. Auth.: ORS 181.534 & 409.050

Stats. Implemented: ORS 181.534 & 443.004

Hist.: DHSD 3-2010(Temp), f. & cert. ef. 5-5-10 thru 10-31-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0280

### Potentially Disqualifying Crimes

A conviction of any of the following crimes is potentially disqualifying. Offenses or convictions that are classified as less than a misdemeanor, such as violations or infractions, are not potentially disqualifying (see ORS 161.505 to 161.565).

(1) The crimes listed in this section are permanent review crimes which require that a fitness determination be completed regardless of date of conviction.

(a) ORS 162.155, Escape II

(b) ORS 162.165, Escape I

(c) ORS 162.285, Tampering with a witness

(d) ORS 162.325, Hindering prosecution

(e) ORS 163.005, Criminal homicide

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- (f) ORS 163.095, Aggravated murder
- (g) ORS 163.115, Murder
- (h) ORS 163.118, Manslaughter I
- (i) ORS 163.125, Manslaughter II
- (j) ORS 163.145, Criminally negligent homicide
- (k) ORS 163.149, Aggravated vehicular homicide
- (L) ORS 163.160, Assault IV
- (m) ORS 163.165, Assault III
- (n) ORS 163.175, Assault II
- (o) ORS 163.185, Assault I
- (p) ORS 163.187, Strangulation
- (q) ORS 163.190, Menacing
- (r) ORS 163.200, Criminal mistreatment II
- (s) ORS 163.205, Criminal mistreatment I
- (t) ORS 163.207, Female genital mutilation
- (u) ORS 163.208, Assault of public safety officer
- (v) ORS 163.213, Unlawful use of an electrical stun gun, tear gas, or mace I
- (w) ORS 163.225, Kidnapping II
- (x) ORS 163.235, Kidnapping I
- (y) ORS 163.245, Custodial interference II
- (z) ORS 163.257, Custodial interference I
- (aa) ORS 163.263, Subjecting another person to involuntary servitude in the second degree
- (bb) ORS 163.264, Subjecting another person to involuntary servitude in the first degree
- (cc) ORS 163.266, Trafficking in persons
- (dd) ORS 163.275, Coercion
- (ee) ORS 163.355, Rape III
- (ff) ORS 163.365, Rape II
- (gg) ORS 163.375, Rape I
- (hh) ORS 163.385, Sodomy III
- (ii) ORS 163.395, Sodomy II
- (jj) ORS 163.405, Sodomy I
- (kk) ORS 163.408, Unlawful sexual penetration II
- (LL) ORS 163.411, Unlawful sexual penetration I
- (mm) ORS 163.415, Sexual abuse III
- (nn) ORS 163.425, Sexual abuse II
- (oo) ORS 163.427, Sexual abuse I
- (pp) ORS 163.432, Online sexual corruption of a child in the second degree
- (qq) ORS 163.433, Online sexual corruption of a child in the first degree
- (rr) ORS 163.435, Contributing to the sexual delinquency of a minor
- (ss) ORS 163.445, Sexual misconduct
- (tt) ORS 163.452, Custodial sexual misconduct I
- (uu) ORS 163.454, Custodial sexual misconduct II
- (vv) ORS 163.465, Public indecency
- (ww) ORS 163.467, Private indecency
- (xx) ORS 163.476, Unlawfully being in a location where children regularly congregate
- (yy) ORS 163.479, Unlawful contact with a child
- (zz) ORS 163.515, Bigamy
- (aaa) ORS 163.525, Incest
- (bbb) ORS 163.535, Abandonment of a child
- (ccc) ORS 163.537, Buying or selling a person under 18 years of age
- (ddd) ORS 163.545, Child neglect II
- (eee) ORS 163.547, Child neglect I
- (fff) ORS 163.555, Criminal nonsupport
- (ggg) ORS 163.575, Endangering the welfare of a minor
- (hhh) ORS 163.670, Using child in display of sexually explicit conduct
- (iii) ORS 163.680, Paying for viewing a child's sexually explicit conduct
- (jjj) ORS 163.684, Encouraging child sexual abuse I
- (kkk) ORS 163.686, Encouraging child sexual abuse II
- (LLL) ORS 163.687, Encouraging child sexual abuse III
- (mmm) ORS 163.688, Possession of materials depicting sexually explicit conduct of a child I
- (nnn) ORS 163.689, Possession of materials depicting sexually explicit conduct of a child II
- (ooo) ORS 163.693, Failure to report child pornography
- (ppp) ORS 163.700, Invasion of personal privacy
- (qqq) ORS 163.732, Stalking
- (rrr) ORS 163.750, Violating court's stalking protective order
- (sss) ORS 164.055, Theft I
- (ttt) ORS 164.057, Aggravated theft I
- (uuu) ORS 164.075, Theft by extortion
- (vvv) ORS 164.085, Theft by deception
- (www) ORS 164.098, Organized retail theft
- (xxx) ORS 164.125, Theft of services
- (yyy) ORS 164.135, Unauthorized use of a vehicle
- (zzz) ORS 164.170, Laundering a monetary instrument
- (aaaa) ORS 164.215, Burglary II
- (bbbb) ORS 164.225, Burglary I
- (cccc) ORS 164.315, Arson II
- (dddd) ORS 164.325, Arson I
- (eeee) ORS 164.365, Criminal mischief I
- (ffff) ORS 164.377, Computer crime
- (gggg) ORS 164.395, Robbery III
- (hhhh) ORS 164.405, Robbery II
- (iiii) ORS 164.415, Robbery I
- (jjjj) ORS 165.013, Forgery I
- (kkkk) ORS 165.022, Criminal possession of a forged instrument I
- (LLLL) ORS 165.032, Criminal possession of a forgery device
- (mmmm) ORS 165.055, Fraudulent use of a credit card
- (nnnn) ORS 165.065, Negotiating a bad check
- (oooo) ORS 165.581, Cellular counterfeiting I
- (pppp) ORS 165.800, Identity theft
- (qqqq) ORS 165.803, Aggravated identity theft
- (rrrr) ORS 165.810, Unlawful possession of a personal identification device
- (ssss) ORS 166.005, Treason
- (tttt) ORS 166.070, Aggravated harassment
- (uuuu) ORS 166.085, Abuse of corpse II
- (vvvv) ORS 166.087, Abuse of corpse I
- (wwww) ORS 166.155, Intimidation II
- (xxxx) ORS 166.165, Intimidation I
- (yyyy) ORS 166.220, Unlawful use of weapon
- (zzzz) ORS 166.270, Possession of weapons by certain felons
- (aaaaa) ORS 166.272, Unlawful possession of machine guns, certain short-barreled firearms and firearm silencers
- (bbbbb) ORS 166.275, Possession of weapons by inmates of institutions
- (ccccc) ORS 166.370, Possession of firearm or dangerous weapon in public building or court facility; exceptions; discharging firearm at school
- (dddd) ORS 166.382, Possession of destructive device prohibited
- (eeee) ORS 166.384, Unlawful manufacture of destructive device
- (ffff) ORS 166.429, Firearms used in felony
- (ggggg) ORS 166.450, Obliteration or change of identification number on firearms
- (hhhhh) ORS 166.720, Racketeering activity unlawful
- (iiiiii) ORS 167.012, Promoting prostitution
- (jjjjj) ORS 167.017, Compelling prostitution
- (kkkkk) ORS 167.054, Furnishing sexually explicit material to a child
- (LLLLL) ORS 167.057, Luring a minor
- (mmmmm) ORS 167.062, Sadomasochistic abuse or sexual conduct in live show
- (nnnnn) ORS 167.075, Exhibiting an obscene performance to a minor
- (ooooo) ORS 167.080, Displaying obscene materials to minors
- (ppppp) ORS 167.212, Tampering with drug records
- (qqqqq) ORS 167.262, Adult using minor in commission of controlled substance offense
- (rrrrr) ORS 167.315, Animal abuse II
- (sssss) ORS 167.320, Animal abuse I
- (ttttt) ORS 167.322, Aggravated animal abuse I
- (uuuuu) ORS 167.333, Sexual assault of animal
- (vvvvv) ORS 167.339, Assaulting law enforcement animal
- (wwwww) ORS 181.594, Sex crimes including transporting child pornography into the state
- (xxxxx) ORS 181.599, Failure to report as sex offender
- (yyyyy) ORS 433.010, Spreading disease (willfully) prohibited
- (zzzzz) ORS 475.525, Sale of drug paraphernalia prohibited
- (aaaaa) ORS 475.805, Providing hypodermic device to minor prohibited
- (bbbbb) ORS 475.840, Prohibited acts generally (regarding drug crimes formerly ORS 475.992)
- (ccccc) ORS 475.846, Unlawful manufacture of heroin
- (dddddd) ORS 475.848, Unlawful manufacture of heroin within 1,000 feet of school

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(eeeeee) ORS 475.850, Unlawful delivery of heroin  
(fffff) ORS 475.852, Unlawful delivery of heroin within 1,000 feet of school  
(ggggg) ORS 475.854, Unlawful possession of heroin  
(hhhhh) ORS 475.856, Unlawful manufacture of marijuana  
(iiiiii) ORS 475.858, Unlawful manufacture of marijuana within 1,000 feet of school  
(jjjjj) ORS 475.860, Unlawful delivery of marijuana  
(kkkkk) ORS 475.862, Unlawful delivery of marijuana within 1,000 feet of school  
(LLLLL) ORS 475.864, Unlawful possession of marijuana  
(mmmmm) ORS 475.866, Unlawful manufacture of 3,4-methylenedioxymethamphetamine  
(nnnnn) ORS 475.868, Unlawful manufacture of 3,4-methylenedioxymethamphetamine within 1,000 feet of school  
(ooooo) ORS 475.870, Unlawful delivery of 3,4-methylenedioxymethamphetamine  
(ppppp) ORS 475.872, Unlawful delivery of 3,4-methylenedioxymethamphetamine within 1,000 feet of school  
(qqqqq) ORS 475.874, Unlawful possession of 3,4-methylenedioxymethamphetamine  
(rrrrr) ORS 475.876, Unlawful manufacture of cocaine  
(sssss) ORS 475.878, Unlawful manufacture of cocaine within 1,000 feet of school  
(ttttt) ORS 475.880, Unlawful delivery of cocaine  
(uuuuu) ORS 475.882, Unlawful delivery of cocaine within 1,000 feet of school  
(vvvvv) ORS 475.884, Unlawful possession of cocaine  
(wwwww) ORS 475.886, Unlawful manufacture of methamphetamine  
(xxxxx) ORS 475.888, Unlawful manufacture of methamphetamine within 1,000 feet of school  
(yyyyy) ORS 475.890, Unlawful delivery of methamphetamine  
(zzzzz) ORS 475.892, Unlawful delivery of methamphetamine within 1,000 feet of school  
(aaaaa) ORS 475.894, Unlawful possession of methamphetamine  
(bbbbb) ORS 475.904, Unlawful delivery of controlled substance within 1,000 feet of school  
(ccccc) ORS 475.906, Penalties for distribution to minors  
(ddddd) ORS 475.908, Causing another person to ingest a controlled substance  
(eeeeee) ORS 475.910, Application of controlled substance to the body of another person  
(ffffff) ORS 475.914, Prohibited acts for registrants (with the Oregon State Board of Pharmacy)  
(ggggg) ORS 475.967, Possession of precursor substance with intent to manufacture controlled substance  
(hhhhh) ORS 475.990, Commercial drug offense  
(iiiiii) ORS 475.992 Prohibited acts generally (regarding drug crimes; renumbered to ORS 475.840 in 2005)  
(jjjjj) 677.080, Prohibited acts (regarding the practice of medicine)  
(kkkkk) ORS 685.990, Penalties (pertaining to naturopathic medicine)  
(LLLLL) ORS 689.527 Prohibited practices; rules (pertaining to pharmacy technicians and practitioners)  
(mmmmm) Any federal crime  
(nnnnn) Any U.S. military crime  
(ooooo) Any unclassified felony defined in Oregon Revised Statutes not listed in this rule  
(ppppp) Any other felony in Oregon Revised Statutes not listed in this rule that is serious and indicates behavior that poses a threat or jeopardizes the safety of vulnerable persons, as determined by the AD  
(qqqqq) Any felony in a jurisdiction outside Oregon that is not the substantial equivalent of any of the Oregon crimes listed in this section but that is serious and indicates behavior that poses a threat or jeopardizes the safety of vulnerable persons, as determined by the AD  
(rrrrr) Any crime of attempt, solicitation, or conspiracy to commit a crime listed in this section pursuant to ORS 161.405, 161.435, or 161.450, including any crime based on criminal liability for conduct of another pursuant to ORS 161.155  
(sssss) Any crime in any other jurisdiction that is the substantial equivalent of any of the Oregon crimes listed in section (1) of this rule, as determined by the AD

(ttttt) Any crime that is no longer codified in Oregon or other jurisdiction but that is the substantial equivalent of any of the crimes listed in section (1) of this rule, as determined by the AD

(2) The crimes listed in this section are ten-year review crimes which require that a fitness determination be completed if the date of conviction is within ten years of the date the Background Check Request form was signed or the date the Department conducted a criminal records check due to imminent risk.

(a) ORS 033.045, Contempt of court  
(b) ORS 109.311, Prohibited fees-adoption  
(c) ORS 133.076, Failure to appear on criminal citation  
(d) ORS 133.310(3), Violation of restraining order  
(e) ORS 135.290, Punishment by contempt of court (violation of release agreement)  
(f) ORS 162.015, Bribe giving  
(g) ORS 162.025, Bribe receiving  
(h) ORS 162.065, Perjury  
(i) ORS 162.075, False swearing  
(j) ORS 162.117, Public investment fraud  
(k) ORS 162.145, Escape III  
(L) ORS 162.175, Unauthorized departure  
(m) ORS 162.185, Supplying contraband  
(n) ORS 162.195, Failure to appear II  
(o) ORS 162.205, Failure to appear I  
(p) ORS 162.247, Interfering with a peace officer  
(q) ORS 162.257, Interfering with a firefighter or emergency medical technician  
(r) ORS 162.265, Bribing a witness  
(s) ORS 162.275, Bribe receiving by a witness  
(t) ORS 162.295, Tampering with physical evidence  
(u) ORS 162.305, Tampering with public records  
(v) ORS 162.315, Resisting arrest  
(w) ORS 162.335, Compounding  
(x) ORS 162.355, Simulating legal process  
(y) ORS 162.365, Criminal impersonation  
(z) ORS 162.367, Criminal impersonation of peace officer  
(aa) ORS 162.369, Possession of false law enforcement identification card  
(bb) ORS 162.375, Initiating a false report  
(cc) ORS 162.385, Giving false information to police officer for a citation  
(dd) ORS 162.405, Official misconduct II  
(ee) ORS 162.415, Official misconduct I  
(ff) ORS 162.425, Misuse of confidential information  
(gg) ORS 163.195, Recklessly endangering another person  
(hh) ORS 163.196, Aggravated driving while suspended or revoked  
(ii) ORS 163.212, Unlawful use of an electrical stun gun, tear gas, or mace II  
(jj) ORS 164.043, Theft III  
(kk) ORS 164.045, Theft II  
(LL) ORS 164.095, Theft by receiving  
(mm) ORS 164.138, Criminal possession of a rented or leased motor vehicle  
(nn) ORS 164.140, Criminal possession of rented or leased personal property  
(oo) ORS 164.162, Mail theft or receipt of stolen mail  
(pp) ORS 164.235, Possession of a burglary tool or theft device  
(qq) ORS 164.255, Criminal trespass I  
(rr) ORS 164.265, Criminal trespass while in possession of firearm  
(ss) ORS 164.272, Unlawful entry into motor vehicle  
(tt) ORS 164.354, Criminal mischief II  
(uu) ORS 165.007, Forgery II  
(vv) ORS 165.017, Criminal possession of a forged instrument II  
(ww) ORS 165.037, Criminal simulation  
(xx) ORS 165.042, Fraudulently obtaining a signature  
(yy) ORS 165.070, Possessing fraudulent communications device  
(zz) ORS 165.074, Unlawful factoring of credit card transaction  
(aaa) ORS 165.080, Falsifying business records  
(bbb) ORS 165.085, Sports bribery  
(ccc) ORS 165.090, Sports bribe receiving  
(ddd) ORS 165.095, Misapplication of entrusted property  
(eee) ORS 165.100, Issuing a false financial statement  
(fff) ORS 165.102, Obtaining execution of documents by deception  
(ggg) ORS 165.540, Obtaining contents of communication  
(hhh) ORS 165.543, Interception of communications

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- (iii) ORS 165.570, Improper use of 9-1-1 emergency reporting system
- (jjj) ORS 165.572, Interference with making a report
- (kkk) ORS 165.577, Cellular counterfeiting III
- (LLL) ORS 165.579, Cellular counterfeiting II
- (mmm) ORS 165.692, Making false claim for health care payment
- (nnn) ORS 166.015, Riot
- (ooo) ORS 166.023, Disorderly conduct I
- (ppp) ORS 166.025, Disorderly conduct II
- (qqq) ORS 166.065, Harassment
- (rrr) ORS 166.076, Abuse of a memorial to the dead
- (sss) ORS 166.090, Telephonic harassment
- (ttt) ORS 166.116, Interfering with public transportation
- (uuu) ORS 166.180, Negligently wounding another
- (vvv) ORS 166.190, Pointing firearm at another
- (www) ORS 166.240, Carrying of concealed weapon
- (xxx) ORS 166.250, Unlawful possession of firearms
- (yyy) ORS 166.470, Limitations and conditions for sales of firearms
- (zzz) ORS 166.480, Sale or gift of explosives to children
- (aaaa) ORS 166.649, Throwing an object off an overpass II
- (bbbb) ORS 166.651, Throwing an object off an overpass I
- (cccc) ORS 166.660, Unlawful paramilitary activity
- (dddd) ORS 167.007, Prostitution
- (eeee) ORS 167.090, Publicly displaying nudity or sex for advertising purposes
- (ffff) ORS 167.122, Unlawful gambling in the second degree
- (gggg) ORS 167.127, Unlawful gambling in the first degree
- (hhhh) ORS 167.167, Cheating
- (iiii) ORS 167.222, Frequenting a place where controlled substances are used
- (jjjj) ORS 167.325, Animal neglect II
- (kkkk) ORS 167.330, Animal neglect I
- (LLLL) ORS 167.337, Interfering with law enforcement animal
- (mmmm) ORS 167.340, Animal abandonment
- (nnnn) ORS 167.352, Interfering with assistance, search and rescue or therapy animal
- (oooo) ORS 167.355, Involvement in animal fighting
- (pppp) ORS 167.365, Dogfighting
- (qqqq) ORS 167.370, Participation in dogfighting
- (rrrr) ORS 167.428, Cockfighting
- (ssss) ORS 167.431, Participation in cockfighting
- (tttt) ORS 167.820, Concealing the birth of an infant
- (uuuu) ORS 192.865, Criminal penalty (pertaining to Address Confidentiality Program)
- (vvvv) ORS 314.075, Evading requirements of law prohibited (tax evasion)
- (wwww) ORS 411.630, Unlawfully obtaining public assistance
- (xxxx) ORS 411.640, Unlawfully receiving public assistance
- (yyyy) ORS 411.675, Submitting wrongful claim or payment (e.g., public assistance)
- (zzzz) ORS 411.840, Unlawfully obtaining or disposing of food stamp benefits
- (aaaaa) ORS 412.074, Unauthorized use and custody of records of temporary assistance for needy families program
- (bbbbb) ORS 412.099, Sharing assistance prohibited
- (ccccc) ORS 417.990, Penalty for placement of children in violation of compact
- (dddd) ORS 471.410, Providing liquor to persons under 21 or to intoxicated persons; allowing consumption by minor on property
- (eeeee) ORS 475.912, Unlawful delivery of imitation controlled substance
- (ffffff) ORS 475.916, Prohibited acts involving records and fraud
- (ggggg) ORS 475.918, Falsifying drug test results
- (hhhhh) ORS 475.950, Failure to report precursor substances transaction
- (iiiiii) ORS 475.955, Failure to report missing precursor substances
- (jjjjj) ORS 475.960, Illegally selling drug equipment
- (kkkkk) ORS 475.965, Providing false information on precursor substances report
- (LLLLL) ORS 803.230, Forging, altering or unlawfully producing or using title or registration
- (mmmmm) ORS 807.620, Giving false information to police officer
- (nnnnn) ORS 811.060, Vehicular assault of bicyclist or pedestrian
- (ooooo) ORS 811.140, Reckless driving
- (ppppp) ORS 811.540, Fleeing or attempting to elude police officer
- (qqqqq) ORS 811.700, Failure to perform duties of driver when property is damaged
- (rrrrr) ORS 811.705, Failure to perform duties of driver to injured persons
- (sssss) ORS 819.300, Possession of a stolen vehicle
- (ttttt) ORS 830.475, Failure to perform the duties of an operator (boat)
- (uuuuu) Any unclassified misdemeanor defined in Oregon Revised Statutes not listed elsewhere in this rule
- (vvvvv) Any other misdemeanor in Oregon Revised Statutes not listed in this rule that is serious and indicates behavior that poses a threat or jeopardizes the safety of vulnerable persons, as determined by the AD
- (wwwww) Any misdemeanor in a jurisdiction outside Oregon that is not the substantial equivalent of any of the Oregon crimes listed in section (2) of this rule but that is serious and indicates behavior that poses a threat or jeopardizes the safety of vulnerable persons, as determined by the AD. If a misdemeanor in a jurisdiction outside Oregon is similar to a violation in Oregon, then it may not be considered potentially disqualifying under this section.
- (xxxxx) Any crime of attempt, solicitation or conspiracy to commit a crime listed in this section pursuant to ORS 161.405 or 161.435, including any conviction based on criminal liability for conduct of another pursuant to ORS 161.155
- (yyyyy) Any crime in any other jurisdiction which is the substantial equivalent of any of the Oregon crimes listed in section (2) of this rule, as determined by the AD
- (zzzzz) Any crime which is no longer codified in Oregon, but which is the substantial equivalent of any of the crimes listed in section (2) of this rule, as determined by the AD
- (3) The crimes listed in this section are five-year review crimes which require that a fitness determination be completed if the date of conviction is within five years of the date the Background Check Request form was signed or the date the Department conducted a criminal records check due to imminent risk.
  - (a) ORS 162.085, Unsworn falsification
  - (b) ORS 162.235, Obstructing governmental or judicial administration
  - (c) ORS 164.245, Criminal trespass II
  - (d) ORS 164.335, Reckless burning
  - (e) ORS 164.345, Criminal mischief III
  - (f) ORS 165.555, Unlawful telephone solicitation of contributions for charitable purposes
  - (g) ORS 165.813, Unlawful possession of fictitious identification
  - (h) ORS 166.075, Abuse of venerated objects
  - (i) ORS 166.095, Misconduct with emergency telephone calls
  - (j) ORS 811.182, Criminal driving while suspended or revoked
  - (k) ORS 813.010, Driving under the influence of intoxicants (DUII)
  - (L) ORS 830.315, Reckless operation of a boat
  - (M) ORS 830.325, Operating boat while under influence of intoxicating liquor or controlled substance
  - (n) ORS 830.730, False information to peace officer or Oregon State Marine Board
  - (o) Any conviction for attempt, solicitation or conspiracy to commit a crime listed in this section pursuant to ORS 161.405 or 161.435, including any conviction based on criminal liability for conduct of another pursuant to ORS 161.155
  - (p) Any crime in any other jurisdiction which is the substantial equivalent of any of the Oregon crimes listed in section (3) of this rule, as determined by the AD
  - (q) Any crime which is no longer codified in Oregon, but which is the substantial equivalent of any of the crimes listed in section (3) of this rule, as determined by the AD
  - (4) Evaluations of crimes may be based on Oregon laws and laws in other jurisdictions in effect at the time of the fitness determination, regardless of the jurisdiction in which the conviction occurred.
  - (5) An SI may not be denied under these rules due to the existence or contents of a juvenile record that has been expunged pursuant to ORS 419A.260 to 419A.262.
  - (6) An SI may not be denied under these rules due to the existence or contents of an adult record that has been set aside pursuant to ORS 137.225.  
Stat. Auth.: ORS 181.537 & 409.050  
Stats. Implemented: ORS 181.534, 181.537 & 409.010  
Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0280, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

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## 407-007-0290

### Other Potentially Disqualifying Conditions

The following are potentially disqualifying conditions:

(1) The SI makes a false statement to the QE, AD, or Department, including the provision of materially false information, false information regarding criminal records, or failure to disclose information regarding criminal records. Nondisclosure of violation or infraction charges may not be considered a false statement.

(2) The SI is a registered sex offender in any jurisdiction. There is a rebuttable presumption that an SI is likely to engage in conduct that would pose a significant risk to vulnerable individuals if the SI has been designated a predatory sex offender in any jurisdiction under ORS 181.585 or found to be a sexually violent dangerous offender under ORS 144.635 (or similar statutes in other jurisdictions).

(3) The SI has an outstanding warrant for any crime in any jurisdiction.

(4) The SI has a deferred sentence, conditional discharge, or is participating in a diversion program in any jurisdiction for any potentially disqualifying crime.

(5) The SI is currently on probation, parole, or post-prison supervision for any crime in any jurisdiction, regardless of the original conviction date (or date of guilty or no contest plea if there is no conviction date).

(6) The SI has been found in violation of post-prison supervision, parole, or probation for any crime in any jurisdiction, regardless of the original conviction date (or date of guilty or no contest plea if there is no conviction date), within five years from the date the Background Check Request form was signed or the date the Department conducted a criminal records check due to imminent danger.

(7) The SI has an unresolved arrest, charge, or a pending indictment for any crime in any jurisdiction.

(8) The SI has been arrested in any jurisdiction as a fugitive from another state or a fugitive from justice, regardless of the date of arrest.

(9) The SI has an adjudication in a juvenile court in any jurisdiction, finding that the SI was responsible for a potentially disqualifying crime that would result in a conviction if committed by an adult. Subsequent adverse rulings from a juvenile court, such as probation violations, shall also be considered potentially disqualifying if within five years from the date the Background Check Request form was signed or the date the Department conducted a criminal records check due to imminent danger.

(10) The SI has a finding of "guilty except for insanity," "guilty except by reason of insanity," "not guilty by reason of insanity," "responsible except for insanity," "not responsible by reason of mental disease or defect," or similarly worded disposition in any jurisdiction regarding a potentially disqualifying crime, unless the local statutes indicate that such an outcome is considered an acquittal.

(11) Child protective services reports that have a outcome of founded, substantiated, or valid in which the SI is determined to have been responsible for the abuse. This potentially disqualifying condition only applies when:

(a) The Department administrative rules specifically require a protective services background check as part of the application process including but not limited to child foster homes, adoptive families, licensed private child caring agencies, or child care providers; and

(b) The BCU has the authority to conduct an abuse check.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.534, 181.537 & 409.010

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0290, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0300

### Weighing Test

When making a fitness determination, the AD shall consider any of the following factors if an SI has potentially disqualifying convictions or conditions as disclosed by the SI or which is otherwise known:

(1) Circumstances regarding the nature of potentially disqualifying convictions and conditions including but not limited to:

(a) The details of incidents leading to the charges of potentially disqualifying convictions or resulting in potentially disqualifying conditions.

(b) Age of the SI at time of the potentially disqualifying convictions or conditions.

(c) Facts that support the convictions or potentially disqualifying conditions.

(d) Passage of time since commission of the potentially disqualifying convictions or conditions.

(e) Consideration of state or federal laws, regulations, or rules covering the position, facility, employer, or QE regarding the potentially disqualifying convictions or conditions.

(2) Other factors when available including but not limited to:

(a) Other information related to criminal activity including charges, arrests, pending indictments, and convictions. Other behavior involving contact with law enforcement may also be reviewed if information is relevant to other criminal records or shows a pattern relevant to criminal history.

(b) Periods of incarceration.

(c) Status of and compliance with parole, post-prison supervision, or probation.

(d) Evidence of alcohol or drug issues directly related to criminal activity or potentially disqualifying conditions.

(e) Evidence of other treatment or rehabilitation related to criminal activity or potentially disqualifying conditions.

(f) Likelihood of repetition of criminal behavior or behaviors leading to potentially disqualifying conditions, including but not limited to patterns of criminal activity or behavior.

(g) Information from the Department's protective services, abuse or other investigations in which the investigator documented behavior or conduct by the subject individual that would pose a risk to or jeopardize the safety of vulnerable individuals.

(h) Changes in circumstances subsequent to the criminal activity or disqualifying conditions including but not limited to:

(A) History of high school, college, or other education related accomplishments.

(B) Work history (employee or volunteer).

(C) History regarding licensure, certification, or training for licensure or certification.

(D) Written recommendations from current or past employers, including Department client employers.

(i) Indication of the SI's cooperation, honesty, or the making of a false statement during the criminal records check process, including acknowledgment and acceptance of responsibility of criminal activity and potentially disqualifying conditions.

(3) The AD shall consider the relevancy of the SI's criminal activity or potentially disqualifying conditions to the paid or volunteer position, or to the environment in which the SI will reside, work, or visit.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.534, 181.537 & 409.010

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0300, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0315

### Hired on a Preliminary Basis

A preliminary fitness determination is required to determine if an SI may work, volunteer, be employed, or otherwise perform in the position listed on the Background Check Request form prior to a final fitness determination. The SI may not be hired on a preliminary basis prior to the completion of a preliminary fitness determination.

(1) The SI must complete required information on a Background Check Request form and the AD or CP must review the form.

(2) The AD or CP shall review the Background Check Request form, complete a preliminary fitness determination and shall then make one of the following determinations

(a) An SI may be hired on a preliminary basis, only during the period of time prior to a final fitness determination, into the position listed on the Background Check Request form and be allowed to participate in training, orientation, and position activities under the one of the following circumstances:

(A) If there is no indication of a potentially disqualifying conviction or condition on the Background Check Request form and the AD or CP have no reason to believe the SI has potentially disqualifying history. This is the only situation in which a CP may hire an SI on a preliminary basis.

(B) If the SI discloses any potentially disqualifying convictions or conditions, the SI may be hired on a preliminary basis only after the completion of a weighing test by an AD. The SI may be hired on a preliminary basis only if, based on information available at the time, the AD determines that more likely than not that the SI poses no potential threat to vulnerable individuals.

(b) The QE may not hire a SI on a preliminary basis under any of the following circumstances:

(A) Being hired on a preliminary basis or probationary status is not allowed by program rules.



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(B) The SI has disclosed potentially disqualifying convictions or conditions and the QE does not have an AD to make a preliminary fitness determination.

(C) The AD or Department determine that:

- (i) More likely than not, the SI poses a potential threat to vulnerable individuals, based on a preliminary fitness determination and weighing test;
- (ii) The SI's most recent criminal records check under these rules or other Department criminal records check rules resulted in a denial; or
- (iii) The SI is currently involved in contesting a criminal records check under these or other Department criminal records check rules.

(D) An outcome of no hiring on a preliminary basis may only be overturned by the Department.

(3) The QE shall forward the Background Check Request form to the Department immediately upon completion of the preliminary fitness determination or, if the QE cannot make a preliminary fitness determination, immediately after the SI's completion of the form and verification of the SI's identity.

(4) The Department shall review the preliminary fitness determination made by the QE.

(a) The Department may change the outcome of the preliminary fitness determination based on available information.

(b) A QE without access to an AD may request the Department make a preliminary fitness determination if the SI discloses potentially disqualifying convictions or conditions.

(5) An SI hired on a preliminary basis shall be actively supervised at all times.

(a) The individual providing active supervision at all times shall do the following:

(A) Be in the same building as the SI or, if outdoors of QE buildings or any location off the QE property, be within line-of-sight and hearing, except as provided in section (6)(b)(B) of this rule;

(B) Know where the SI is and what the SI is doing; and

(C) Periodically observe the actions of the SI.

(b) The individual providing the active supervision may be either:

(A) A subject individual who has been approved without restrictions pursuant to these rules or previous Department criminal records check rules; or

(B) The adult client, an adult client's adult relation, the client's legal representative, or a child's parent or guardian. Active supervision by these individuals is appropriate in situations where care is given directly to clients usually in a home such as but not limited to in-home care, home health, or care by home care workers, personal care assistants, or child care providers.

(i) The adult client may actively supervise a homecare worker, personal care services provider, independent provider, or an employee of an in-home care agency or home health agency if the client makes an informed decision to employ the provider. Someone related to the client may also provide active supervision if the relative has been approved by the Department, the AD, or the private-pay client receiving services through an in-home care or home health agency.

(ii) A child client's parent or guardian shall be responsible for providing active supervision in the case of child care providers. The supervision is not required to be performed by someone in the same building as the child.

(6) An SI approved without restrictions within the previous 24 months through a documented criminal records check pursuant to these rules or prior Department criminal records check rules may be hired on a preliminary basis without active supervision. Twenty-four months is calculated from date of previous approval to the date of hire in the new position. This exemption from active supervision is not allowed in any of the following situations:

(a) If the SI cannot provide documented proof that he or she worked continuously under the previous approval for at least one year.

(b) If there is evidence of criminal activity within the previous 24 months.

(c) If, as determined by the AD or the Department, the job duties in the new position are so substantially different from the previous position that the previous fitness determination is inadequate for the current position.

(7) Revocation of hired on a preliminary basis is not subject to hearing or appeal. The QE or the Department may immediately revoke hired on a preliminary basis for any of the following reasons:

(a) There is any indication of falsification of application.

(b) The QE or Department determines that allowing the SI to be hired on a preliminary basis is not appropriate, based on the application, criminal record, position duties, or Department program rules.

(8) Nothing in this rule is intended to require that an SI who is eligible to be hired on a preliminary basis be allowed to work, volunteer, be employed, or otherwise perform in the position listed on the Background Check Request form prior to a final fitness determination.

(9) Preliminary fitness determinations must be documented in writing, including any details regarding a weighing test, if required.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.537 & 409.010

Hist.: DHS 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHS 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0320

### Final Fitness Determinations

The AD shall make a final fitness determination after all necessary criminal records checks have been received and a weighing test, if necessary, has been completed. The AD may obtain and consider additional information as necessary to complete the final fitness determination.

(1) The final fitness determination results in one of the following outcomes:

(a) The AD may approve an SI if:

(A) The SI has no potentially disqualifying convictions or potentially disqualifying conditions; or

(B) The SI has potentially disqualifying convictions or potentially disqualifying conditions and, after a weighing test, the AD determines that more likely than not that the SI poses no risk to the physical, emotional, or financial well-being of vulnerable individuals.

(b) The AD may approve an SI with restrictions if the AD determines that more likely than not that the SI poses no risk to the physical, emotional, or financial well-being of vulnerable individuals, if certain restrictions are placed on the SI. Restrictions may include but are not limited to restrictions to one or more specific clients, job duties, or environments. A new criminal records check and fitness determination shall be completed on the SI before removing a restriction.

(c) The AD shall deny an SI whom the AD determines, after a weighing test, more likely than not poses a risk to the physical, emotional, or financial well-being of vulnerable individuals.

(2) The Department shall make a final fitness determination in the following situations:

(a) A national or state-specific criminal records check has been completed on the SI;

(b) If Oregon laws or program administrative rules governing the QE or the position require that the Department makes the final fitness determination;

(c) The SI has the following history regarding criminal records checks:

(A) The SI's most recent criminal records check under these rules or other Department criminal records check rules resulted in a denial; or

(B) The SI's most recent criminal records check under these or other Department criminal records check rules required a weighing test which was completed by the Department.

(d) If, after conducting a criminal records check, the Department determines that, based on the presence of a potentially disqualifying crime or condition, there is a potential for imminent danger to vulnerable individuals;

(e) If the QE requests the Department to make the final fitness determination because the QE is temporarily unable to provide an AD to conduct a fitness determination;

(f) Upon request of an AD, the Department may provide technical assistance or make the final fitness determination;

(g) If the Department has reason to believe a final fitness determination has not been conducted in compliance with these rules, the Department may repeat the criminal records check and make a final fitness determination; or

(h) If the QE or AD is under investigation regarding compliance with these rules and the status of all ADs have been suspended during the investigation.

(3) The Department may review final fitness determinations made by local ADs and make a new final fitness determination at its discretion.

(4) Upon completion of a final fitness determination, the Department or AD making the decision shall provide written notice to the SI.

(a) The notice shall be in a Department-approved format.

(b) If approved, the Background Check Request form shall indicate the final fitness determination and the completed Background Check Request form shall be the notice of fitness determination.

(A) If the final fitness determination is completed by the Department, the QE shall ensure that the SI receives a copy of the Background Check

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Request form after the Department returns the Background Check Request form to the QE.

(B) If the final fitness determination is completed by the local AD, the local AD shall ensure that the SI receives a copy of the Background Check Request form after the AD completes the Background Check Request form.

(c) If denied or approved with restrictions, the notice of fitness determination shall include the potentially disqualifying convictions or conditions that the outcome was based upon, information regarding appeal rights and the notice becoming a final order in the event of a withdrawal or failure to appear at the hearing.

(A) If the final fitness determination is completed by the Department, the Department shall ensure that the SI receives a copy of the notice of fitness determination and the Background Check Request form. The Department shall provide the QE with a copy of the Background Check Request form to the QE with indication of the final fitness determination being either denied or approved with restrictions.

(B) If the final fitness determination is completed by the local AD, the local AD shall ensure that the SI receives a copy of the notice of fitness determination and the Background Check Request form after the AD completes the Background Check Request form.

(d) The notice shall be mailed or hand-delivered to the SI within 14 calendar days after the final fitness determination has been completed. The effective date of action shall be recorded on the notice.

(5) When an SI is denied, the SI shall not be allowed to work, volunteer, be employed, or otherwise perform in the position listed on the Background Check Request form. A denial applies only to the position and application in question. A denial shall result in immediate termination, dismissal, or removal of the SI.

(6) When an SI is approved with restrictions, the SI shall only be allowed to work, volunteer, be employed, or otherwise perform in the position listed on the Background Check Request form and only under the stated restrictions. A restricted approval applies only to the position and application in question. A restricted approval shall result in immediate implementation of the restrictions.

(7) Final fitness determinations must be documented in writing, including any details including but not limited to the potentially disqualifying convictions or conditions, the factors considered during weighing test, and restrictions in a restricted approval. The authorized designee shall also maintain any documents obtained during the fitness determination, such as written statements and certificates from the subject individual, police reports, or court records.

(8) The Department or AD shall make new fitness determinations for each application. The outcome of previous fitness determinations does not set a precedent for subsequent fitness determinations.

Stat. Auth.: ORS 181.537 & 409.050

Stats. Implemented: ORS 181.537 & 409.010

Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0320, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0330

### Contesting a Fitness Determination

(1) A final fitness determination of denied or restricted approval is considered an adverse outcome. An SI with an adverse outcome may contest that fitness determination.

(2) If an SI is denied, the SI may not hold the position, provide services or be employed, licensed, certified, or registered, or otherwise perform in positions covered by these rules. An SI appealing a restricted approval may only work under the terms of the restriction during the appeal.

(3) If an adverse outcome is changed at any time during the appeal process, the change does not guarantee employment or placement.

(4) An SI may challenge the accuracy or completeness of information provided by the OSP, the FBI, or other agencies reporting information to the Department, by appealing to the entity providing the information. These challenges are not subject to the Department's appeal process.

(5) An SI has the right to represent him or herself or have legal representation during the appeal process. The SI may not be represented by a lay person. For the purpose of this rule, the term "SI" shall be considered to include the SI's legal representative.

(6) An SI may contest an adverse fitness determination by requesting a contested case hearing. The contested case hearing process is conducted in accordance with ORS 183.411 to 183.497 and the Attorney General's Uniform and Model Rules of Procedure for the Office of Administrative Hearings (OAH), OAR 137-003-0501 to 137-003-0700.

(a) To request a contested case hearing, the SI shall complete and sign the Hearing Request form.

(b) The completed and signed form must be received by the Department within 45 calendar days after the effective date of action listed on the notice of the fitness determination.

(c) In the event an appeal is not timely, the Department shall determine, based on a written statement from the SI and available information, if there is good cause to proceed with the appeal.

(d) The Department may refer an untimely request to the OAH for a hearing on the issue of timeliness.

(7) The Department may conduct an administrative review before referring the appeal to OAH.

(a) The SI must participate in the administrative review. Participation may include but is not limited to providing additional information or additional documents requested by the BCU within a specified amount of time.

(b) The administrative review is not open to the public.

(8) The Department may conduct additional criminal records checks during the contested case hearing process to update or verify the SI's criminal records. If needed, the Department shall amend the notice of fitness determination while still maintaining the original hearing rights and deadlines.

(9) The Department shall be represented by a hearing representative in contested case hearings. The Department may also be represented by Department of Justice's Office of the Attorney General.

(a) The Department shall provide the administrative law judge and the SI a complete copy of available information used during the criminal records checks and fitness determinations. The notice of contested case and prehearing summary and other documents may be mailed by regular first class mail.

(b) SIs may not have access to confidential information contained in abuse investigation reports or other records collected or developed during the abuse check process without a protective order limiting further disclosure of the information.

(A) A protective order issued pursuant to this section must be issued by an administrative law judge as provided for in OAR 137-003-0570(8) or by a court of law.

(B) In conjunction with a protective order issued pursuant to this section, individually identifying information relating to clients, witnesses, and other persons identified in abuse investigation reports or other records collected or developed during the abuse check process shall be redacted prior to disclosure, except for the information identifying the SI.

(c) The contested case hearing is not open to the public.

(d) The administrative law judge shall make a new fitness determination based on evidence and the contested case hearing record.

(e) The only remedy an administrative law judge may grant is a fitness determination that the subject individual is approved, approved with restrictions, or denied. Under no circumstances shall the Department or the QE be required to place an SI in any position, nor shall the Department or the QE be required to accept services or enter into a contractual agreement with an SI.

(f) A hearing pursuant to these rules may be conducted in conjunction with a licensure or certification hearing for the SI.

(10) The notice of fitness determination issued is final as if the SI never requested a hearing in the following situations:

(a) The SI failed to request a hearing in the time allotted in this rule. No other document will be issued after the notice of fitness determination.

(b) The SI withdraws the request for hearing at any time during the appeal process.

(11) The Department may make an informal disposition based on the administrative review. The Department shall issue a final order and new notice of fitness determination. If the resulting fitness determination is an adverse outcome, the appeal shall proceed to contested case hearing.

(12) The Department shall issue a dismissal order in the following situations:

(a) The SI may withdraw a hearing request verbally or in writing at any time before the issuance of a final order. A dismissal order due to the withdrawal is effective the date the withdrawal is received by the Department or the OAH. The SI may cancel the withdrawal in writing within 14 calendar days after the date of withdrawal.

(b) The Department shall dismiss a hearing request when the SI fails to participate in the administrative review. Failure to participate in the administrative review shall result in termination of hearing rights. The order is effective on the due date for participation in the administrative review. The Department shall review a good cause request to reinstate hearing rights if received in writing by the Department within 14 calendar days.

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(c) The Department shall dismiss a hearing request when the SI fails to appear at the time and place specified for the contested case hearing. The order is effective on the date scheduled for the hearing. The Department shall review a good cause request to reinstate hearing rights if received in writing by the Department within 14 calendar days of the order.

(13) After a hearing, the administrative law judge shall issue a proposed and final order.

(a) If no written exceptions are received by the Department within 14 calendar days after the service of the proposed and final order, the proposed and final order becomes the final order.

(b) If timely written exceptions to the proposed and final order are received by the Department, the Department's Director or designee shall consider the exceptions and serve a final order, or request a written response or a revised proposed and final order from the administrative law judge.

(14) Final orders, including dismissal and default orders, are subject to reconsideration or rehearing petitions within 60 calendar days after the order is served, pursuant to OAR 137-003-0675.

(15) The Department may provide the QE's AD with the results of the appeal.

Stat. Auth.: ORS 181.537 & 409.050  
Stats. Implemented: ORS 181.534, 181.537, 183.341 & 409.010  
Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0330, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 2-2008(Temp), f. & cert. ef. 3-31-08 thru 9-26-08; DHSD 7-2008, f. 8-29-08, cert. ef. 9-1-08; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

## 407-007-0340

### Record Keeping, Confidentiality

(1) All LEADS reports are confidential and the AD shall maintain the reports in accordance with applicable OSP requirements in ORS chapter 181 and the rules adopted pursuant thereto (see OAR chapter 257, division 15).

(a) LEADS reports are confidential and may only be shared with another AD if there is a need to know consistent with these rules.

(b) The LEADS report and any photocopies may not be shown or given to the SI.

(2) The results of a national criminal records check provided by the FBI or the OSP are confidential and may not be disseminated by the Department unless:

(a) If a fingerprint-based criminal records check was conducted on the SI, the SI shall be provided a copy of the results if requested.

(b) The state and national criminal offender information shall be provided as exhibits during the contested case hearing.

(3) All completed Background Check Request forms, other criminal records information, and other records collected or developed during the criminal records check or contested case process shall be kept confidential and disseminated only on a need-to-know basis.

(4) The Department shall retain and destroy all criminal records check documents pursuant to federal law and records retention schedules published by Oregon State Archives.

(5) Documents may be requested and reviewed by the Department and the OSP for the purposes of determining and ensuring compliance with these rules.

(6) Neither local ADs nor the Department may re-create past notices of fitness determinations. If an error is discovered on a notice of fitness determination, the local AD or the Department may correct it by issuing an amended notice of fitness determination.

Stat. Auth.: ORS 181.537 & 409.050  
Stats. Implemented: ORS 181.534, 181.537 & 409.010  
Hist.: OMAP 8-2004, f. 2-26-04, cert. ef. 3-1-04; OMAP 22-2005, f. & cert. ef. 3-29-05; Renumbered from 410-007-0340, DHSD 8-2007, f. 8-31-07, cert. ef. 9-1-07; DHSD 10-2008, f. 12-26-08, cert. ef. 1-1-09; DHSD 2-2009, f. & cert. ef. 4-1-09; DHSD 7-2009, f. & cert. ef. 10-1-09; DHSD 10-2009, f. 12-31-09, cert. ef. 1-1-10; DHSD 10-2010, f. 10-29-10, cert. ef. 10-31-10

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**Department of Human Services,  
Children, Adults and Families Division:  
Child Welfare Programs  
Chapter 413**

**Rule Caption:** Changing OARs affecting Child Welfare programs.

**Adm. Order No.:** CWP 20-2010(Temp)

**Filed with Sec. of State:** 11-3-2010

**Certified to be Effective:** 11-3-10 thru 5-2-11

**Notice Publication Date:**

**Rules Amended:** 413-040-0240

**Subject:** OAR 413-040-0240 about the financial and medical responsibility of an agency that that sends, brings, or causes to be sent or brought a child to another state under the Interstate Compact on the Placement of Children (ICPC) is being amended to correct a scrivener's error when the rule was amended and remove contradictory text about the payments made once a child leaves the state. This amendment is retroactive to September 2, 2010.

**Rules Coordinator:** Annette Tesch—(503) 945-6067

## 413-040-0240

### Financial and Medical Responsibility of Sending Agency

(1) The sending agency is responsible for the support and maintenance of the child during the period of the placement.

(2) The sending agency is responsible for arranging for medical coverage for the child before the child is placed with an ICPC approved family.

(3) When, subsequent to ICPC approval, the Department places a child out of state with a foster parent or relative caregiver, foster care payment is determined in accordance with Child Welfare Policy I-E.5.1, "Payment for Family Foster Care, Base Rate, Shelter Care, Enhanced Shelter Care, Level of Care, Chafee Housing, and Independent Living Housing Subsidy" OAR 413-090-0000 to 413-090-0050.

(4) The November 3, 2010 amendment to section (3) of this rule is retroactive to September 2, 2010.

Stat. Auth.: ORS 409.050, 418.005, & 418.647  
Stats. Implemented: ORS 409.010, 417.200-417.260, 418.005 & 418.647  
Hist.: SCF 6-1995, f. 12-22-95, cert. ef. 12-29-95; SOSCF 4-2002, f. 3-28-02, cert. ef. 4-1-02; CWP 46-2003, f. 12-31-03, cert. ef. 1-1-04; CWP 3-2010(Temp), f. & cert. ef. 3-15-10 thru 9-10-10; CWP 18-2010, f. & cert. ef. 9-2-10; CWP 20-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

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**Rule Caption:** Changing OARs affecting Child Welfare programs.

**Adm. Order No.:** CWP 21-2010

**Filed with Sec. of State:** 11-15-2010

**Certified to be Effective:** 11-15-10

**Notice Publication Date:** 10-1-2010

**Rules Amended:** 413-015-0115, 413-015-1105, 413-015-1110, 413-015-1120

**Rules Repealed:** 413-015-0115(T), 413-015-1105(T), 413-015-1110(T), 413-015-1120(T)

**Subject:** OAR 413-015-0115 about the definitions used in the Department's rules regarding Child Protective Services (which identifies child safety threats and assures protection of children after a report of alleged child abuse or neglect is received by a screener) is being amended to restate the definition for safety service provider.

OAR 413-015-1105 about the purpose of allowing law enforcement data system (LEDS) access in local child welfare offices is being amended to state that one of the primary purposes in allowing such access is to assist child welfare staff in making decisions about child safety regarding safety service providers (participants in a protective action or ongoing safety plan whose actions, assistance, or supervision help a family in managing a child's safety).

OAR 413-015-1110 about the definitions used in the Department's rules regarding local child welfare office access to the law enforcement data system (LEDS) is being amended to state the definition for safety service provider.

OAR 413-015-1120 about when and how a local Child Welfare office may conduct criminal records checks on a subject individual using the law enforcement data system (LEDS) and the timelines under which the Department must provide written notice to a subject individual when a criminal records check is conducted for a Child Protective Services purpose is being amended to restate that the term subject individual includes an individual being assessed as a safety service provider (a participant in a protective action or ongoing safety plan whose actions, assistance, or supervision help a family in managing a child's safety) and that a safety service provider

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must be given notice of a criminal records check before the check is conducted.

In addition, these amendments will adopt as permanent rules temporary rule amendments made on June 15, 2010.

**Rules Coordinator:** Annette Tesch—(503) 945-6067

## 413-015-0115

### Definitions

Unless the context indicates otherwise, these terms are defined for use in OAR chapter 413, division 015:

(1) “Caregiver” means a guardian, legal custodian, or other person acting in loco parentis, who exercises significant authority over and responsibility for a child.

(2) “Child” means a person under 18 years of age.

(3) “Child abuse or neglect” means any form of abuse, including abuse through neglect and abuse or neglect by a third party, of a person under age 18.

(4) “Child protective services (CPS)” means a specialized social service program that the Department provides on behalf of children who may be unsafe after a report of child abuse or neglect is received.

(5) “Child protective services assessment” means activities and interventions that identify and analyze safety threats, determine if there is reasonable cause to believe child abuse or neglect occurred, and assure child safety through protective actions or ongoing safety planning.

(6) “Child protective services supervisor (CPS supervisor)” means an employee of Child Welfare trained in child protective services and designated as a supervisor.

(7) “Child protective services worker (CPS worker)” means an employee of Child Welfare who has completed the mandatory Department training for child protective service workers.

(8) “Child Safety Meeting” means a facilitated meeting held at the conclusion of a CPS assessment for the purpose of developing an ongoing safety plan.

(9) “Children’s Care Provider (CCP)” means a CAF licensed Residential Care Agency, Day Treatment Program, Foster Care Agency, Therapeutic Boarding School, or Outdoor Youth Program that has assumed responsibility for all or a portion of the care of a child. The term includes the CCP’s employees, agents, contractors and their employees, and volunteers.

(10) “Day Care Facility” means each of the following:

(a) A Registered Family Child Care Home, which is the residence of a provider who has a current Family Child Care Registration at that address and who provides care in the family living quarters.

(b) A Certified Family Child Care Home, which is a child care facility located in a building constructed as a single family dwelling that has certification to care for a maximum of 16 children at any one time.

(c) A Certified Child Care Center, which is certified to care for 13 or more children, or a facility that is certified to care for twelve or fewer children and located in a building constructed as other than a single family dwelling.

(d) A Listed Facility, which is a child care provider who is exempt from CCD licensing and who receives subsidy payments for child care on behalf of clients of the Department of Human Services.

(11) “Department” means the Department of Human Services, Child Welfare.

(12) “Department response” means how the Department intends to respond to information that a child is unsafe after a report of alleged abuse or neglect is received.

(13) “Designated medical professional” means (as defined in ORS 418.747(8)) a physician, physician assistant, or nurse practitioner who has been designated by the local multi-disciplinary team and trained to conduct child abuse medical assessments (as defined in ORS 418.782), and who is — or who may designate another physician, physician assistant, or nurse practitioner who is — regularly available to conduct these medical assessments.

(14) “Face-to-face” means an in-person interaction between individuals.

(15) “FACIS” means the Family and Child Information System.

(16) “Former foster child” means a person under 21 years of age, who was in substitute care in Oregon, including substitute care provided by the Federally Recognized Tribes, after the age of 14 and remained in substitute care for an accumulative 180 days or longer.

(17) “Guided Assessment Process (GAP)” is a tool used to document the CPS assessment.

(18) “Harm” means any kind of impairment, damage, detriment, or injury to a child’s physical, sexual, emotional, or mental development or functioning. Harm is the result of child abuse or neglect and may vary from mild to severe.

(19) “ICWA” means the Indian Child Welfare Act.

(20) “Initial contact” means the first face-to-face contact between a CPS worker and a family. The initial contact includes face-to-face contact with the alleged child victim, his or her siblings, parent or caregiver, and other children and adults living in the home; accessing the home environment; identifying safety threats; and determining if a protective action is needed.

(21) “Legal guardian” means a person or agency having the powers and responsibilities of a parent to make binding decisions for a child, including the authority to ---

(a) Authorize surgery for the child;

(b) Authorize enlistment in the armed forces;

(c) Consent to the child’s adoption when the child is in the permanent custody of the agency; and

(d) Make other decisions of substantial legal significance concerning the child (but a guardian is not a conservator of the child’s property or estate).

(22) “Multi-disciplinary team (MDT)” means a county investigative team described in ORS 418.747 that includes law enforcement personnel, child protective service workers, district attorneys, school officials, health department staff, and juvenile department personnel.

(23) “Observable” means specific, definite, real, can be seen and described. Observable does not include suspicion and gut feeling.

(24) “OIT” means Department of Human Services, Office of Investigations and Training.

(25) “Ongoing safety plan” means a documented set of actions or interventions that manage a child’s safety after the Department has identified one or more safety threats to which the child is vulnerable and determined the parent or caregiver is unable or unwilling to protect the child. An ongoing safety plan can be in-home or out-of-home and is adjusted when necessary to provide the least intrusive interventions.

(26) “Out of control” means family behaviors, conditions, or circumstances that can affect a child are unrestrained, unmanaged, without limits or monitoring, not subject to influence or manipulation within the control of the family, resulting in an unpredictable and chaotic family environment.

(27) “Personal representative” means a person who is at least 18 years of age and is selected to be present and supportive during the CPS assessment by a child who is the victim of a person crime as defined in ORS 147.425 and is at least 15 years of age at the time of the crime. The personal representative may not be a person who is a suspect in, party or witness to, the crime.

(28) “Private child-caring agency” is defined by the definitions in ORS 418.205, and means a “child caring agency” that is not owned, operated, or administered by any governmental agency or unit.

(a) A “child-caring agency” means an agency or organization providing:

(A) Day treatment for disturbed children;

(B) Adoption placement services;

(C) Residential care, including but not limited to foster care or residential treatment for children;

(D) Outdoor youth programs as defined in OAR 413-215-0911; or

(E) Other similar services for children.

(b) A child-caring agency does not include residential facilities or foster care homes certified or licensed by the Department under ORS 443.400 to 443.455, 443.830, and 443.835 for children receiving developmental disability services.

(29) “Protective action” means an immediate, same day, short-term plan sufficient to protect a child from a safety threat in order to allow completion of the CPS assessment.

(30) “Protective capacity” means behavioral, cognitive, and emotional characteristics that can specifically and directly be associated with a person’s ability and willingness to care for and keep a child safe.

(31) “Protective custody” means custody authorized by ORS 419B.150.

(32) “Reasonable suspicion” means a reasonable belief given all of the circumstances, based upon specific and describable facts, that the suspicious physical injury may be the result of abuse. Explanation: The belief must be subjectively and objectively reasonable. In other words, the person subjectively believes that the injury may be the result of abuse, and the belief is objectively reasonable considering all of the circumstances. The circumstances that may give rise to a reasonable belief may include, but not

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be limited to, observations, interviews, experience, and training. The fact that there are possible non-abuse explanations for the injury does not negate reasonable suspicion.

(33) "Referral" means a report that has been assigned for the purpose of CPS assessment.

(34) "Report" means an allegation of child abuse or neglect provided to Child Welfare that the screener evaluates to determine if it constitutes a report of child abuse or neglect as defined in ORS 419B.005.

(35) "Reporter" means an individual who makes a report.

(36) "Safe" means there is an absence of safety threats, the child is not vulnerable to identified safety threats, or there is sufficient parent or caregiver protective capacity to protect the vulnerable child from the identified safety threats.

(37) "Safety service provider" means a participant in a protective action or ongoing safety plan whose actions, assistance, or supervision help a family in managing a child's safety.

(38) "Safety services" mean the actions, assistance, and supervision provided by safety service providers to manage the identified safety threats to a child.

(39) "Safety threat" means family behavior, conditions, or circumstances that could result in harm to a child.

(40) "Screener" means a Child Welfare employee with training required to provide screening services.

(41) "Screening" means the process used by a screener to determine the Department response when information alleging abuse or neglect is received.

(42) "Severe harm" means 'substantial', as used in ORS 419B.005; immobilizing impairment; life-threatening damage; or significant or acute injury to a child's physical, sexual, psychological, or mental development or functioning.

(43) "Substance" means any controlled substance as defined by ORS 475.005, prescription medications, over the counter medications, or alcoholic beverages.

(44) "Suspicious physical injury" (as defined in 2007 Oregon Laws Chapter 674) includes, but is not limited to:

- (a) Burns or scalds;
- (b) Extensive bruising or abrasions on any part of the body;
- (c) Bruising, swelling, or abrasions on the head, neck, or face;
- (d) Fractures of any bone in a child under the age of three;
- (e) Multiple fractures in a child of any age;
- (f) Dislocations, soft tissue swelling, or moderate to severe cuts;
- (g) Loss of the ability to walk or move normally according to the child's developmental ability;
- (h) Unconsciousness or difficulty maintaining consciousness;
- (i) Multiple injuries of different types;
- (j) Injuries causing serious or protracted disfigurement or loss or impairment of the function of any bodily organ; or
- (k) Any other injury that threatens the physical well-being of the child.

(45) "Third-party abuse" means abuse by a person who is not the child's parent, not the child's caregiver or other member of the child's household, and not a person responsible for the child's care, custody, and control. Examples of persons who could be considered as a third-party under this definition include school personnel, day-care providers, coaches, and church personnel.

(46) "Unsafe" means there is a safety threat to which the child is vulnerable and there is insufficient parent or caregiver protective capacity to protect a vulnerable child from the identified safety threats.

(47) "Vulnerable child" means a child who is unable to protect him or herself. This includes a child who is dependent on others for sustenance and protection. A vulnerable child is defenseless, exposed to behavior, conditions, or circumstances that he or she is powerless to manage, and is susceptible and accessible to a threatening parent or caregiver. Vulnerability is judged according to physical and emotional development, ability to communicate needs, mobility, size, and dependence.

Stat. Auth.: ORS 147.425, 409.185, 418.005, 418.015, 418.747 & 419B.005 - 419B.050  
Stats. Implemented: ORS 147.425, 409.185, 418.005, 418.015, 418.747 & 419B.005 - 419B.050  
Hist.: CWP 25-2003, f. & cert. ef. 7-1-03; CWP 14-2004, f. 7-30-04, cert. ef. 8-1-04; CWP 17-2004, f. & cert. ef. 11-1-04; CWP 4-2005, f. & cert. ef. 2-1-05; CWP 19-2005(Temp), f. 12-30-05, cert. ef. 1-1-06 thru 6-30-06; CWP 14-2006, f. 6-30-06, cert. ef. 7-1-06; CWP 3-2007, f. & cert. ef. 3-20-07; CWP 16-2007(Temp), f. & cert. ef. 10-16-07 thru 4-11-08; CWP 22-2007(Temp), f. & cert. ef. 12-3-07 thru 4-11-08; CWP 24-2007(Temp), f. 12-31-07, cert. ef. 1-1-08 thru 4-11-08; CWP 2-2008, f. & cert. ef. 4-1-08; CWP 5-2010(Temp), f. & cert. ef. 6-15-10 thru 12-12-10; CWP 21-2010, f. & cert. ef. 11-15-10

## 413-015-1105

### Purpose

(1) The primary purposes of LEDS access in local Child Welfare offices are to assist staff in making decisions about child safety, specifically related to child protective services, assessing safety service providers, and emergency certification as outlined in these rules (OAR 413-015-1100 to 413-015-1125). Criminal history information obtained from LEDS will be considered, along with other safety-related information, to:

(a) Identify safety threats; or

(b) Determine if behavior that is revealed by criminal history is inconsistent with providing care to children or having access to children.

(2) These rules do not address criminal records checks for non-emergency certification or adoption approval. Criminal records checks for non-emergency certification or adoption approval are governed by OAR 413-120-0400 to 413-120-0470.

Stat. Auth.: ORS 181.537, 409.050, 418.005

Stats. Implemented: ORS 181.537, 409.010, 418.005, 419B.020

Hist.: CWP 1-2005(Temp), f. & cert. ef. 1-28-05 thru 7-27-05; CWP 8-2005, f. & cert. ef. 7-28-05; CWP 3-2007, f. & cert. ef. 3-20-07; CWP 5-2010(Temp), f. & cert. ef. 6-15-10 thru 12-12-10; CWP 21-2010, f. & cert. ef. 11-15-10

## 413-015-1110

### Definitions

The following definitions apply to OAR 413-015-1100 to 413-015-1125:

(1) "LEDS" means Law Enforcement Data System, the computerized criminal history information system maintained by the Oregon State Police.

(2) "LEDS representative" means the staff person in the local Department office who has been designated under OAR 257-015-0050(5) by the Assistant DHS Director for the Children, Adults and Families Division and who has completed the training required by the Oregon State Police in order to train other employees to be LEDS users.

(3) "LEDS user" means a staff person in the local Department office who has been trained by a LEDS representative and has been certified by the Oregon State Police to access LEDS information.

(4) "Notice" means a written statement hand delivered to the subject individual or sent via U.S. mail to his or her last known address informing the subject individual of subsections (a) through (c) below. Notice does not imply consent or permission on the part of the subject individual.

(a) The Department may conduct, or has already conducted, criminal records checks.

(b) The subject individual has the right to obtain a copy of his or her LEDS record and challenge information in the record by contacting the Oregon State Police.

(c) The subject individual may have rights under Title VII of the Civil Rights Act of 1964 and may obtain information about these rights by contacting the Oregon Bureau of Labor and Industries or the U.S. Equal Employment Opportunity Commission.

(5) "Safety service provider" means a participant in a protective action or ongoing safety plan whose actions, assistance, or supervision help a family in managing a child's safety.

Stat. Auth.: ORS 181.537, 409.050, 418.005

Stats. Implemented: ORS 181.537, 181.557, 409.010, 418.005, 419B.020

Hist.: CWP 1-2005(Temp), f. & cert. ef. 1-28-05 thru 7-27-05; CWP 8-2005, f. & cert. ef. 7-28-05; CWP 3-2007, f. & cert. ef. 3-20-07; CWP 27-2008, f. & cert. ef. 10-3-08; CWP 5-2010(Temp), f. & cert. ef. 6-15-10 thru 12-12-10; CWP 21-2010, f. & cert. ef. 11-15-10

## 413-015-1120

### LEDS Use for Child Protective Service Purposes

(1) The local Child Welfare office may conduct criminal records checks on a subject individual using the LEDS system available in the local office and use LEDS information pertaining to a subject individual for the purpose of making decisions about child safety specifically related to Child Protective Services when a:

(a) Child abuse allegation is being assessed; or

(b) Child Welfare case is open.

(2) When conducting criminal records checks for a Child Protective Services purpose under this rule, a subject individual is defined as a person:

(a) Alleged to be the perpetrator of child abuse or neglect when the allegation is being assessed by Child Protective Services;

(b) Residing in or frequenting a household where the alleged victim of child abuse resides on a full- or part-time basis;

(c) Being assessed as a safety service provider; or

(d) In the household to which a child is being returned.

(3) Timelines for providing written notice to a subject individual when a criminal records check is conducted for a Child Protective Services purpose:

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(a) Prior to the conclusion of an assessment of a child abuse allegation: Notice as defined at OAR 413-015-1110(4) must be provided to:

(A) The subject individual defined in subsection (2)(a), (b), or (d) of this rule no later than seven working days after the date the check was conducted.

(B) The subject individual defined in subsection (2)(c) of this rule before the check is conducted.

(b) After the conclusion of an assessment of a child abuse allegation and while a Child Welfare case is still open: Notice as defined at OAR 413-015-1110(4) must be provided to the subject individual before the check is conducted.

Stat. Auth.: ORS 181.537, 409.050, 418.005  
Stats. Implemented: ORS 181.537, 181.557, 409.010, 418.005, 419B.020  
Hist.: CWP 1-2005(Temp), f. & cert. ef. 1-28-05 thru 7-27-05; CWP 8-2005, f. & cert. ef. 7-28-05; CWP 3-2007, f. & cert. ef. 3-20-07; CWP 27-2008, f. & cert. ef. 10-3-08; CWP 5-2010(Temp), f. & cert. ef. 6-15-10 thru 12-12-10; CWP 21-2010, f. & cert. ef. 11-15-10

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## Department of Human Services, Children, Adults and Families Division: Self-Sufficiency Programs Chapter 461

**Rule Caption:** Changing OARs affecting public assistance, medical assistance, or Supplemental Nutrition Assistance Program clients.

**Adm. Order No.:** SSP 37-2010(Temp)

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10 thru 4-30-11

**Notice Publication Date:**

**Rules Amended:** 461-115-0705, 461-160-0400, 461-170-0010

**Subject:** OAR 461-115-0705 about the verification requirements for the Department's medical programs is being amended to restate the income verification requirements for clients of the Healthy KidsConnect (HKC), Medical Assistance Assumed (MAA), Medical Assistance to Families (MAF), Oregon Health Plan (OHP), and Medical Coverage for Children in Substitute or Adoptive Care (SAC) programs.

OAR 461-160-0400 about the use of income to determine eligibility and benefits is in the Supplemental Nutrition Assistance Program (SNAP) is being amended to remove language allowing a filing group (individuals from the household whose circumstances are considered in the eligibility determination process) that was categorically eligible or included an elderly individual or an individual with a disability to be eligible for SNAP benefits when the filing group's adjusted income equals or exceeds the adjusted income limit of the need group (the individuals whose basic and special needs are used in determining eligibility and benefit level).

OAR 461-170-0010 about the requirement that a client report changes in accordance with the reporting system to which the Department assigns the client is being amended to state the Department considers a client to have reported a change to the Department when that change is reported to Office of Private Health Partnerships (OPHP).

**Rules Coordinator:** Annette Tesch—(503) 945-6067

### 461-115-0705

#### **Required Verification; BCCM, HKC, MAA, MAF, OHP, SAC**

(1) This rule establishes verification requirements for the BCCM, EXT, HKC, MAA, MAF, OHP, and SAC programs in addition to the requirements of OAR 461-115-0610.

(2) Except as provided in section (3) of this rule, each client declaring U.S. citizenship must provide acceptable documentation of citizenship and identity. For purposes of this rule, *acceptable documentation* consists of any of the documents permitted under section 1903(x) of the Social Security Act (42 U.S.C. 1396b).

(a) A new applicant must provide acceptable documentation as a condition of eligibility (see OAR 461-001-0000). Except for an applicant whose medical benefits previously were closed after March 31, 2009 for not providing acceptable documentation, an applicant's medical assistance may not be delayed for citizenship documentation while the eligibility decision is pending if all other medical assistance eligibility requirements have been met.

(b) A current recipient who has not already provided acceptable documentation must provide acceptable documentation as a condition of eligibility when requested by the Department.

(c) A client who already has provided acceptable documentation is not required to provide additional evidence during a subsequent application for benefits or redetermination of eligibility.

(3) Each of the following clients is exempt from the requirements of section (2) of this rule, a client who is:

(a) Assumed eligible under OAR 461-135-0010(5);

(b) Eligible for or receiving Medicare;

(c) Presumptively eligible for the BCCM program;

(d) Receiving Social Security Disability Income (SSDI); or

(e) Receiving Title IV-E benefits.

(4) At initial application and at any other time it affects the client, the following must be verified:

(a) The requirement in OAR 461-120-0210 to have or apply for a social security number.

(b) Alien status for an applicant who indicates he or she is not a U.S. citizen, and for a client who meets the alien status requirement under OAR 461-120-0125(4)(b) the client's alien status must be verified at each certification.

(5) When the pregnancy of a client is first reported, it must be verified by a medical practitioner, health department, clinic, or crisis pregnancy center or similar facility.

(6) In the HKC, MAA, MAF, OHP, and SAC programs, at initial application, recertification, and at any other time it affects the client, the Department must verify the client's statement of income. If no verification is available, the Department accepts the client's statement.

(7) In the OHP-OPU program:

(a) The Department must verify the premium exemption allowed because a client is:

(A) A member of a federally recognized Indian tribe, band, or group;

(B) An Eskimo, Aleut, or other Alaska native enrolled by the Secretary of the Interior pursuant to the Alaska Native Claims Settlement Act; or

(C) An individual eligible for benefits through an Indian Health Program.

(b) A client enrolled full time in higher education must provide verification, at application and recertification, that the client meets the requirements of OAR 461 135 1110.

(8) In the EXT, MAA, MAF, OHP-OPC, and OHP-OP6 programs, the amount of the premium for cost-effective employer-sponsored health insurance must be verified.

(9) A client must provide verification for any eligibility requirement in sections (4) to (8) of this rule questioned by the Department.

Stat. Auth.: ORS 409.050, 411.060, 411.070, 411.400, 411.404, 414.025, 414.231, 414.428, 414.826, 414.831, 414.839

Stats. Implemented: ORS 409.050, 411.060, 411.070, 411.400, 411.404, 414.025, 414.231, 414.428, 414.826, 414.831, 414.839

Hist.: AFS 2-1994, f. & cert. ef. 2-1-94; AFS 22-1995, f. 9-20-95, cert. ef. 10-1-95; AFS 41-1995, f. 12-26-95, cert. ef. 1-1-96; AFS 15-1996, f. 4-29-96, cert. ef. 5-1-96; AFS 24-1997, f. 12-31-97, cert. ef. 1-1-98; AFS 2-1999, f. 3-26-99, cert. ef. 4-1-99; AFS 34-2000, f. 12-22-00, cert. ef. 1-1-01; SSP 1-2003, f. 1-31-03, cert. ef. 2-1-03; SSP 33-2003, f. 12-31-03, cert. ef. 1-4-04; SSP 22-2004, f. & cert. ef. 10-1-04; SSP 12-2006(Temp), f. & cert. ef. 9-1-06 thru 12-31-06; Suspended by SSP 13-2006(Temp), f. & cert. ef. 9-25-06 thru 12-31-06; SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07; SSP 7-2007, f. 6-29-07, cert. ef. 7-1-07; SSP 8-2008, f. & cert. ef. 4-1-08; SSP 10-2009(Temp), f. & cert. ef. 5-6-09 thru 9-28-09; SSP 29-2009(Temp), f. & cert. ef. 10-1-09 thru 3-30-10; SSP 38-2009, f. 12-31-09, cert. ef. 1-1-10; SSP 39-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SSP 17-2010(Temp), f. & cert. ef. 5-28-10 thru 6-30-10; SSP 18-2010, f. & cert. ef. 7-1-10; SSP 19-2010(Temp), f. & cert. ef. 7-1-10 thru 11-24-10; SSP 32-2010, f. & cert. ef. 10-1-10; SSP 37-2010(Temp), f. & cert. ef. 11-1-10 thru 4-30-11

### 461-160-0400

#### **Use of Income to Determine Eligibility and Benefits; SNAP**

In the SNAP program, the *countable income* (see OAR 461-140-0010) and adjusted income (see OAR 461-001-0000) of the financial group (see OAR 461-110-0530) are used to determine eligibility for SNAP benefits and the benefit level in three steps:

(1) Step one: The countable income of the financial group is compared to the need group's countable income limit in OAR 461-155-0190. If the income equals or exceeds the limit, the need group (see OAR 461-110-0630) is ineligible for SNAP benefits. A financial group that is categorically eligible (see OAR 461-135-0505) for SNAP benefits or that includes a client who is elderly (see OAR 461-001-0015) or has a disability (see OAR 461-001-0015) need not pass this step.

(2) Step two: If the *need group* is not ineligible under step one, the adjusted income of the financial group is compared to the need group's adjusted income limit (see OAR 461 155 0190). If the income equals or

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exceeds the limit, the *filing group* is ineligible for SNAP benefits. If the adjusted income is less than the limit, the need group meets the income standard for the SNAP program.

(3) Step three: The benefit level for an eligible need group is determined as follows — adjusted income is multiplied by 30 percent, and the product is rounded to the next higher dollar. The result is subtracted from the need group's payment standard (see OAR 461-155-0190). The remainder is the benefit amount.

Stat. Auth.: ORS 411.816

Stats. Implemented: ORS 411.816

Hist.: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 8-1992, f. & cert. ef. 4-1-92; AFS 10-2002, f. & cert. ef. 7-1-02; SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07; SSP 32-2010, f. & cert. ef. 10-1-10; SSP 37-2010(Temp), f. & cert. ef. 11-1-10 thru 4-30-11

## 461-170-0010

### Reporting Changes — Overview

A client is required to report a change in circumstances in accordance with the reporting system in which the client participates, OAR 461-170-0011; and

(1) For each program in which a client participates, the Department determines the appropriate reporting system. The Department's reporting systems are Change Reporting System (CRS), Simplified Reporting System (SRS), and Transitional Benefit Alternative (TBA). In addition to any required report form, when a client is required by this division of rules to report a change in circumstances, the report may be made by telephone, office visit, report form, or other written notice. The report must be made as follows:

(a) A client using CRS must report a change according to OAR 461-170-0011.

(b) A client using SRS must report a change according to OAR 461-170-0011 and 461-170-0102. An Interim Change Report form is processed according to OAR 461-170-0011 and 461-170-0101 to 461-170-0104.

(c) A client using TBA is not required to report any change.

(2) A change is considered reported effective the date a client, authorized representative, or ineligible student reports the information to a branch office (see OAR 461-001-0000) or to the Office of Private Health Partnerships (OPHP).

(3) A change reported by a client, authorized representative, or ineligible student for one program is considered reported for all programs in which that client participates.

Stat. Auth.: ORS 411.060, 411.070, 411.404, 411.816, 412.014, 412.049

Stats. Implemented: ORS 411.060, 411.070, 411.404, 411.816, 412.014, 412.049

Hist.: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 12-1992(Temp), f. & cert. ef. 5-1-92; AFS 20-1992, f. 7-31-92, cert. ef. 8-1-92; AFS 12-1993, f. & cert. ef. 7-1-93; AFS 2-1994, f. & cert. ef. 2-1-94; AFS 13-1994, f. & cert. ef. 7-1-94; AFS 19-194, f. & cert. ef. 9-1-94; AFS 4-1998, f. 2-25-98, cert. ef. 3-1-98; AFS 5-1998(Temp), f. & cert. ef. 3-11-98 thru 5-31-98; AFS 8-1998, f. 4-28-98, cert. ef. 5-1-98; SSP 20-2003, f. & cert. ef. 8-15-03; SSP 23-2003, f. & cert. ef. 10-1-03; CWP 37-2003(Temp), f. 10-31-03, cert. ef. 11-1-03 thru 4-28-04; SSP 33-2003, f. 12-31-03, cert. ef. 1-4-04; SSP 24-2004, f. 12-30-04, cert. ef. 1-1-05; SSP 16-2005, f. & cert. ef. 12-1-05; SSP 26-2008, f. 12-31-08, cert. ef. 1-1-09; SSP 28-2009, f. & cert. ef. 10-1-09; SSP 39-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SSP 5-2010, f. & cert. ef. 4-1-10; SSP 32-2010, f. & cert. ef. 10-1-10; SSP 37-2010(Temp), f. & cert. ef. 11-1-10 thru 4-30-11

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**Rule Caption:** Changing OARs affecting public assistance, medical assistance, or Supplemental Nutrition Assistance Program clients.

**Adm. Order No.:** SSP 38-2010(Temp)

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10 thru 2-12-11

**Notice Publication Date:**

**Rules Amended:** 461-150-0055, 461-160-0700

**Rules Suspended:** 461-150-0055(T), 461-160-0700(T)

**Subject:** OAR 461-150-0055 which (was amended by temporary rule on August 16, 2010 and) concerns eligibility and budgeting in the Oregon Health Plan (OHP) program is being amended further to state that its provisions apply to the Healthy KidsConnect (HKC) program. This rule also is being amended to state how the Department determines the budget month (the calendar month from which information is used to determine eligibility and benefit level for the payment month) when the Department initiates a redetermination of eligibility for an HKC or Oregon Health Plan (OHP) program client by sending the client a DHS 945 form about the need to renew their medical benefits. In addition, this rule is being amended to restate how the Department determines the countable income of an HKC or OHP program financial group (the individuals whose income and resources count in determining eligibility). This rule also is being

amended to clarify which standard is used to determine eligibility for an HKC, Oregon Health Plan - Persons Under 19 (OHP-CHP), or Oregon Health Plan - Children (OHP-OPC) program client when the Department is using an Express Lane Eligibility (ELE) finding to determine the client's eligibility.

OAR 461-160-0700 which (was amended by temporary rule on August 16, 2010 and technical amendment on September 8, 2010 and) concerns how the Department uses income when determining eligibility for Oregon Health Plan (OHP) and Healthy KidsConnect (HKC) program benefits is being amended further to restate which countable income the Department uses for a client's budget month (the calendar month from which information is used to determine eligibility and benefit level for the payment month). This rule also is being amended to remove the provision about how the Department determines the members of a need group following an Express Lane Agency (ELA) finding of eligibility. In addition, this rule is being amended to remove provisions allowing the Department to make an eligibility determination for an Oregon Health Plan - Persons Under 19 (OHP-CHP), Oregon Health Plan - Children (OHP-OPC), Oregon Health Plan - Children Under 6 (OHP-OP6), and Oregon Health Plan - Pregnant Females and their newborn children (OHP-OPP) program need group member or a need group members who was a victim of domestic violence to be eligible for OHP program benefits when the countable income of the financial group (the individuals whose income and resources count in determining eligibility) was below the applicable OHP program income standard even when the average countable income of the financial group equaled or exceeded the applicable OHP program income standard.

**Rules Coordinator:** Annette Tesch—(503) 945-6067

## 461-150-0055

### Eligibility and Budgeting; HKC, OHP

In the HKC and OHP programs:

(1) The budget month (see OAR 461-001-0000) is:

(a) For a new applicant, the month of application.

(b) For a client reapplying at the end of an OHP certification period (see OAR 461-001-0000), no longer eligible for his or her current OHP program, or moving from the BCCM, EXT, GAM, MAA, MAF, OSIPM, REFM, or SAC programs to the OHP program, the last month of the current eligibility (see OAR 461-001-0000) period.

(c) When the Department initiates a redetermination of eligibility:

(A) The last month of the current eligibility period if the Department initiates the redetermination by sending a DHS 945 form.

(B) For all cases not covered by paragraph (A) of this subsection, the month the Department initiates a date of request (see OAR 461-115-0030).

(d) For an individual joining a filing group (see OAR 461-110-0400), the month in which the individual requests medical benefits.

(e) For a late reapplication, the month the Department receives the new application.

(f) For a new applicant or current recipient who is not eligible using the budget month described in subsections (1)(a) to (1)(d) of this rule, any month falling within 45 days after the date of request.

(2) Countable (see OAR 461-001-0000) income is determined as follows:

(a) Income is considered available during a month under OAR 461 140 0040.

(b) Income is not annualized, converted, or prorated.

(c) For a self employed client, countable self-employment income is determined under OAR 461-145-0920 and 461-145-0930.

(3) Except as provided in section (5) of this rule, the countable income of the financial group (see OAR 461-110-0530) is calculated as follows:

(a) The income the financial group has already received in the budget month and income that reasonably may be expected to be received in the budget month is added.

(b) When an ELA determination finds a child eligible for medical assistance benefits, the income of the financial group to which the child belongs is determined under section (5) of this rule.

(4) A change in income or resources during a certification period (see OAR 461-001-0000) does not affect the eligibility of the benefit group (see OAR 461-110-0750) for that certification period.

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(5) In the HKC, OHP-CHP, and OHP-OPC programs, when the Department uses a finding made during an ELE determination and the child meets all other HKC, OHP-CHP, or OHP-OPC program nonfinancial eligibility requirements, the standard for the number of eligibility group members determined by the ELA is used to determine eligibility regardless of the need group (see OAR 461-110-0630) size. The countable income of the financial group is the same as the income amount determined by the ELA.

(a) A child is deemed eligible for the HKC, OHP-CHP, or OHP-OPC program as follows:

(A) If the income of the need group is below 163 percent of the federal poverty level (FPL) as listed in OAR 461-155-0180, the Department deems the child eligible for OHP-OPC.

(B) If the income of the need group is at or above 163 percent of the FPL but under 201 percent of the FPL, the Department deems the child eligible for OHP-CHP.

(C) If the income of the need group is at or above 201 percent of the FPL, the Department deems the child eligible for HKC.

(b) If the income of the need group is above 301 percent of the FPL, the Department determines eligibility using the standard medical assistance eligibility determination processes.

Stat. Auth.: ORS 411.060, 414.042

Stats. Implemented: ORS 411.060, 411.700, 414.042

Hist.: AFS 2-1994, f. & cert. ef. 2-1-94; AFS 22-1995, f. 9-20-95, cert. ef. 10-1-95; AFS 10-1998, f. 6-29-98, cert. ef. 7-1-98; AFS 24-1998(Temp), f. 11-30-98, cert. ef. 12-1-98 thru 3-31-99; AFS 2-1999, f. 3-26-99, cert. ef. 4-1-99; AFS 3-2000, f. 1-31-00, cert. ef. 2-1-00; AFS 3-2000, f. 1-31-00, cert. ef. 2-1-00; SSP 1-2003, f. 1-31-03, cert. ef. 2-1-03; SSP 4-2005, f. & cert. ef. 4-1-05; SSP 7-2005, f. & cert. ef. 7-1-05; SSP 6-2006, f. 3-31-06, cert. ef. 4-1-06; SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07; SSP 13-2009, f. & cert. ef. 7-1-09; SSP 29-2009(Temp), f. & cert. ef. 10-1-09 thru 3-30-10; SSP 38-2009, f. 12-31-09, cert. ef. 1-1-10; SSP 25-2010(Temp), f. & cert. ef. 8-16-10 thru 2-12-11; SSP 38-2010(Temp), f. & cert. ef. 11-1-10 thru 2-12-11

## 461-160-0700

### Use of Income; HKC, OHP

In the HKC and OHP programs, the Department uses income to determine eligibility as follows:

(1) The *countable* (see OAR 461-001-0000) income of the financial group (see OAR 461-110-0530) received and expected to be received in the budget month (see OAR 461-001-0000) is determined under OAR 461-150-0055.

(2) For each member of the need group (see OAR 461-110-0630), the countable income of the *financial group* from the budget month is compared to the applicable OHP program income standard. If the countable income of the financial group is below the applicable income standard for the need group size and all other financial and non-financial eligibility requirements are met, the need group member is eligible for OHP program benefits. If the countable income of the financial group equals or exceeds the applicable OHP program income standard, the need group member is ineligible for OHP program benefits.

Stat. Auth.: ORS 411.060, 411.070, 411.083, 411.404, 414.025, 414.231

Stats. Implemented: ORS 411.060, 411.070, 411.083, 411.404, 414.025, 414.231

Hist.: AFS 2-1994, f. & cert. ef. 2-1-94; AFS 22-1995, f. 9-20-95, cert. ef. 10-1-95; AFS 8-1998, f. 4-28-98, cert. ef. 5-1-98; AFS 10-1998, f. 6-29-98, cert. ef. 7-1-98; AFS 24-1998(Temp), f. 11-30-98, cert. ef. 12-1-98 thru 3-31-99; AFS 2-1999, f. 3-26-99, cert. ef. 4-1-99; SSP 1-2003, f. 1-31-03, cert. ef. 2-1-03; SSP 6-2006, f. 3-31-06, cert. ef. 4-1-06; SSP 29-2009(Temp), f. & cert. ef. 10-1-09 thru 3-30-10; SSP 38-2009, f. 12-31-09, cert. ef. 1-1-10; SSP 25-2010(Temp), f. & cert. ef. 8-16-10 thru 2-12-11; SSP 38-2010(Temp), f. & cert. ef. 11-1-10 thru 2-12-11

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**Rule Caption:** Changing OARs affecting public assistance, medical assistance, or Supplemental Nutrition Assistance Program clients.

**Adm. Order No.:** SSP 39-2010(Temp)

**Filed with Sec. of State:** 11-4-2010

**Certified to be Effective:** 11-4-10 thru 5-3-11

**Notice Publication Date:**

**Rules Amended:** 461-160-0430

**Subject:** OAR 461-160-0430 about deductions from countable income made to determine adjusted income for the Supplemental Nutrition Assistance Program (SNAP) is being amended to restate the deduction amounts that were effective as of October 1, 2010.

**Rules Coordinator:** Annette Tesch—(503) 945-6067

## 461-160-0430

### Income Deductions; SNAP

(1) Deductions from income are subtracted from *countable income* (see OAR 461-140-0010) in the following order to determine *adjusted income* (see OAR 461-001-0000) for the SNAP program:

(a) An earned income deduction of 20 percent of *countable* earned income. The 20 percent deduction is not taken from the wages funded by grant diversions such as Work Supplementation wages.

(b) Effective October 1, 2010, a standard deduction of \$142 per month for a *benefit group* (see OAR 461-110-0750) of one, two, or three persons. A standard deduction of \$153 for a *benefit group* of four persons. A standard deduction of \$179 for a *benefit group* of five persons. A standard deduction of \$205 for a *benefit group* of six or more persons.

(c) A dependent care deduction for dependent care costs billed to a member of the *financial group* (see OAR 461-110-0530) and not paid for through any other program of the Department. For the cost to be deductible under this section, the care must be necessary to enable a member of the *need group* (see OAR 461-110-0630) to:

(A) Accept or continue employment;

(B) Meet the requirements of a *case plan* (see OAR 461-001-0020);

or

(C) Attend vocational or educational training. A student receiving educational income is entitled to a deduction only for costs not excluded from educational income by OAR 461-145-0150.

(d) The medical deduction for *elderly* clients and clients who have a *disability* (see OAR 461-001-0015) in the *need group*. The deduction is calculated by determining the total of their deductible medical costs (see OAR 461-160-0415) and subtracting \$35. The remainder is the medical deduction.

(e) A deduction for child support payments (including cash medical support) a member of the household makes under a legal obligation to a child not a member of the *household group* (see OAR 461-110-0210), including payments for the current month and for payments on arrearages. Child support is not deductible if collected by setoff through the Oregon Department of Revenue or by interception of a federal tax refund.

(f) A shelter deduction, calculated as follows:

(A) For SNAP clients required to pay room and board in a *nonstandard living arrangement* (see OAR 461-001-0000), the shelter deduction is:

(i) The cost of room and board, minus the payment standard for the benefit group; or

(ii) The actual room cost, if the client can prove that the room cost exceeds the cost described in subparagraph (i) of this paragraph.

(B) For all other clients, the shelter deduction is calculated as follows:

(i) The standard deduction and the deductions of earned income, dependent care, court-ordered child support, and medical expenses are subtracted from *countable income*. Fifty percent of the remainder is subtracted from the shelter cost calculated in accordance with OAR 461-160-0420.

(ii) The rounded balance is the deduction, except the deduction is limited if the filing group has no member who has a *disability* or is *elderly* (see OAR 461-001-0015). Effective October 1, 2010 the limit is \$458.

(2) If the client cannot verify a medical or court-ordered child-support expense or cannot verify any other expense when asked to do so, the unverified expense is not used to calculate the deduction. If the client provides verification, the deduction is applied when calculating the next month's benefits. If verification is provided within the period authorized for processing applications (see OAR 461-115-0210), the benefits for the *initial month* (see OAR 461-001-0000) are recalculated using the deduction.

Stat. Auth.: ORS 411.816

Stat. Implemented: ORS 411.816 & 411.825

Hist.: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 12-1990, f. 3-30-90, cert. ef. 4-1-90; AFS 23-1990, f. 9-28-90, cert. ef. 10-1-90; AFS 13-1991, f. & cert. ef. 7-1-91; AFS 20-1991, f. & cert. ef. 10-1-91; AFS 8-1992, f. & cert. ef. 4-1-92; AFS 28-1992, f. & cert. ef. 10-1-92; AFS 19-1993, f. & cert. ef. 10-1-93; AFS 13-1994, f. & cert. ef. 7-1-94; AFS 19-1994, f. & cert. ef. 9-1-94; AFS 23-1994, f. 9-29-94, cert. ef. 10-1-94; AFS 10-1995, f. 3-30-95, cert. ef. 4-1-95; AFS 22-1995, f. 9-20-95, cert. ef. 10-1-95; AFS 27-1995(Temp), f. 10-30-95, cert. ef. 11-1-95; AFS 41-1995, f. 12-26-95, cert. ef. 1-1-96; AFS 27-1996, f. 6-27-96, cert. ef. 7-1-96; AFS 31-1996, f. & cert. ef. 9-23-96; AFS 41-1996(Temp), f. & cert. ef. 12-31-96; AFS 3-1997, f. 3-31-97, cert. ef. 4-1-97; AFS 19-1997, f. & cert. ef. 10-1-97; AFS 4-1998, f. 2-25-98, cert. ef. 3-1-98; AFS 5-1998(Temp), f. & cert. ef. 3-11-98 thru 5-31-98; AFS 8-1998, f. 4-28-98, cert. ef. 5-1-98; AFS 15-1998(Temp), f. 9-15-98, cert. ef. 10-1-98 thru 10-31-98; AFS 22-1998, f. 10-30-98, cert. ef. 11-1-98; AFS 2-1999, f. 3-26-99, cert. ef. 4-1-99; AFS 23-2000(Temp), f. 9-29-00, cert. ef. 10-1-00 thru 12-31-00; AFS 25-2000, f. 9-29-00, cert. ef. 10-1-00; AFS 23-2000(Temp) Suspended by AFS 28-2000(Temp), f. 10-31-00, cert. ef. 11-1-00 thru 12-31-00; AFS 34-2000, f. 12-22-00, cert. ef. 1-1-01; AFS 3-2001, f. 2-27-01, cert. ef. 3-1-01; AFS 22-2001, f. & cert. ef. 10-1-01; AFS 13-2002, f. & cert. ef. 10-1-02; SSP 23-2003, f. & cert. ef. 10-1-03; SSP 17-2004, f. & cert. ef. 7-1-04; SSP 22-2004, f. & cert. ef. 10-1-04; SSP 14-2005, f. 9-30-05, cert. ef. 10-1-05; SSP 14-2006, f. 9-29-06, cert. ef. 10-1-06; SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07; SSP 10-2007, f. & cert. ef. 10-1-07; SSP 11-2007(Temp), f. & cert. ef. 10-1-07 thru 3-29-08; SSP 5-2008, f. 2-29-08, cert. ef. 3-1-08; SSP 23-2008, f. & cert. ef. 10-1-08; SSP 28-2009, f. & cert. ef. 10-1-09; SSP 39-2010(Temp), f. & cert. ef. 11-4-10 thru 5-3-11

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**Rule Caption:** Changing OARs affecting public assistance, medical assistance, or Supplemental Nutrition Assistance Program clients.



# ADMINISTRATIVE RULES

**Adm. Order No.:** SSP 40-2010(Temp)

**Filed with Sec. of State:** 11-15-2010

**Certified to be Effective:** 11-15-10 thru 5-13-11

**Notice Publication Date:**

**Rules Amended:** 461-135-0095

**Subject:** OAR 461-135-0095 about the specific eligibility requirements for the Extended Medical Assistance (EXT) program is being amended to comply with federal law by stating that a filing group (the individuals from the household group whose circumstances are considered in the eligibility determination process) which lost Medical Assistance Assumed (MAA) or Medical Assistance to Families (MAF) program eligibility due to an increase in child support received must have been eligible for and received MAA or MAF program benefits for at least three of the six months prior to the beginning of the EXT program benefit eligibility period. This rule is also being amended to clarify its references to defined terms.

**Rules Coordinator:** Annette Tesch—(503) 945-6067

## 461-135-0095

### Specific Requirements; EXT

(1) To be eligible for EXT benefits, at least one member of the *filing group* (see OAR 461-110-0330) must meet the requirements of one of the following subsections:

(a) Have been eligible for and received MAA or MAF program benefits and then become ineligible for one of the following reasons:

(A) An increase in the *earned income* (see OAR 461-145-0120) of the *caretaker relative* (see 461-001-0000); or

(B) A combination of an increase in both the *earned income* of the *caretaker relative* and the child support received.

(b) Have been eligible for and received MAA or MAF program benefits for three of the six months prior to becoming ineligible due to an increase in child support received.

(2) If the *filing group* becomes ineligible for MAA or MAF when another change occurs in conjunction with the increase in *earned income* or child support, the *filing group* is not eligible for EXT if the other change, by itself, makes the *filing group* ineligible for MAA or MAF.

(3) Eligibility for EXT is limited to the members of the MAA or MAF benefit group (see OAR 461-110-0750) at the time that those benefits end.

(4) Subject to the time periods established in OAR 461-135-0096(1):

(a) Once eligibility for EXT is established, members of the *benefit group* are ineligible if the *filing group* contains no *dependent child* (see OAR 461-001-0000).

(b) A *benefit group* may regain EXT eligibility after becoming ineligible, even if eligibility was lost due to moving out of state, whenever the *benefit group* again meets EXT eligibility requirements.

(c) Individuals who have lost EXT eligibility because they leave the household during the EXT eligibility period may regain eligibility when they return to the household.

Stat. Auth.: ORS 409.050, 411.060, 411.070 & 411.404

Stats. Implemented: ORS 409.010, 409.040, 411.060, 411.070 & 411.404

Hist.: AFS 12-1990, f. 3-30-90, cert. ef. 4-1-90; AFS 30-1990, f. 12-31-90, cert. ef. 1-1-91;

AFS 13-1991, f. & cert. ef. 7-1-91; AFS 6-1994, f. & cert. ef. 4-1-94; AFS 36-1996, f. 10-31-

96, cert. ef. 11-1-96; AFS 9-1997, f. & cert. ef. 7-1-97; AFS 13-1997, f. 8-28-97, cert. ef. 9-

1-97; AFS 15-1999, f. 11-30-99, cert. ef. 12-1-99; SSP 4-2005, f. & cert. ef. 4-1-05; SSP 6-

2006, f. 3-31-06, cert. ef. 4-1-06; SSP 7-2006(Temp), f. 3-31-06, cert. ef. 4-1-06 thru 9-28-

06; SSP 10-2006, f. 6-30-06, cert. ef. 7-1-06; SSP 31-2009(Temp), f. & cert. ef. 10-1-09 thru

3-30-10; SSP 38-2009, f. 12-31-09, cert. ef. 1-1-10; SSP 40-2010(Temp), f. & cert. ef. 11-15-

10 thru 5-13-11

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## Department of Human Services, Division of Medical Assistance Programs Chapter 410

**Rule Caption:** Pharmacy Annual claims volume survey for tiered dispensing fee structure and ingredient cost survey.

**Adm. Order No.:** DMAP 30-2010(Temp)

**Filed with Sec. of State:** 10-18-2010

**Certified to be Effective:** 10-18-10 thru 3-15-11

**Notice Publication Date:**

**Rules Adopted:** 410-121-0152

**Subject:** The Pharmaceutical Services Program administrative rules govern Division of Medical Assistance Programs' (Division) payments for services provided to certain clients. The Division temporarily adopted a new rule, OAR 410-121-0152, to require that all enrolled pharmacies provide the Division with complete and accu-

rate information about the pharmacy's annual claims volume in order to correctly reimburse pharmacies in accordance with a new tiered dispensing fee structure to be implemented on January 1, 2011. In conjunction with the annual claims volume survey, the Division shall also require all enrolled pharmacies to complete an ingredient cost survey to be used as the basis for ingredient cost reimbursement beginning January 1, 2011.

**Rules Coordinator:** Darlene Nelson—(503) 945-6927

## 410-121-0152

### Pharmacy Participation in Annual Claims and Acquisition Cost Surveys

(1) Annual Claims Volume Survey:

(a) In order to establish which tier of reimbursement for professional dispensing fees that enrolled pharmacies will receive beginning January 1, 2011 under the Division's transition to an acquisition cost based reimbursement methodology for the ingredient cost of filling prescriptions, all enrolled pharmacy providers must:

(A) Complete a claims volume survey between the period of October 22, 2010 and November 12, 2010. Enrolled pharmacies must return the completed survey to the Division or its contractor by U.S. mail or electronic mail;

(B) Submit the total number of claims processed by each individually-enrolled pharmacy outlet during the previous 12 months. This shall include the total volume of claims paid from all payer types and the total dollar amount for all claims processed during this period;

(b) Independently owned pharmacies shall be required to submit a signed letter of attestation by the store owner or majority owner with the completed survey stating that all information provided is true and accurate;

(c) Individual pharmacies that are chain affiliated, or their parent company may respond to the survey at either the individual store level or corporate office. In either case, the completed survey must be accompanied by a letter of attestation by a corporate officer stating that all information provided is true and accurate;

(d) Pharmacies that fail to respond to the survey or do not include the letter of attestation shall default to the lowest tiered dispensing fee that has been proposed by the Division, effective January 1, 2011;

(e) Pharmacies that fail to submit the completed survey and attach the letter of attestation prior to November 12, 2010 shall not be allowed to reverse and re-bill claims to receive a higher dispensing fee;

(f) Once a tier is established for a calendar year, the pharmacy's dispensing fee shall remain at that tier until the next annual claims volume survey conducted by the Division or its contractor.

(2) Actual Acquisition Cost Survey:

(a) To establish the basis for changes to be effective January 1, 2011 to the current definition of Actual Acquisition Cost as defined in 410-121-0000(3)(a), the Division shall require all enrolled pharmacies to complete an ingredient cost survey between the dates of October 22, 2010 and November 12, 2010 and return it to the Division or its contractor;

(b) The results of the survey shall be used to establish ingredient cost reimbursement, beginning January 1, 2011. Survey information may be completed and submitted as follows:

(A) Regardless of ownership type, ingredient cost surveys may be completed at the individual store level, their parent company if applicable, or by the pharmacy's authorized wholesaler;

(B) In the event the enrolled pharmacy prefers the survey be completed by their wholesaler, the pharmacy shall be responsible for giving the wholesaler permission and authorization to provide the Division with the completed survey;

(C) If the enrolled pharmacy has their wholesaler complete the survey, it is the enrolled pharmacy's responsibility to ensure their wholesaler completes and returns the survey to the Division or its contractor;

(c) Neither the Division nor its contractor shall be responsible for ensuring that a pharmacy's wholesaler completes the survey and neither shall be responsible for facilitating communications between the pharmacy and its wholesaler for the purpose of completing the survey.

Stat. Auth.: ORS 409.050, 413.042 & 414.065; OR Laws 2009, chapter 595, sections 10-23

Other Authority: ORS 291.261, Or. Laws 2009; chapter 901; OAR 943-001-0010-943-001-

0015; OAR 407-043-0010

Stats. Implemented: ORS 414.065

Hist.: DMAP 30-2010(Temp), f. & cert. ef. 10-18-10 thru 3-15-11

# ADMINISTRATIVE RULES

## Department of Oregon State Police, Office of State Fire Marshal Chapter 837

4-1-10; OSFM 2-2010(Temp), f. 2-3-10, cert. ef. 7-1-10 thru 9-30-10; Administrative correction 10-26-10; OSFM 4-2010, f. & cert. ef. 11-3-10

**Rule Caption:** Adoption of the 2009 International Fire Code with Oregon Amendments.

**Adm. Order No.:** OSFM 4-2010

**Filed with Sec. of State:** 11-3-2010

**Certified to be Effective:** 11-3-10

**Notice Publication Date:** 10-1-2010

**Rules Amended:** 837-040-0010, 837-040-0020, 837-040-0140

**Subject:** (1) OAR 837-040-0010(2) adopts the 2009 International Fire Code with Oregon amendments to be known as the Oregon Fire Code, 2010 Edition.

(2) Amendment to OAR 837-040-0020(3) removes mid-cycle Oregon amendments to the 2007 Oregon Fire Code as they will be incorporated into the 2010 Oregon Fire Code.

(3) OAR 837-040-0140 changes edition dates of the Oregon Structural Specialty Code and the Oregon Mechanical Specialty Code from 2007 to 2010.

The proposed adoption of the 2009 International Fire Code with Oregon amendment should have no adverse impact on government, local government, business or the public. Any cost increases or savings cannot be quantified at this time. The Oregon Fire Code Committee made the finding that the added cost, if any, is necessary to the health and safety of the public.

**Rules Coordinator:** Pat Carroll — (503) 934-8276

### 837-040-0010

#### Adoption of the International Fire Code

(1) The Oregon Fire Code is generally adopted every three years coinciding with the publication of a nationally recognized fire code.

(2) Effective July 1, 2010 the 2010 Oregon Fire Code is the 2009 edition of the International Fire Code, as published by the International Code Council, and as amended by the Office of State Fire Marshal. (Referenced publications are available for review at the agency. See agency web site for information on where to purchase publications.)

(3)(a) For the purposes of new construction plan review only a phase-in period is being implemented for the 2010 Oregon Fire Code, the 2007 Oregon Fire Code is adopted for a period of 90-days beginning July 1, 2010 and ending September 30, 2010.

(b) During the 90-day phase-in period established in subsection (3)(a), new construction plan review will be done to either the 2010 Oregon Fire Code or the 2007 Oregon Fire Code as directed by the local building official.

Stat. Auth.: ORS 476.030

Stats. Implemented: ORS 476.030

Hist.: FM 3-1986, f. & ef. 3-11-86; FM 5-1986 (corrects FM 3-1986), f. & ef. 4-30-86 & Renumbered from 837-040-0005, Sec. (3) Uniform Fire Code; FM 3-1989, f. 6-30-89, cert. ef. 7-1-89; FM 6-1990, f. & cert. ef. 9-13-90; FJM 6-1992, f. 6-15-92, cert. ef. 7-15-92; FM 2-1996, f. 1-22-96, cert. ef. 4-1-96; OSFM 1-1998, f. & cert. ef. 4-30-98; OSFM 3-1998, f. & cert. ef. 9-30-98; OSFM 4-1999, f. 12-29-99, cert. ef. 1-1-00; OSFM 3-2000, f. 4-1-00, cert. ef. 5-1-00; OSFM 13-2000, f. 10-3-00, cert. ef. 11-1-00; OSFM 9-2001, f. 10-3-01, cert. ef. 2-1-02; OSFM 4-2004, f. 3-26-04, cert. ef. 10-1-04; OSFM 8-2004(Temp), f. 12-29-04, cert. ef. 1-3-05 thru 6-30-05; OSFM 11-2005, f. & cert. ef. 6-27-05; OSFM 1-2006(Temp), f. 1-9-06 cert. ef. 2-1-06 thru 7-28-06; OSFM 9-2006, f. & cert. ef. 6-12-06; OSFM 13-2006, f. 12-1-06, cert. ef. 4-1-07; OSFM 4-2009, f. 11-19-09, cert. ef. 4-1-10; OSFM 2-2010(Temp), f. 2-3-10, cert. ef. 7-1-10 thru 9-30-10; Administrative correction 10-26-10; OSFM 4-2010, f. & cert. ef. 11-3-10

### 837-040-0020

#### Amendments to the Oregon Fire Code

(1) The Office of State Fire Marshal may amend the Oregon Fire Code approximately midway between publications of the International Fire Code based on proposed code amendments submitted for consideration by interested persons.

(2) Any time between publications of the international Fire Code, the Office of State Fire Marshal may initiate and adopt code amendments to the Oregon Fire Code, as circumstanced merit (Referenced publications are available for review at the agency. See agency web site for information on where to purchase publications).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 476.030

Stats. Implemented: ORS 476.030

Hist.: OSFM 1-2006(Temp), f. 1-9-06 cert. ef. 2-1-06 thru 7-28-06; OSFM 9-2006, f. & cert. ef. 6-12-06; OSFM 13-2006, f. 12-1-06, cert. ef. 4-1-07; OSFM 6-2008, f. 9-2-08, cert. ef. 10-1-08; OSFM 10-2008, f. 12-18-09, cert. ef. 12-31-09; OSFM 4-2009, f. 11-19-09, cert. ef.

### 837-040-0140

#### Adoption of the Oregon Structural Specialty Code and Oregon Mechanical Specialty Code

The fire and life safety provisions of the 2010 edition of the Oregon Structural Specialty Code and the 2010 edition of the Oregon Mechanical Specialty Code is hereby adopted as a standard for the purpose of evaluation of existing buildings. (Referenced publications are available for review at the agency. See Building Codes Division web site for information on where to purchase publications.)

Stat. Auth.: ORS 476.030

Stats. Implemented: ORS 476.030

Hist.: OSFM 1-1998, f. & cert. ef. 4-30-98; OSFM 9-2001, f. 10-3-01, cert. ef. 2-1-02; OSFM 4-2004, f. 3-26-04, cert. ef. 10-1-04; OSFM 1-2006(Temp), f. 1-9-06 cert. ef. 2-1-06 thru 7-28-06; OSFM 9-2006, f. & cert. ef. 6-12-06; OSFM 13-2006, f. 12-1-06, cert. ef. 4-1-07; OSFM 4-2009, f. 11-19-09, cert. ef. 4-1-10; OSFM 2-2010(Temp), f. 2-3-10, cert. ef. 7-1-10 thru 9-30-10; Administrative correction 10-26-10; OSFM 4-2010, f. & cert. ef. 11-3-10

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**Rule Caption:** The purpose is for updating standards, clarification of language, and housekeeping items.

**Adm. Order No.:** OSFM 5-2010(Temp)

**Filed with Sec. of State:** 11-3-2010

**Certified to be Effective:** 11-3-10 thru 5-2-11

**Notice Publication Date:**

**Rules Amended:** 837-012-0510, 837-012-0515, 837-012-0520, 837-012-0525, 837-012-0535, 837-012-0540, 837-012-0550, 837-012-0555, 837-012-0560, 837-012-0565

**Subject:** These changes adopt the current edition of the Oregon Fire Code and National Fire Protection Association Standards. Other changes pertain to Oregon fireworks wholesale requirements and minor language updates.

**Rules Coordinator:** Pat Carroll — (503) 934-8276

### 837-012-0510

#### Definitions

For purposes of ORS 480.110 through 480.165 and OAR 837-012-0500 through 837-012-0570, the following definitions apply:

(1) "Agricultural Fireworks" means Fireworks used for the purpose of scaring away or repelling birds or animals pursuant to ORS 480.122 or controlling predatory animals pursuant to ORS 480.124.

(2) "BATFE" means the Bureau of Alcohol, Tobacco, Firearms and Explosives.

(3) "Carton, Container, or Case" means any box, parcel, bundle, or other package used to hold or contain Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks for purposes of transportation and storage. The term does not include:

(a) The wrapping and packaging used to hold or contain a single or small number of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks; or

(b) A vehicle or other mobile container used to transport Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks.

(4) "Domicile" means a Person's legal home; the particular place that a Person intends to make the Person's fixed and permanent home and abode.

(5) "Exempt Fireworks" means Novelties and Trick Noisemakers.

(6) "Fireworks" has the meaning provided in ORS 480.110(1). The term includes Retail Fireworks, Public Display Fireworks and Agricultural Fireworks. The term does not include Exempt Fireworks.

(7) "Individual" means a single human being.

(8) "Individual Member of the General Public" means:

(a) For Persons in Oregon, any Person who has not been issued a Wholesale Permit, a general, limited or special effects public display permit, a retail permit, or an agricultural permit by the Office of State Fire Marshal.

(b) For Persons outside of Oregon, any Person who has not been issued a license or permit when such a license or permit is required, authorizing the Person to Sell, purchase, obtain, transport, possess, use or discharge Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks.

(9) "In-state Wholesaler" means a Wholesaler who owns, possesses, or occupies a Wholesale Site located in Oregon.

(10) "Local Fire Authority" means the local fire official having jurisdiction over the Wholesale Site and Wholesale Operations.

# ADMINISTRATIVE RULES

(11) "Manager" means the Individual identified on the Permit Application who is responsible for, and directs the operations at, the Wholesale Site.

(12) "NFPA" means the National Fire Protection Association.

(13) "Novelties and Trick Noisemakers" means those items described in ORS 480.110(1)(a) and (b) and NFPA 1124, Section 1.4, 2003 Edition. It also means Exempt Fireworks.

(14) "Out-of-State Wholesaler" means a Wholesaler who owns, occupies, or possesses a Wholesale Site located outside of Oregon.

(15) "Permit Application" means the application forms and accompanying documentation required to be completed and submitted to the Office of State Fire Marshal for approval prior to the issuance of a Wholesale Permit.

(16) "Public Display Fireworks" means Fireworks that are authorized under a general, limited, or special effects public display permit issued pursuant to ORS 480.130, 480.140 and 480.150.

(17) "Residence" means the particular dwelling place where a Person lives and has a present intent to remain for a period of time.

(18) "Resident" means any Person who occupies a dwelling in a state and has a present intent to remain in the state for a period of time.

(19) "Retail Fireworks" means items described in ORS 480.127(4), specifically Combination Items, Cone Fountains, Cylindrical Fountains, Flitter Sparklers, Ground Spinners, Illuminating Torches, and Wheels. The term includes a firework designed with the means to roll or move while remaining on the ground, that travels 12' or less horizontally on smooth surfaces.

(20) "Retailer" means any Person who, Sells, transfers, or provides by any other means, or intends to Sell, transfer or provide by any other means, Retail Fireworks to Individual Members of the General Public.

(21) "Sales Representative" means an Individual who is an employee of the Wholesale Permit holder and is authorized to conduct sales for the Wholesale Permit holder.

(22) "Sell" means to transfer possession of property from one Person to another Person for consideration.

(23) "Wholesale Operations" means the sale of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks and related activities, including the purchase, possession, storage and transportation of such Fireworks.

(24) "Wholesale Permit" means the official written document issued by the Office of State Fire Marshal that authorizes the purchase, transport, possession, packaging, storing and sale of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks when otherwise in compliance with all applicable requirements of ORS 480.110 through 480.165, OAR Chapter 837, Division 12, and any other applicable federal, state and local laws, rules and regulations.

(25) "Wholesale Site" means the location where a Wholesaler's sales and storage facilities are operated and maintained.

(26) "Wholesaler" means any Person who Sells or provides by any other means, or intends to Sell or provide by any other means, Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 476, 478 & 480

Stats. Implemented: ORS 480.110 - 480.165

Hist.: FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 7-2004(Temp), f. & cert. ef. 12-13-04 thru 6-10-05; OSFM 8-2005, f. 5-24-05, cert. ef. 6-7-05; OSFM 4-2006, f. & cert. ef. 3-10-06; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0515

### General

(1) An Oregon wholesale permit issued by the State Fire Marshal must be obtained before any business or individual may Sell, provide by any other means, or intend to Sell or provide by any other means, Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural fireworks to:

(a) Holders of permits issued by the State Fire Marshal, or

(b) Individual members of the general public.

(1) Wholesalers desiring to engage in any Fireworks activities, including retail sales, agricultural use, or public displays must meet all applicable requirements in ORS 480.110 through 480.165 and OAR chapter 837, division 12, including those pertaining to obtaining permits for such activities from local, federal, and state authorities.

(2) A Wholesale Permit holder may not Sell or provide by any other means Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks for shipment or transport in or into the State of Oregon, to any Person who does not possess and present to the Wholesaler

for inspection at the time of sale, a valid permit issued by the Office of State Fire Marshal authorizing the holder of the permit to purchase, obtain, possess, use, discharge, transport, store, distribute, or Sell Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks.

(3) Wholesale Permit holders must comply with all applicable federal, state, and local laws, rules and regulations pertaining to Fireworks, including:

(a) ORS 480.110 through 480.165; and

(b) OAR chapter 837, division 12

(4) Wholesale Permit holders must notify the Office of State Fire Marshal, in writing, within two weeks of the date of change of:

(a) Identity of the Manager;

(b) The Wholesale Permit holder's mailing address or telephone number;

(c) Ownership of the Wholesale Site;

(d) Ownership of the Wholesale Operation; or

(e) The addition, or subtraction, of a Sales Representative for the Wholesale Permit holder.

(5) Exempt Fireworks are exempt from the permit requirements set forth in ORS 480.110 through 480.165 and OAR chapter 837, division 12. Exempt Fireworks may be sold and purchased at any time, and do not require a permit.

(6) Wholesale Permit holders, who provide 1.3g Fireworks, must provide, at a minimum, one general operator certification training course annually as required by OAR 837-012-0780.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 476, 478 & 480

Stats. Implemented: ORS 480.110 - 480.165

Hist.: FM 2-1982(Temp), f. & ef. 3-5-82; FM 3-1982(Temp), f. & ef. 4-16-82; FM 3-1985, f. & ef. 4-17-85; FM 1-1986, f. & ef. 1-9-86; FM 6-1986(Temp), f. & ef. 6-10-86; FM 9-1986, f. & ef. 12-10-86; Suspended by FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; Renumbered from 837-012-0125; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 8-2002, f. & cert. ef. 10-4-02; OSFM 6-2004(Temp), f. & cert. ef. 11-17-04 thru 5-15-05; Administrative correction 5-20-05; OSFM 8-2005, f. 5-24-05, cert. ef. 6-7-05; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0520

### Wholesale Permit Applications

(1) Any In-State Wholesaler engaged in, or intending to engage in, the sale, provision, or shipment of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks, within Oregon, or from Oregon for delivery into another state, must first apply for and obtain a Wholesale Permit issued by the Office of State Fire Marshal.

(2) Any Out-of-State Wholesaler engaged in, or intending to engage in, the sale, provision, or shipment of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks, in or into Oregon must first apply for and obtain a Wholesale Permit issued by the Office of State Fire Marshal.

(3) A separate Wholesale Permit must be applied for and obtained for each Wholesale Site that may conduct Wholesale Operations within, from, or into Oregon.

(4) The application for a Wholesale Permit must be made on a form provided by the Office of State Fire Marshal.

(5) All information provided by the applicant on the Permit Application must be true and correct to the applicant's knowledge.

(6) In addition to completion of the Wholesale Permit application forms, applicants must submit:

(a) A copy of a current photographic identification card of all applicants. The Office of State Fire Marshal may only accept photo identification issued by the Department of Motor Vehicles in the applicant's state of residency. For purposes of this rule, if the applicant is a corporation, the applicant must submit copies of photographic identification of all the corporate officers. If the applicant is a partnership, the applicant must submit copies of the photographic identification of all partners.

(b) A description of the types, pursuant to United States Department of Transportation classification, and the maximum quantities, by total gross weight, of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks to be stored at the Wholesale Site for which a Wholesale Permit has been applied;

(7) As part of the Permit Application process, the applicant must obtain the approval of the Local Fire Authority and the local building official prior to submitting their application to the Office of State Fire Marshal.

(8) Exception to 837-012-0520(7) If the applicant's Wholesale Site address was continuous during the year preceding the year for which the Wholesale Permit renewal is sought, the applicant is required only to re-submit to the Office of State Fire Marshal, as part of the Wholesale Permit renewal application, the approval of the Local Fire Authority.

# ADMINISTRATIVE RULES

(9) As part of the Permit Application, Wholesale Permit applicants who intend to Sell or provide 1.3G Fireworks must submit to the Office of State Fire Marshal a copy of their appropriate license issued by BATFE.

(10) Additional wholesale requirements pertaining to fireworks include:

(a) Provide \$1M premises liability insurance as part of wholesale permit application;

(b) Compliance with federal DOT insurance requirements of \$5,000,000 per shipment of 1.3G fireworks and \$1,000,000 per shipment of 1.4G fireworks;

(c) Hazardous Material Certificate of Registration required by 49 CFR Part 107, Subpart G; as part of wholesale permit application;

(d) File Federal DOT MCS 90, MCS 150B;

(e) Provide proof of wholesale permit to offer manufactured pyrotechnics into commerce as required by ORS 480.120;

(f) Compliance with BATF 5400;

(g) Annually file the Oregon Hazardous Substance Possession Survey;

(h) Submit a Certificate of Occupancy for all buildings as part of wholesale permit application;

(i) Compliance with NFPA 68 guide for explosive venting Hazardous group H as part of wholesale permit application;

(j) Compliance with NFPA 1124 manufacturing and storage requirements;

(k) Any structures utilized as storage exceeding 30 days must be classified as permanent storage and meet NFPA 1124 requirements.

(l) Compliance with Oregon Structural Building Code Section 307;

(m) Compliance with Oregon OSHA requirements.

(11) "BE" and "EX" numbers must be obtained before any manufactured pyrotechnic device is entered into commerce or transported.

(12) Applicants must submit the completed Permit Application to the Local Fire Authority for review and signature approving the Wholesale Site prior to submission of the Permit Application to the Office of State Fire Marshal.

(13) Permit Applications must be signed by all applicants:

(a) If the applicant is a partnership, the application must be signed by every partner.

(b) If the applicant is a corporation, the application must be signed by an officer of the corporation.

(c) If the applicant is an Out-of-State Wholesaler, the application must be signed by the applicant and the Manager.

(14) Permit Applications may not be submitted to the Office of State Fire Marshal prior to October 1 of the year preceding the year for which the Wholesale Permit is sought.

(15) Permit Applications must be postmarked by a United States Postmark, or received at the Office of State Fire Marshal, no later than December 18 of the year preceding the year for which the Wholesale Permit is sought. If December 18 falls on a day when a postmark cannot be obtained, applications must be postmarked on the preceding business day when a postmark can be obtained. If December 18 falls on a day when the Office of State Fire Marshal is closed, and the applicant wishes to hand deliver their application, it must be delivered to the Office of State Fire Marshal at the Salem office on the preceding business day. However, due to limited resources in the fireworks program, it is recommended that wholesale fireworks permit applications be postmarked or submitted to the OSFM by December 1 of the year preceding the year for which the permit is sought.

(16) Relocation of the Wholesale Site requires submission of a new Permit Application and Wholesale Permit fee.

(17) Only one Wholesale Permit may be applied for or issued for each Wholesale Site.

Stat. Auth.: ORS 476, 478 & 480

Stats. Implemented: ORS 480.110-480.165

Hist.: FM 2-1982(Temp), f. & ef. 3-5-82; FM 3-1982(Temp), f. & ef. 4-16-82; FM 3-1985, f. & ef. 4-17-85; FM 1-1986, f. & ef. 1-9-86; FM 6-1986(Temp), f. & ef. 6-10-86; FM 9-1986, f. & ef. 12-10-86; Suspended by FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; Renumbered from 837-012-0120; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 8-2002, f. & cert. ef. 10-4-02; OSFM 7-2004(Temp), f. & cert. ef. 12-13-04 thru 6-10-05; OSFM 8-2005, f. 5-24-05, cert. ef. 6-7-05; OSFM 1-2008(Temp), f. & cert. ef. 1-25-08 thru 7-3-08; OSFM 2-2008, f. 4-3-08, cert. ef. 5-1-08; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0525

### Wholesale Permits

(1) Within 30 days of receipt of a properly completed and timely submitted Permit Application and Wholesale Permit fee, the Office of State Fire Marshal must issue or propose to deny the Wholesale Permit.

(2) The Office of State Fire Marshal may not approve a Permit Application or issue a Wholesale Permit without the prior approval of the Local Fire Authority.

(3) The Office of State Fire Marshal will assign a unique number to each Wholesale Permit issued.

(4) The Office of State Fire Marshal will mail the original Wholesale Permit to the applicant at the mailing address listed on the Permit Application.

(5) Wholesale Permit holders may request a duplicate copy of their permit by certifying to the Office of State Fire Marshal, in writing, that their permit has been lost, stolen or destroyed. Written requests must be signed and dated by the applicant pursuant to OAR 837-012-0520(12).

(6) The issuance of a Wholesale Permit does not in any way constitute approval by the Office of State Fire Marshal of any Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks purchased, sold or provided by any other means pursuant to the permit.

(7) A Wholesale Permit allows the holder of the permit to engage in the purchase, transportation, possession, storage and sales of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks, when those activities are otherwise in conformance with applicable requirements of ORS 480.110 through 480.165, OAR chapter 837, division 12, and any other applicable federal, state and local laws, rules and regulations pertaining to Fireworks.

(8) A Wholesale Permit authorizes the holder of the permit to Sell or provide by any other means, Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks, within or into Oregon, only to holders of:

(a) General, limited, or special effects public display permits;

(b) Retail permits;

(c) Wholesale Permits; or

(d) Agricultural use permits.

(9) A Wholesale Permit does not authorize the sale or provision by any other means, of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks to Individual Members of the General Public.

(10) The Wholesale Permit and permit number issued by the Office of State Fire Marshal are valid from January 1 to December 31 of the year for which they are issued. All Wholesale Permits and permit numbers expire on December 31 of the year in which they are valid. A Wholesale Permit holder may be issued the same permit number every year if the permit holder applies for and obtains a Wholesale Permit in consecutive years.

(11) The Wholesale Permit is not transferable to another Person nor can another Person perform any activities authorized by the Wholesale Permit unless that Person is listed in the Permit Application.

(12) Only the Wholesale Permit holder and the employees of the Wholesale Permit holder may engage in Wholesale Operations authorized by the Wholesale Permit.

(13) The Wholesale Permit holder's name, mailing address and Wholesale Permit number must be imprinted or affixed by the Wholesale Permit holder to:

(a) All sales forms, orders, invoices, inventory sheets and any other similar or related documents issued, used or completed by the Wholesale Permit holder in conducting its Wholesale Operations; and

(b) The outside of all Cartons, Containers, or Cases of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks being shipped, transported, or otherwise provided by the Wholesale Permit holder.

(14) All shipments by a Wholesale Permit holder of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks must show on the outside of each Carton, Container or Case, sales forms, orders, invoices, inventory sheets and any other similar or related documents issued, used or completed by the Wholesale Permit holder the full name and permit number of the permit holder to whom the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are being provided.

(a) If the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are being shipped, transported or otherwise provided in or into Oregon, the shipment must show an Office of State Fire Marshal-issued permit number.

(b) If the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are being shipped, transported or otherwise provided from Oregon for delivery into another state, the shipment must show the appropriate license or permit number, if the Person to whom the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are being provided is required under the laws of the other state to possess a license or permit.

Stat. Auth.: ORS 476, 478 & 480

# ADMINISTRATIVE RULES

Hist.: FM 2-1982(Temp), f. & cf. 3-5-82; FM 3-1982(Temp), f. & cf. 4-16-82; FM 3-1985, f. & cf. 4-17-85, FM 1-1986, f. & cf. 1-9-86; FM 6-1986(Temp), f. & cf. 6-10-86; FM 9-1986, f. & cf. 12-10-86; Suspended by FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; Amended and renumbered from 837-012-0120; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 8-2002, f. & cert. ef. 10-4-02; OSFM 7-2004(Temp), f. & cert. ef. 12-13-04 thru 6-10-05; OSFM 8-2005, f. 5-24-05, cert. ef. 6-7-05; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0535

### Denial, Suspension or Revocation of Wholesale Permit

(1) The Office of State Fire Marshal may deny, suspend or revoke a Wholesale Permit if a Wholesale Permit holder, or an applicant for a Wholesale Permit, fails to comply with ORS 480.110 through 480.165 or OAR chapter 837, division 12.

(2) The period of denial, suspension or revocation may not exceed three years. In determining the appropriate sanction, the Office of State Fire Marshal may consider the following criteria:

(a) The severity of the violation or violations and the impact on public safety, particularly whether the circumstances of the violation or violations presented a significant fire hazard or other public safety danger;

(b) The number of similar or related violations alleged to have been committed in the current transaction, event or occurrence;

(c) Whether the violation or violations were willful or intentional;

(d) The prior history of sanctions imposed by the Office of State Fire Marshal against the Wholesale Permit holder or applicant; and

(e) Other circumstances determined by the Office of State Fire Marshal to be applicable to the particular violation or violations.

(3) Suspension or revocation of a Wholesale Permit may include suspension or revocation of the current permit and the right to apply for a renewal permit.

(4) The Office of State Fire Marshal may deny, suspend or revoke all Wholesale Permits issued to a Wholesale Permit holder or applicant for each of the permit holder's or applicant's Wholesale Sites pursuant to OAR 837-012-0520(3).

(5) At any time after the expiration of any period of denial of a Permit Application, or suspension or revocation of a Wholesale Permit, imposed by the Office of State Fire Marshal, the applicant or Wholesale Permit holder subject to the denial, suspension or revocation may submit a Permit Application to the Office of State Fire Marshal. The Office of State Fire Marshal must either grant or deny the application pursuant to OAR 837-012-0525(1). If granted, the Wholesale Permit is valid for the remainder of the calendar year.

Stat. Auth.: ORS 476, 478 & 480

Stats. Implemented: ORS 480.110 - 480.165

Hist.: FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0540

### Wholesale Sites Located in Oregon

(1) The location of a Wholesale Site may not present a significant risk to surrounding life and property or to the ability of local emergency response agencies to respond.

(2) The Wholesale Site must be designed, constructed, operated, maintained and separated in conformance with the applicable requirements of:

(a) NFPA 1124, Code for the Manufacture, Transportation, and Storage of Fireworks, 2003 Edition (The separation distances shall be met as required by NFPA 1124, 2003 Edition. All Fireworks stored at the Wholesale Site shall be considered in calculating the separation distances);

(b) NFPA 68, Guide for Explosion Venting, 2002 Edition;

(c) Oregon Structural Specialty Code, 2004 Edition;

(d) Oregon Fire Code, 2010 Edition;

**NOTE:** Wholesale Sites that are currently approved may not be required to be altered or updated to comply with these standards.

(3) Temporary structures, including tents, vehicles and trailers of less than 10,000 pound gross carrying capacity, and buildings, structures, vehicles, or trailers not approved by the Local Fire Authority and the Office of State Fire Marshal may not be used as Wholesale Sites.

(4) Security for storage facilities must be provided by construction and maintenance of a solid or chain-link fence, at least six feet high with locking gates, that surrounds the facility. Security may be provided by an alternative means only if first approved by the Local Fire Authority.

(5) Smoking, other ignition sources, or the use of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks may not be allowed within 100 feet of the storage or sales facilities.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 476, 478 & 480

Stats. Implemented: ORS 480.110 - 480.165

Hist.: FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 8-2002, f. & cert. ef. 10-4-02; OSFM 7-2004(Temp), f. & cert. ef. 12-13-04 thru 6-10-05; OSFM 8-2005, f. 5-24-05, cert. ef. 6-7-05; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0550

### Sales to Out-of-State Residents by In-State Wholesalers

(1) In addition to any other requirements set forth in these rules, the sale or provision by any other means, of Fireworks, Retail Fireworks, Public Display Fireworks or Agricultural Fireworks to out-of-state Residents must comply with the laws of the state where the Person to whom the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are to be sold or provided resides and the laws of the state where the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are to be transported or shipped, if the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are to be transported or shipped to a state other than where the Person resides.

(2) The Person to whom the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are sold or otherwise provided must present to the Wholesale Permit holder for inspection, at the time of sale or provision, the original or a certified copy of the Person's valid license or permit when such license or permit is required by the laws of the other state.

(3) The Person to whom the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are sold or otherwise provided must present to the Wholesaler for inspection, at the time of sale or provision, proof of the Person's identity. Such proof must be an official, signed and sealed photo-identification card, such as a driver's license issued by the Person's state of Residence or Domicile.

(4) Wholesale Permit holders with Wholesale Sites located 50 miles or less from the borders of the State of Oregon, must make a good faith effort to determine if customers are Oregon Residents or out-of-state Residents.

(5) Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks may not be sold or otherwise provided to out-of-state Residents whose state of Residence prohibits the sale, provision, purchase, possession, or use of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks. Exception: This does not apply to an out-of-state resident that has applied for and been granted a permit pursuant to ORS 480.110 through 480.165 and OAR chapter 837, division 12.

Stat. Auth.: ORS 476, 478 & 480

Stats. Implemented: ORS 480.110 - 480.165

Hist.: FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0555

### Prohibited Acts and Limitations

(1) Wholesale Permit holders may not create, maintain, or allow the existence of a fire hazard at any location under their control where Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks are stored, transported, sold, or used.

(2) No Wholesale Permit holder may Sell or provide by any other means, including donation:

(a) Fireworks or Public Display Fireworks to any Individual under 21 years of age;

(b) Retail Fireworks or Agricultural Fireworks to any Individual under 18 years of age if the sale or provision of Retail Fireworks or Agricultural Fireworks is to an Individual in Oregon;

(c) Fireworks, Retail Fireworks, Public Display Fireworks or Agricultural Fireworks to any Person who does not possess a valid permit for such Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks issued by the Office of State Fire Marshal, or if required, a valid license or permit issued by the equivalent agency in the Person's state of Residence or the state of destination for the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks;

(d) Fireworks, Retail Fireworks, Public Display Fireworks or Agricultural Fireworks which have been altered in any manner.

(3) No Person who has been convicted of a violation of ORS 480.110 through 480.165 or OAR Chapter 837, Division 12, or who has had any Fireworks permit or operator certificate suspended, denied or revoked, may participate in any manner in Wholesale Operations, for a period not to exceed three years.

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(4) A Wholesale Permit holder may not employ, or have direct business ties with, any Person whose Wholesale or Retail Fireworks Permit or operator certificate is revoked or suspended.

(5) No Individual under 18 years of age may participate in any manner in Wholesale Operations involving Fireworks, Retail Fireworks, or Agricultural Fireworks.

(6) No Individual under 21 years of age may participate in any manner in Wholesale Operations involving Public Display Fireworks.

(7) A Wholesale Permit holder may not fill out, complete or submit a general, limited, or special effects public display permit, retail permit, or agricultural use permit previously filled out or completed by a different Wholesaler unless the Wholesale Permit holder has applied for and received approval from the Office of State Fire Marshal to do so.

(8) Wholesale Permit holders may not sell, provide, ship, transport, keep, offer for sale, expose for sale, possess, use, explode or have exploded any Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks that have not been approved, certified or listed for transport by the United States Department of Transportation and the United States Consumer Product Safety Commission, or if the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks do not have a United States Bureau of Explosives Temporary Transfer Permit.

(9) A Wholesale Permit or permit number that has expired or has not been issued, does not authorize the purchase, use, discharge, transportation, storage, possession, sale or provision by any other means, including donation, of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks.

(10) Every Person who knows of, engages in, allows, or is otherwise a party to, Wholesale Operations not in conformance with ORS 480.110 through 480.165 and OAR chapter 837, division 12, may be subject to denial, revocation, or suspension of the Person's Fireworks permit or operator certificate issued by the Office of State Fire Marshal, and a civil penalty.

(11) No Person may purchase or otherwise obtain, possess, use, discharge, transport, offer for sale, sell, transfer or otherwise provide Fireworks, Retail Fireworks, Public Display Fireworks or Agricultural Fireworks without first applying for and obtaining the appropriate permit issued by the Office of State Fire Marshal pursuant to ORS 480.110 through 480.165 and OAR chapter 837, division 12.

Stat. Auth.: ORS 476, 478 & 480  
Stats. Implemented: ORS 480.110 - 480.165  
Hist.: FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 1-2005(Temp), f. & cert. ef. 1-13-05 thru 7-11-05; OSFM 8-2005, f. 5-24-05, cert. ef. 6-7-05; OSFM 4-2006, f. & cert. ef. 3-10-06; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0560

### Civil and Criminal Enforcement Actions

(1) The Office of State Fire Marshal, Local Fire Authority, or law enforcement authority may confiscate, remove or have removed any Fireworks, Retail Fireworks, Public Display Fireworks or Agricultural Fireworks offered for sale, sold, provided, transported, purchased or otherwise obtained, stored, possessed, used or discharged in violation of ORS 480.110 through 480.165 or OAR chapter 837, division 12.

(2) The Wholesale Permit holder, or any other Person responsible for any violation or violations, may be responsible for payment of the agency's costs in confiscating or removing any Fireworks, Retail Fireworks, Public Display Fireworks or Agricultural Fireworks pursuant to subsection (1) of this rule.

(3) Upon finding a violation, the Office of State Fire Marshal may order that any confiscated Fireworks, Retail Fireworks, Public Display Fireworks or Agricultural Fireworks be:

(a) Returned to the manufacturer of the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural fireworks; or

(b) Disposed of in any manner approved by the Office of State Fire Marshal, including destruction of the Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks.

Stat. Auth.: ORS 476, 478 & 480  
Stats. Implemented: ORS 480.110 - 480.165  
Hist.: FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## 837-012-0565

### Transportation

(1) All shipments of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks within or into Oregon, or from Oregon for delivery to another state may be transported only by Persons who com-

ply with all applicable United States Department of Transportation requirements and any other federal, state, or local laws, rules, or regulations pertaining to the transportation of Fireworks.

(2) All Persons engaged in the transportation of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks within, into or out of Oregon must verify that the outside of all Cartons, Containers or Cases, containing such Fireworks and any accompanying documentation, are marked with all the information required under OAR 837-012-0525(13) and (14).

(3) Wholesale Permit holders may not sell or provide Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks to any Person for transport when the permit holder knows or should know that the Person cannot or will not transport such Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks in accordance with United States Department of Transportation requirements or any other applicable federal, state or local laws, rules or regulations.

(4) Common carriers shall immediately notify, verbally or in writing, the Local Fire Authority or the Office of State Fire Marshal of all shipments of Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks to be delivered within or into Oregon. Such shipments shall be subject to examination by the Local Fire Authority and the Office of State Fire Marshal to determine compliance with all applicable federal, state and local laws, rules, and regulations pertaining to Fireworks, Retail Fireworks, Public Display Fireworks, or Agricultural Fireworks. If necessary, the Consumer Product Safety Commission, United States Customs, the United States Department of Transportation and the Oregon Department of Transportation may be contacted for assistance.

Stat. Auth.: ORS 476, 478 & 480  
Stats. Implemented: ORS 480.110 - 480.165  
Hist.: FM 2-1989(Temp), f. & cert. ef. 3-20-89; FM 5-1989, f. & cert. ef. 9-15-89; OSFM 6-2000(Temp), f. 6-5-00, cert. ef. 6-5-00 thru 12-1-00; OSFM 15-2000, f. & cert. ef. 12-4-00; OSFM 6-2002, f. & cert. ef. 6-14-02; OSFM 5-2010(Temp), f. & cert. ef. 11-3-10 thru 5-2-11

## Department of Public Safety Standards and Training Chapter 259

**Rule Caption:** Update Fire Officer standard and Wildland Interface definitions and standards.

**Adm. Order No.:** DPSST 11-2010

**Filed with Sec. of State:** 11-12-2010

**Certified to be Effective:** 11-12-10

**Notice Publication Date:** 6-1-2010

**Rules Amended:** 259-009-0005, 259-009-0062

**Subject:** Defines and adopts NWCG standards relating to Wildland Interface Fire Fighter, Wildland Interface Crew Boss, Wildland Interface Engine Boss, Wildland Interface Strike/Team Leader Crew, Wildland Interface Strike/Team Leader Engine, Wildland Interface Structural Group Supervisor, and Wildland Interface Division/Group supervisor.

Adopts Fire Officer standard.

**Rules Coordinator:** Linsay Bassler—(503) 378-2431

## 259-009-0005

### Definitions

(1) "Authority having jurisdiction" means the Department of Public Safety Standards and Training.

(2) "Agency Head" means the chief officer of a fire service agency directly responsible for the administration of that unit.

(3) "Board" means the Board on Public Safety Standards and Training.

(4) "Cargo Tank Specialty" means a person who provides technical support pertaining to cargo tank cars, provided oversight for product removal and movement of damaged cargo tanks, and acts as liaison between technicians and outside resources.

(5) "Chief Officer" means an individual of an emergency fire agency at a higher level of responsibility than a company officer. A chief officer supervises two or more fire companies in operations or manages and supervises a particular fire service agency program such as training, communications, logistics, prevention, emergency medical services provisions and other staff related duties.

(6) "Community College" means a public institution operated by a community college district for the purpose of providing courses of study limited to not more than two years full-time attendance and designed to meet the needs of a geographical area by providing educational services,

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including but not limited to vocational or technical education programs or lower division collegiate programs.

(7) "Company Officer" means a fire officer who supervises a company of fire fighters assigned to an emergency response apparatus.

(8) "Content Level Course" is a course that includes an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.

(9) "Department" means the Department of Public Safety Standards and Training.

(10) "Director" means the Director of the Department of Public Safety Standards and Training.

(11) "Entry Level Fire Fighter" means an individual at the beginning of his/her fire service involvement. During the probationary period an entry level fire fighter is in a training and indoctrination period under constant supervision by a more senior member of a fire service agency.

(12) "Field Training Officer" means an individual who is authorized by a fire service agency of by the Department to sign as verifying completion of tasks required by task books.

(13) "Fire Company" means a group of fire fighters, usually 3 or more, who staff and provide the essential emergency duties of a particular emergency response apparatus.

(14) "Fire Fighter" is a term used to describe an individual who renders a variety of emergency response duties primarily to save lives and protect property. This applies to career and volunteer personnel.

(15) "Fire Ground Leader" means a Fire Service Professional who is qualified to lead emergency scene operations."

(16) "Fire Inspector" means an individual whose primary function is the inspection of facilities in accordance with the specific jurisdictional fire codes and standards.

(17) "Fire Service Agency" means any unit of state or local government, a special purpose district or a private firm which provides, or has authority to provide, fire protection services.

(18) "Fire Service Professional" means a paid (career) or volunteer fire fighter, an officer or a member of a public or private fire protection agency who is engaged primarily in fire investigation, fire prevention, fire safety, fire control or fire suppression or providing emergency medical services, light and heavy rescue services, search and rescue services or hazardous materials incident response. "Fire service professional" does not include forest fire protection agency personnel.

(19) "Fire Training Officer" means a fire service member assigned the responsibility for administering, providing, and managing and/or supervising a fire service agency training program.

(20) "First Responder" means an "Operations Level Responder"

(21) "Hazardous Materials Safety Officer means a person who works within an incident management system (IMS) (specifically, the hazardous materials branch/group) to ensure that recognized hazardous materials/WMD safe practices are followed at hazardous materials/weapons of mass destruction (WMD) incidents.

(22) "Hazardous Materials Technician" means a person who responds to hazardous materials/weapons of mass destruction (WMD) incidents using a risk-based response process by which they analyze a problem involving hazardous materials/weapons of mass destruction (WMD), select applicable decontamination procedures, and control a release using specialized protective and control equipment.

(23) "Incident Commander" (IC) means a person who is responsible for all incidents activities, including the development of strategies and tactics and the ordering and release of resources.

(24) "Intermodal Tank Specialty" means a person who provides technical support pertaining to intermodal tanks, provided oversight for product removal and movement of damaged intermodal tanks, and acts as a liaison between technicians and outside resources.

(25) "Marine Tank Vessel Specialty" means a person who provides technical support pertaining to marine tank vessels, provided oversight for product removal and movement of damaged marine tank vessels, and acts as a liaison between technicians and outside resources.

(26) "NFPA" stands for National Fire Protection Association which is a body of individuals representing a wide variety of professions, including fire protection, who develop consensus standards and codes for fire safety by design and fire protection agencies.

(27) "NFPA Aircraft Rescue and Fire-Fighting Apparatus" means a Fire Service Professional who has met the requirements of Fire Fighter II as specified in NFPA 1001, Fire Apparatus Driver/Operator as specified in NFPA 1002 Chapter 4, NFPA Airport Fire Fighter as specified in NFPA 1003 and the job performance requirements defined in NFPA 1002 Sections 9.1 and 9.2.

(28) "NFPA Airport Firefighter" means a member of a Fire Service Agency who has met job performance requirements of NFPA Standard 1003.

(29) "NFPA Apparatus Equipped with an Aerial Device" means a Fire Service Professional who has met the requirements of Fire Fighter I as specified in NFPA 1001, Fire Apparatus Driver/Operator as specified in NFPA 1002 Chapter 4 and the job performance requirements defined in NFPA 1002 Sections 6.1 and 6.2.

(30) "NFPA Apparatus Equipped with a Tiller" means a Fire Service Professional who has met the requirements of Fire Fighter I as specified in NFPA 1001, Fire Apparatus Driver/Operator as specified in NFPA 1002 Chapter 4, Apparatus Equipped with an Aerial Device as specified in NFPA 1002 Chapter 6 and the job performance requirements defined in NFPA 1002 Sections 7.2.

(31) "NFPA Apparatus Equipped with Fire Pump" means a Fire Service Professional who has met the requirements of Fire Fighter I as specified in NFPA 1001, Fire Apparatus Driver/Operator as specified in NFPA 1002 Chapter 4 and the job performance requirements defined in NFPA 1002 Sections 5.1 and 5.2.

(32) "NFPA Fire Apparatus Driver/Operator" means a Fire Service Professional who has met the job performance requirements defined in NFPA 1002, Chapter 4 sections 4.2 and 4.3.

(33) "NFPA Fire Fighter I" means a member of a fire service agency who has met the Level I job performance requirements of NFPA standard 1001. Sometimes referred to as a journeyman fire fighter.

(34) "NFPA Fire Fighter II" means a member of a fire service agency who met the more stringent Level II job performance requirements of NFPA Standard 1001. Sometimes referred to as a senior fire fighter.

(35) "NFPA Fire Inspector I" means an individual who conducts basic fire code inspections and has met the Level I job performance requirements of NFPA Standard 1031.

(36) "NFPA Fire Inspector II" means an individual who conducts complicated fire code inspections, reviews plans for code requirements, and recommends modifications to codes and standards. This individual has met the Level II job performance requirements of NFPA standard 1031.

(37) "NFPA Fire Inspector III" means an individual at the third and most advanced level of progression who has met the job performance requirements specified in this standard for Level III. The Fire Inspector III performs all types of fire inspections, plans review duties, and resolves complex code-related issues.

(38) "NFPA Fire Investigator" means an individual who conducts post fire investigations to determine the cause and the point of origin of fire. This individual has met the job performance requirements of NFPA Standard 1033.

(39) "NFPA Fire Officer I" means the fire officer, at the supervisory level, who has met the job performance requirements specified in NFPA 1021 Standard Fire Officer Professional Qualifications. (Company officer rank)

(40) "NFPA Fire Officer II" means the fire officer, at the supervisory/managerial level, who has met the job performance requirements in NFPA Standard 1021. (Station officer, battalion chief rank)

(41) "NFPA Fire Officer III" means the fire officer, at the managerial/administrative level, who has met the job performance requirements in NFPA Standard 1021. (District chief, assistant chief, division chief, deputy chief rank)

(42) "NFPA Fire Officer IV" means the fire officer, at the administrative level, who has met the job performance requirements in NFPA Standard 1021. (Fire Chief)

(43) NFPA Instructor I means a fire service instructor who has demonstrated the knowledge and ability to deliver instruction effectively from a prepared lesson plan, including instructional aids and evaluation instruments; adapt lesson plans to the unique requirements of the students and authority having jurisdiction; organize the learning environment so that learning is maximized; and meet the record-keeping requirements of authority having jurisdiction.

(44) NFPA Instructor II means a fire service instructor who, in addition to meeting Instructor I qualifications, has demonstrated the knowledge and ability to develop individual lesson plans for a specific topic including learning objectives, instructional aids, and evaluation instruments; schedule training sessions based on overall training plan of authority having jurisdiction; and supervise and coordinate the activities of other instructors.

(45) NFPA Instructor III means a fire service instructor who, in addition to meeting Instructor II qualifications, has demonstrated the knowledge and ability to develop comprehensive training curricula and programs for

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use by single or multiple organizations; conduct organization needs analysis; and develop training goals and implementation strategies.

(46) "NFPA Marine Land-Based Fire Fighter" means a member of a fire service agency who meets the job performance requirements of NFPA 1005.

(47) NFPA Mobile Water Supply Apparatus" means a Fire Service Professional who has met the requirements of Fire Apparatus Driver/Operator as specified in NFPA 1002 Chapter 4 and the job performance requirements defined in NFPA 1002 Sections 10.1 and 10.2.

(48) "NFPA Wildland Fire Apparatus" means a Fire Service Professional who has met the requirements of Fire Apparatus Driver/Operator as specified in NFPA 1002 Chapter 4 and the job performance requirements defined in NFPA 1002 Sections 8.1 and 8.2.

(49) "Operations Level Responder" means a person who responds to hazardous materials/weapons of mass destruction (WMD) incidents for the purpose of implementing or supporting actions to protect nearby persons, the environment, or property from the effects of the release.

(50) "Service Delivery" means to be able to adequately demonstrate, through job performance, the knowledge, skills, and ability of a certification level.

(51) "Staff" means those employees occupying full-time, part-time, and/or temporary positions with the Department.

(52) "Tank Car Specialty" means a person who provides technical support pertaining to tank cars, provided oversight for product removal and movement of damaged tank cars, and acts as a liaison between technicians and outside resources.

(53) "Task Performance" means to be able to demonstrate the ability to perform the tasks, of a certification level, in a controlled environment while being evaluated.

(54) "The Act" refers to the Public Safety Standards and Training Act (ORS 181.610 to 181.705).

(55) "Topical Level Course" is a course that does not include an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.

(56) "Track" means a field of study required for certification.

(57) "Waiver" means to refrain from pressing or enforcing a rule.

(58) "Wildland Interface Fire Fighter" means a person at the first level of progression who demonstrated the knowledge and skills necessary to function safely as a member of a Wildland fire suppression crew whose principal function is fire suppression. This position has direct supervision.

(59) "Wildland Interface Crew Boss" means a person who is in supervisory position in charge of 16 to 21 fire fighters and is responsible for their performance, safety, and welfare.

(60) "Wildland Interface Engine Boss" means a person who is in supervisory position who has demonstrated the skills and depth of knowledge necessary to function under general supervision while operating a piece of apparatus such as an engine.

(61) "Wildland Interface Strike Team Leader Crew" means a person who is responsible to act in an ICS position and is responsible for the direct supervision of a crew strike team.

(62) "Wildland Interface Strike Team Leader Engine" means a person who is responsible to act in an ICS position and is responsible for the direct supervision of an engine strike team.

(63) "Wildland Interface Structural Group Supervisor" means a person who is responsible to act in an ICS position responsible for supervising equipment and personnel assigned to a group. Groups are composed of resources assembled to perform a special function not necessarily within a single geographic division. Groups, when activated, are located between branches and resources in the operations section. Reports to a Branch Director or Operations Section Chief.

(64) "Wildland Interface Division/Group Supervisor" means a person who is responsible to act in an ICS position responsible for commanding and managing resources on a particular geographic area of a wildland fire. Reports to a Branch Director or Operations Section Chief.

Stat. Auth.: ORS 181.640

Stats. Implemented: ORS 181.640

Hist.: BPSST 22-2002, f. & cert. ef. 11-18-02; DPSST 8-2004, f. & cert. ef. 4-23-04; DPSST 2-2006, f. & cert. ef. 1-24-06; DPSST 9-2006, f. & cert. ef. 7-7-06; DPSST 2-2007, f. & cert. ef. 1-12-07; DPSST 10-2008, f. & cert. ef. 7-15-08; DPSST 7-2009, f. & cert. ef. 7-13-09; DPSST 12-2009, f. & cert. ef. 10-15-09; DPSST 16-2009(Temp), f. & cert. ef. 12-15-09 thru 6-11-10; DPSST 5-2010, f. 6-11-10, cert. ef. 6-14-10; DPSST 11-2010, f. & cert. ef. 11-12-10

## 259-009-0062

### Fire Service Personnel Certification

(1) A fire service professional affiliated with an Oregon fire service agency may be certified by satisfactorily completing the requirements spec-

ified in section (2) of this rule: through participation in a fire service agency training program accredited by the Department; or through a course certified by the Department; or by evaluation of experience as specified in OAR 259-009-0063. The Department may certify a fire service professional who has satisfactorily completed the requirements for certification as prescribed in section (2) of this rule, including the Task Performance Evaluations (TPE) if applicable.

(2) The following standards for fire service personnel are hereby adopted by reference:

(a) The provisions of the NFPA Standard 1001, 2008 Edition, entitled "Fire Fighter Professional Qualifications";

(A) "Authority having jurisdiction" means the Department of Public Safety Standards and Training.

(B) Delete section 1.3.1.

NOTE: This references NFPA 1500.

(C) Delete section 2.2.

NOTE: This references NFPA 1500 and 1582.

(D) Entry Level Fire Fighter means an individual trained to the requirements of Section 2-1 Student Prerequisites, NFPA Standard 1403, 1997 Edition, entitled "Live Fire Training Evolutions" and the applicable safety requirements adopted by OR-OSHA. An individual trained to this level and verified so by the agency head is qualified to perform live-fire training exercises and to perform on the emergency scene under constant supervision. An Entry Level Fire Fighter should be encouraged to complete Fire Fighter I training within one year.

(E) Before an applicant can qualify for certification, the applicant must complete either a Task Performance Evaluation or a Department approved Task Book for Fire Fighter I and Fire Fighter II, signed off by the Agency Head or Training Officer.

(b) The provisions of the NFPA Standard 1002, 2009 Edition, entitled "Standard for Fire Apparatus Driver/Operator Professional Qualifications," are adopted subject to the following definitions and modifications hereinafter stated:

(A) 5.1 General. The job performance requirements defined in Sections 5.1 and 5.2, must be met prior to certification as a Fire Service Agency Driver/Operator-Pumper.

(B) 6.1 General. The requirements of NFPA 1001 Fire Fighter I and NFPA 1002 Fire Apparatus Driver/Operator, as specified by the Department and the job performance requirements defined in Sections 6.1 and 6.2, must be met prior to certification as a Fire Service Agency Driver/Operator-Aerial.

(C) 7.1 General. The requirements of NFPA 1001 Fire Fighter I and NFPA 1002 Fire Apparatus Driver/Operator, as specified by the Department and the job performance requirements defined in Sections 7.1 and 7.2 must be met prior to certification as a Fire Service Agency Driver/Operator-Tiller.

(D) 8.1 General. The requirements of NFPA 1001 Fire Fighter I and NFPA 1002 Fire Apparatus Driver/Operator, as specified by the Department and the job performance requirements defined in Sections 8.1 and 8.2, must be met prior to certification as a Fire Service Agency Driver/Operator-Wildland Fire Apparatus.

(E) 9.1 General. The requirements of NFPA 1001 Fire Fighter II and NFPA 1002 Fire Apparatus Driver/Operator, as specified by the Department and the job performance requirements defined in Sections 9.1 and 9.2, must be met prior to certification as a Fire Service Agency Driver/Operator-Aircraft Rescue and Fire Fighting Apparatus (ARFF).

(F) 10.1 General. The requirements of NFPA 1002 Fire Apparatus Driver/Operator, as specified by the Department and the job performance requirements defined in Sections 10.1 and 10.2, must be met prior to certification as a Fire Service Agency Driver/Operator-Mobile Water Supply Apparatus.

(G) Delete "the requirements of NFPA 1500, Standard on Fire Department Occupational Safety and Health Program".

(H) All applicants for certification must complete either a Task Performance Evaluation or a Department approved Task Book for: Driver, Pumper Operator, Aerial Operator, Tiller Operator, Wildland Fire Apparatus Operator, Aircraft Rescue and Fire-Fighting Apparatus Operator or Mobile Water Supply Apparatus Operator and signed off by the Agency Head or Training Officer before an applicant can qualify for certification.

(c) The provisions of the NFPA Standards 1003, 2005 Edition, entitled "Standard for Airport Fire Fighter Professional Qualifications,"

(A) 6.1 General. Prior to certification as a Fire Service Agency NFPA 1003 Airport Fire Fighter, the requirements of NFPA 1001 Fire Fighter II and NFPA 1002 Aircraft Rescue and Fire Fighting Apparatus Operator (ARFF), as specified by the Department, and the job performance requirements defined in sections 6.1 through 6.4 must be met.



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(B) All applicants for certification must complete either a Task Performance Evaluation or a Department-approved Task Book for: Airport Fire Fighter and signed off by the Agency Head or Training Officer before an applicant can qualify for certification.

(d) The provisions of NFPA Standard 1005, 2007 Edition, entitled "Marine Fire Fighting for Land Based Fire Fighters Professional Qualifications," are adopted subject to the following definitions and modifications:

(A) "Authority having jurisdiction" means the Department of Public Safety Standards and Training.

(B) Delete section 2.2.

NOTE: This references NFPA 1500.

(C) Delete sections of 2.4.

NOTE: This references NFPA 1000, NFPA 1081, NFPA 1405, NFPA 1670 and NFPA 1710.

(D) 5.1 General. Prior to certification as a Fire Service Agency NFPA 1005 Marine Land-Based Fire Fighter, the requirements of NFPA 1001 Fire Fighter II, as specified by the Department.

(E) All applicants for certification must complete a Department approved Task Book for: Marine Fire Fighting for Land Based Fire Fighters and signed off by the Agency Head or Training Officer before an applicant can qualify for certification.

(e) The provisions of the NFPA Standards 1003, 2005 Edition, entitled "Standard for Airport Fire Fighter Professional Qualifications,"

(A) 6.1 General. Prior to certification as a Fire Service Agency NFPA 1003 Airport Fire Fighter, the requirements of NFPA 1001 Fire Fighter II and NFPA 1002 Aircraft Rescue and Fire Fighting Apparatus Operator (ARFF), as specified by the Department, and the job performance requirements defined in sections 6.1 through 6.4 must be met.

(B) All applicants for certification must complete either a Task Performance Evaluation or a Department-approved Task Book for: Airport Fire Fighter and signed off by the Agency Head or Training Officer before an applicant can qualify for certification.

(f) The provisions of NFPA Standard 1005, 2007 Edition, entitled "Marine Fire Fighting for Land Based Fire Fighters Professional Qualifications," are adopted subject to the following definitions and modifications:

(A) "Authority having jurisdiction" means the Department of Public Safety Standards and Training.

(B) Delete section 2.2.

NOTE: This references NFPA 1500.

(C) Delete sections of 2.4.

NOTE: This references NFPA 1000, NFPA 1081, NFPA 1405, NFPA 1670 and NFPA 1710.

(D) 5.1 General. Prior to certification as a Fire Service Agency NFPA 1005 Marine Land-Based Fire Fighter, the requirements of NFPA 1001 Fire Fighter II, as specified by the Department.

(E) All applicants for certification must complete a Department approved Task Book for: Marine Fire Fighting for Land Based Fire Fighters and signed off by the Agency Head or Training Officer before an applicant can qualify for certification.

(F) Transition Phase:

(i) An application for certification in Marine Fire Fighting for Land Based Fire Fighters must be submitted to the Department no later than June 30, 2009 to receive consideration for certification without having to complete a task book.

(ii) All applications received on or after July 1, 2009, will need to show completion of the approved task book.

(g) The provisions of the NFPA Standard No. 1031, Edition of (2009), entitled "Professional Qualifications for Fire Inspector and Plan Examiner" are adopted.

(A) All applicants for certification as an NFPA Fire Inspector I must:

(i) Successfully complete a Department approved Task Book; and

(ii) Furnish proof that they have passed an exam demonstrating proficiency in the model fire code adopted by the State of Oregon or an equivalent.

(B) All applicants for certification as an NFPA Fire Inspector II must:

(i) Hold a certification as a Fire Inspector I; and

(ii) Successfully complete a Department approved Task Book.

(C) All applicants for certification as an NFPA Fire Inspector III must:

(i) Hold a certification as a Fire Inspector II; and

(ii) Successfully complete a Department approved Task Book.

(D) Task books must be monitored by a Field Training Officer approved by the Department. The Field Training Officer must be certified at or above the level being monitored and have at least five (5) years inspection experience. The Department may approve other Field Training Officers

with equivalent training, education and experience as determined by designated Department staff.

(h) The provisions of the NFPA Standard No. 1033, Edition of (2009), entitled "Professional Qualifications for Fire Investigator" are adopted subject to the following definitions and requirements:

(A) An individual must successfully complete a Department approved Task Book before the Department will administer a written examination for the Fire Investigator certification level. Exception: Anyone holding a valid IAAI Fire Investigator Certification, National Association of Fire Investigators (NAFI) certification, or Certified Fire Explosion Investigators (CFEI) certification is exempt from taking the Department's Fire Investigator written exam.

(B) A Department approved Field Training Officer must monitor the completion of a Task Book. The Field Training Officer must be certified at or above the level being monitored and have at least five (5) years fire investigation experience. Exception: The Department may approve a Field Training Officers with equivalent training, education and experience.

(i) The provisions of the NFPA Standard No. 1035, Edition of 2000, entitled "Professional Qualifications for Public Fire and Life Safety Educator" are adopted subject to the following definitions and modifications:

(A) Chapter 6 (Six) "Juvenile Firesetter Intervention Specialist I" and Chapter 7 (Seven) "Juvenile Firesetter Intervention Specialist II," Oregon-amended, shall be adopted with the following changes:

(i) Change the following definitions:

(I) 1-4.4 Change the definition of "Assessment" to read: "A structured process by which relevant information is gathered for the purpose of determining specific child or family intervention needs conducted by a mental health professional."

(II) 1-4.11 Change the title of "Fire Screener" to "Fire Screening" and the definition to read "The process by which we conduct an interview with a firesetter and his or her family using state approved forms and guidelines. Based on recommended practice, the process may determine the need for referral for counseling and/or implementation of educational intervention strategies to mitigate effects of firesetting behavior."

(III) 1-4.14 Include "insurance" in list of agencies.

(IV) 1-4.15 Change the definition to read: "...that may include screening, education and referral for assessment for counseling, medical services."

(V) 1-4.16 Change "person" to "youth" and change age from 21 to 18.

(VI) 1-4.17 Add "using state-approved prepared forms and guidelines."

(VII) 1-4.22 Add "...or by authority having jurisdiction."

(VIII) 1-4.24 Add "...or as defined by the authority having jurisdiction."

(ii) Under 6-1 General Requirements, delete the statement, "In addition, the person shall meet the requirements for Public Fire and Life Safety Educator I prior to being certified as a Juvenile Firesetter Intervention Specialist I."

(B) A task book shall be completed prior to certification as a Public Fire and Life Safety Educator I, II or III.

(C) A task book shall be completed prior to certification as a Public Information Officer.

(D) A task book shall be completed prior to certification as a Juvenile Firesetter Intervention Specialist I and II.

(j) The provisions of the NFPA Standard No. 1041, Edition of 1996, entitled "Standard for Fire Service Instructor Professional Qualifications," are adopted subject to the following definitions and modifications:

(A) "Fundamentals of Instruction" shall mean a 16-hour instructor training course for those instructors used for in-house training. This course includes a task book. This course does not lead to certification.

(B) Successfully complete an approved task book for Fire Service Instructor I and II. This requirement is effective for any application for certification after January 4, 2002.

(k) The provisions of the NFPA Standard 1021, 2009 Edition, entitled "Standards for Fire Officer Professional Qualifications," are adopted subject to the following definitions and modifications:

(A) 4.1 General. For certification as Fire Officer I, the candidate must be certified at NFPA 1001 Fire Fighter II, and NFPA 1041 Fire Instructor I, as defined by the Department, and meet the job performance requirements defined in Sections 4.1 through 4.7 of this Standard.

(i) Amend section 4.1.2 General Prerequisite Skills to include college courses or Department approved equivalent courses in the following areas of study: Communications, Math, Physics, Chemistry, or Fire Behavior and

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Combustion. Refer to the suggested course guide for detailed course, curriculum and training information.

(ii) All applicants for certification must complete either a Task Performance Evaluation or a Department approved Task Book for; NFPA Fire Officer I and signed off by the Agency Head or Training Officer before an applicant can qualify for certification.

(B) 5.1 General. For certification as NFPA Fire Officer II, the candidate must be certified as NFPA Fire Officer I, as defined by the Department, and meet the job performance requirements defined in Section 5.1 through 5.7 of the Standard.

(i) Amend section 5.1.2 General Prerequisite Skills to include college courses or Department approved equivalent courses in the following areas of study: Psychology or Sociology.

(ii) Amend section 5.3 Community and Government Relations to include State and Local Government or Department approved equivalent courses.

(iii) All applicants for certification must complete either a Task Performance Evaluation or a Department approved Task Book for NFPA Fire Officer II, and signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

(C) 6.1 General. For certification as NFPA Fire Officer III, the candidate must be certified as a NFPA Fire Officer II, NFPA, NFPA 1041 Fire Instructor II, as defined by the Department, and meet the job performance requirements defined in Sections 6.1 through 6.7 of the Standard.

(i) All applicants for certification must complete a Department approved Task Book for NFPA Fire Officer III, and signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

(D) 7.1 General. For certification as NFPA Fire Officer IV the candidate must be certified as NFPA Fire Officer III, as defined by the Department, and meet the job performance requirements in Sections 7.1 through 7.7 of the Standard.

(i) All applicants for certification must complete a Department approved Task Book for NFPA Fire Officer IV, and signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

(l) Hazardous Materials Responder (DPSST-P-12 1/96).

(m) Fire Ground Leader.

(A) This is a standard that is Oregon-specific.

(B) An applicant applying for Fire Ground Leader must first be certified as an NFPA Fire Fighter II.

(C) An applicant applying for Fire Ground Leader must document training in all of the following areas:

(i) Building Construction: Non-Combustible;

(ii) Building Construction: Combustible;

(iii) Incident Safety Officer or Fire Fighter Safety;

(iv) Managing Water Supplies Operations;

(v) MCTO — Preparation or PICO;

(vi) MCTO — Decision Making;

(vii) MCTO — Tactics or STICO;

(viii) Incident Command System;

(ix) Fire Investigation.

(D) A task book must be completed before certification is awarded.

(n) Wildland Interface Fire Fighter.

(A) This standard includes NWCG Wildland Fire Fighter Type I and Type II.

(B) An individual applying for Wildland Interface Fire Fighter must document training in all of the following areas at the time of application:

(i) S-130 Fire Fighter Training (includes L-180);

(ii) S-190 Wildland Fire Behavior;

(iii) S-131 Firefighter Type I;

(iv) I-100 Introduction to ICS; and

(v) Completion of the NWCG FFT1 Task Book.

(o) Wildland Interface Engine Boss.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Engine Boss must be certified as Wildland Interface Fire Fighter prior to applying for Wildland Interface Engine Boss and must document training in all of the following areas at the time of application:

(i) I-200 Basic Incident Command;

(ii) S-230 or S-231 Crew Boss (Single Resource);

(iii) S-290 Intermediate Wildland Fire Behavior; and

(iv) Completion of the Task Book for NWCG Single Resource Boss Engine.

(p) Wildland Interface Crew Boss.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Crew Boss must be certified as Wildland Interface Fire Fighter prior to applying for Wildland Interface Crew Boss and must document training in all of the following areas at the time of application:

(i) I-200 Basic Incident Command;

(ii) S-230 Crew Boss (Single Resource);

(iii) S-290 Intermediate Wildland Fire Behavior; and

(iv) Completion of the Task Book for NWCG Single Resource Boss Crew.

(q) Wildland Interface Strike Team/Leader Engine.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Strike Team/Leader Engine must be certified as Wildland Interface Engine Boss prior to applying for Wildland Interface Strike Team/Leader Engine and must document training in all of the following areas at the time of application:

(i) S-215 Fire Operations in the WUI;

(ii) S-330 Task Force/Strike Team Leader;

(iii) I-300 Intermediate ICS; and

(iv) Completion of the Task Book for NWCG Strike Team/Leader Engine.

(r) Wildland Interface Strike Team/Task Force Leader Crew.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Strike Team/Leader Crew must be certified as Wildland Interface Crew Boss prior to applying for Wildland Interface Strike Team/Leader Crew and must document training in all of the following areas at the time of application:

(i) S-215 Fire Operations in the WUI;

(ii) S-330 Task Force/Strike Team Leader;

(iii) I-300 Intermediate ICS; and

(iv) Completion of the Task Book for NWCG Strike Team Leader Crew Task Book.

(s) Wildland Interface Structural Group Supervisor.

(A) This is an Oregon standard.

(B) An individual applying for Wildland Interface Structural Group Supervisor must be certified as Wildland Interface Strike Team/Leader Engine prior to applying for certification as Wildland Structural Interface/Group Supervisor and must document training in all of the following areas at the time of application:

(i) S-390 Introduction to Wildland Fire Behavior Calculations;

(ii) S-339 Division/Group Supervisor; and

(iii) Completion of the Task Book for NWCG Group Supervisor.

(t) Wildland Interface Division/Group Supervisor.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Division/Group Supervisor must be certified as Wildland Interface Strike Team/Leader Engine and a Wildland Interface Strike Team Leader Crew prior to applying for certification as Wildland Interface Division/Group Supervisor and must document training in all of the following areas at the time of application:

(i) S-390 Introduction to Wildland Fire Behavior Calculations;

(ii) S-339 Division/Group Supervisor; and

(iii) Completion of the Task Book for NWCG Division/Group Supervisor.

(u) Maritime Fire Service Operator Standards Professional Qualifications (October, 1999) and completion of an approved task book. Historical Recognition:

(A) The application shall be submitted with the Fire Chief or designee's signature attesting to the skill level and training of the applicant.

(B) The application must be submitted to the Department no later than October 1, 2004, to receive certification for Maritime Fire Service Operator without having to complete the task book.

(C) All applications received after October 1, 2004, will need to show completion of the approved task book.

(v) Certification guide for Wildland Fire Investigator (August, 2005).

(w) The provisions of the NFPA Standard No. 1006, Edition of 2000, entitled, "Professional Qualifications for Rescue Technician" are adopted subject to the following modifications:

(A) The Authority Having Jurisdiction shall mean the local or regional fire service agency.

(B) Historical Recognition:

(i) Application shall be submitted with the Fire Chief or designee's signature attesting to the skill level and training of the applicant.

(ii) The application to use historical recognition shall be submitted to DPSST on or before March 31, 2003.

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(C) Instructors:

(i) Curriculum must be certified by DPSST to meet NFPA 1006.

(ii) An instructor delivering training under a fire service agency's accreditation agreement must be a certified technician in that specialty rescue area.

(D) Task Books:

(i) A task book must be completed for each of the six specialty rescue areas applied for.

(ii) Only a certified technician in that specialty rescue area can sign off the task book.

(iii) The requirements in Chapters 2 and 3 need to be met only one time for all six specialty rescue areas.

(x) Urban Search and Rescue.

(A) This is a standard that is Oregon-specific.

(B) The following eleven (11) specialty Urban Search and Rescue

(USAR) certifications are adopted:

(i) Task Force Leader;

(ii) Safety Officer;

(iii) Logistics Manager;

(iv) Rescue Team Manager;

(v) Rescue Squad Officer;

(vi) Rescue Technician;

(vii) Medical Technician;

(viii) Rigging Technician;

(ix) Search Team Manager;

(x) Search Squad Officer;

(xi) Search Technician.

(C) An applicant applying for any USAR certification(s) must complete the appropriate application(s) attesting to completion of the required training.

(y) The provisions of the NFPA Standard 472, 2008 Edition, entitled "Standard for Hazardous Materials and Weapons of Mass Destruction" are adopted subject to the following definitions and modifications hereinafter stated:

(A) Hazardous Materials Technician: All applicants for certification must first certify as an Operations Level Responder and complete a Department approved Task Book, signed off by the Agency Head or Training Officer, before an applicant can qualify for certification.

(B) Hazardous Materials Safety Officer: All applicants for certification must first certify as a Hazardous Materials Technician and complete a Department approved Task Book, signed off by the Agency Head or Training Officer, before an applicant can qualify for certification. This certification level includes, but is not limited to, the following course work:

(i) Analyzing the Incident;

(ii) Planning the Response;

(iii) Implementing the Planned Response;

(iv) Evaluating the Progress.

(C) Incident Commander: The level of certification formerly known as "On-Scene Incident Commander" is now known as "Incident Commander." The Incident Commander correlates directly with NFPA 472. All applicants for certification must first certify as an Operations Level Responder.

(D) Operations Level Responder: The level of certification formerly known as "First Responder" is now known as "Operations Level Responder." The Operations Level Responder correlates directly with NFPA 472. Successful completion of skills sheets or task performance evaluations (TPE) must be met prior to certification as an Operations Level Responder.

(z) Specialty Levels of Certification. All applicants for specialty levels of certification must first certify as a Hazardous Materials Technician.

(A) The following four (4) specialty certifications are adopted:

(i) Cargo Tank Specialty;

(ii) Intermodal Tank Specialty;

(iii) Marine Tank Vessel Specialty;

(iv) Tank Car Specialty;

(B) Successful completion of task performance evaluations (TPE) must be met prior to obtaining a specialty level of certification.

(3) Task performance evaluations, where prescribed, shall be required prior to certification. Such examinations shall be conducted in the following manner:

(a) Task performance competency shall be evaluated by three people nominated by the employing fire service agency's Chief Officer for approval by the Department or its designated representative.

(b) The employing fire service agency's equipment and operational procedures shall be used in accomplishing the task performance to be tested.

(c) Specific minimum testing procedures, as provided by the Department, shall be used for administration of the evaluation.

(d) The training officer for an accredited fire service agency training program must notify the Department or its designated representative prior to performing a Task Performance Evaluation.

(e) At the request of the fire chief, a representative of the Department will be designated to monitor the task performance evaluation for personnel from a fire service agency whose training program is not accredited.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 181.640

Stats. Implemented: ORS 181.640

Hist.: BPSST 22-2002, f. & cert. ef. 11-18-02; DPSST 11-2003 f. & cert. ef. 7-24-03; DPSST 13-2003(Temp), f. & cert. ef. 10-27-03 thru 3-31-04; DPSST 3-2004(Temp), f. & cert. ef. 4-9-04 thru 10-1-04; DPSST 8-2004, f. & cert. ef. 4-23-04; DPSST 2-2006, f. & cert. ef. 1-24-06; DPSST 9-2006 f. & cert. ef. 7-7-06; DPSST 14-2006, f. & cert. ef. 10-13-06; DPSST 16-2006, f. & cert. ef. 11-20-06; DPSST 2-2007, f. & cert. ef. 1-12-07; DPSST 10-2008, f. & cert. ef. 7-15-08; DPSST 7-2009, f. & cert. ef. 7-13-09; DPSST 12-2009, f. & cert. ef. 10-15-09; DPSST 16-2009(Temp), f. & cert. ef. 12-15-09 thru 6-11-10; DPSST 5-2010, f. 6-11-10, cert. ef. 6-14-10; DPSST 11-2010, f. & cert. ef. 11-12-10; DPSST 11-2010, f. & cert. ef. 11-12-10

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**Rule Caption:** Fee increases for private security licensing/certification program.

**Adm. Order No.:** DPSST 12-2010

**Filed with Sec. of State:** 11-12-2010

**Certified to be Effective:** 11-12-10

**Notice Publication Date:** 6-1-2010

**Rules Amended:** 259-060-0500

**Rules Repealed:** 259-060-0500(T)

**Subject:** Rule amendment provides for select increases in certification/license fees for private security providers, managers and instructors.

**Rules Coordinator:** Linsay Bassler—(503) 378-2431

## 259-060-0500

### License Fees

(1) Payments to the Department are non-refundable, and must be paid by business check, money order, cashier's check or credit card. No personal checks or cash will be accepted.

(2) The Department will charge the following fees:

(a) The fee of \$80 for the issuance of each two-year certification as a private security professional.

(b) Appropriate fees must be submitted with each application for a fingerprint criminal history check. These fees are to recover the costs of administering the fingerprint check through the Oregon State Police and Federal Bureau of Investigation. An additional fee will be charged for the third submittal of fingerprint cards when rejected for filing by FBI. Current fee schedules for processing fingerprints may be obtained from the Department.

(c) The fee of \$100 for the issuance of a two-year license as a supervisory manager.

(d) The fee of \$250 for the issuance of a two-year license as an executive manager.

(e) The fee of \$100 for the issuance of a two-year certification as a private security instructor.

(f) The fee of \$20 for the issuance of each upgrade, duplicate or replacement card issued.

(g) The late submission penalty fee of \$25 may be added to the fees for recertification if the provider fails to complete certification by the expiration date of the license or certificate. If an applicant provides documented proof, such as payroll data, that he or she has not been employed to provide private security services since the prior certification or licensure expired, the late penalty may be waived by the Department's designated staff.

(h) In the event a non-sufficient check is received for payment, an additional \$25 administrative fee will be assessed.

Stat. Auth.: ORS 181.878

Stats. Implemented: ORS 181.878

Hist.: PS 1-1997(Temp), f. 2-21-97, cert. ef. 2-24-97; PS 9-1997, f. & cert. ef. 8-20-97; PS 10-1997(Temp), f. & cert. ef. 11-5-97; BPSST 1-1998, f. & cert. ef. 5-6-98; BPSST 2-1998(Temp), f. & cert. ef. 5-6-98 thru 6-30-98; BPSST 3-1998, f. & cert. ef. 6-30-98; BPSST 3-1999(Temp), f. & cert. ef. 3-9-99 thru 9-5-99; BPSST 4-1999, f. 4-29-99, cert. ef. 9-5-99; BPSST 3-2000, f. & cert. ef. 8-10-00; BPSST 8-2001(Temp), f. & cert. ef. 8-22-01 thru 2-18-02; BPSST 18-2001(Temp), f. & cert. ef. 11-28-01 thru 2-18-02; BPSST 4-2002(Temp), f. & cert. ef. 2-25-02 thru 7-1-02; BPSST 13-2002, f. & cert. ef. 4-30-02; DPSST 12-2003, f. & cert. ef. 7-24-03; DPSST 3-2005(Temp), f. 4-25-05, cert. ef. 5-1-05 thru 10-28-05; DPSST

# ADMINISTRATIVE RULES

11-2005, f. & cert. ef. 10-14-05; DPSST 6-2006, f. & cert. ef. 5-15-06; DPSST 6-2008, f. & cert. ef. 4-15-08; DPSST 6-02010(T), f. 6-14-10, cert. ef. 7-1-10 thru 12-27-10; DPSST 12-2010, f. & cert. ef. 11-12-10

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**Department of Transportation,  
Driver and Motor Vehicle Services Division  
Chapter 735**

**Rule Caption:** Veteran Designation on a Driver License, Driver Permit or Identification Card.

**Adm. Order No.:** DMV 19-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 11-1-11

**Notice Publication Date:** 9-1-2010

**Rules Adopted:** 735-062-0012

**Rules Amended:** 735-062-0110

**Subject:** The 2010 Legislature passed Senate Bill 1000 (Chapter 61, Oregon Laws 2010) amending ORS 807.110, 807.160, and 807.400 allowing a person to request that his or her driver license, driver permit or identification card include a designation the person is a veteran. DMV adopted OAR 735-062-0012 to specify the proof a person must present to DMV for a veteran designation, amended OAR 735-062-0110 to specify that adding or removing a veteran designation is a reason for issuing a replacement driver license, driver permit or identification card.

**Rules Coordinator:** Lauri Kunze—(503) 986-3171

## 735-062-0012

### **Veteran Designation on a Driver License, Driver Permit or Identification Card**

(1) A person who is a veteran, as defined in ORS 408.225, may request that DMV add a veteran designation to the person's driver license, driver permit or identification card.

(2) DMV will accept the following as proof the person is a veteran:

(a) For discharge from military service in 1950 or after, a U.S. Defense Department Form 214, Certificate of Release or Discharge from Active Duty (DD 214), or a Correction to DD 214 Form (DD 215); or

(b) For discharge from military service before 1950, a separation document or form issued by a branch or department of the US Armed Services.

(3) The request for a veteran designation may be made when applying for an original, renewal or replacement driver license, driver permit or identification card. The veteran designation will remain on the person's driver license, driver permit or identification card, except as specified in section (4) of this rule.

(4) A person may request a veteran designation be removed when renewing or replacing a driver license, driver permit or identification card.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 807.110, 807.160, 807.400

Stats. Implemented: ORS 807.110, 807.160, 807.400

Hist.: DMV 19-2010, f. 10-25-10, cert. ef. 1-1-11

## 735-062-0110

### **Replacement Driver Permits, Driver Licenses, and Identification Cards**

(1) DMV will issue a replacement driver permit, driver license or identification card for one of the reasons listed in section (2) of this rule if the applicant meets the requirements set forth in ORS 807.160 and this rule and the person is eligible for the driver license, driver permit or identification card.

(2) DMV may issue a replacement driver license, driver permit or identification card when the applicant:

(a) Furnishes proof satisfactory to the department of the loss, destruction or mutilation of the person's driver license, driver permit or identification card.

(b) Changes a residence address or mailing address from the address noted on the person's driver license, driver permit or identification card or adds a mailing address.

(c) Is an officer or eligible employee who has requested, in accordance with ORS 802.250, that department records show the address of the person's employer.

(d) Changes names from the name noted on the person's driver license, driver permit or identification card.

(e) Is applying for or is required to add or remove a restriction on the person's driver license or driver permit.

(f) Is applying for or is required to add or remove an endorsement other than a motorcycle or farm endorsement on the person's driver license or driver permit.

(g) Requests that a veteran designation be added to or removed from his or her driver license, driver permit or identification card. To add a veteran designation, the applicant must provide proof the person is a veteran as set forth in OAR 735-062-0012(2).

(h) Furnishes proof satisfactory to the department or the department determines that the department made an error when issuing the person's driver license, driver permit or identification card.

(i) Surrenders the person's driver license that was issued without a photograph under OAR 735-062-0120 and requests a driver license with a photograph.

(j) Surrenders a driver license, driver permit or identification card to the department following a suspension and the person becomes eligible for driving privileges or an identification card.

(k) Has a driver license, driver permit or identification card that was confiscated by a police officer, a court or other agency and the person is eligible for a driver license, driver permit or an identification card.

(L) Requests to change any physical description, notation, photograph or signature on the driver license, driver permit, or identification card or to add or delete an anatomical donor designation.

(m) Has not received his or her driver license, driver permit or identification card in the mail and the applicant does not meet the requirements under OAR 735-062-0092(3) for a reissued driver license, driver permit or identification card.

(n) Has a reason satisfactory to DMV to be issued a driver license, driver permit or identification card with a different distinguishing number than the one being replaced.

(o) Requests a downgrade from one license class to another (e.g., a Commercial Driver License to a non-commercial Class C driver license).

(p) Requests restoration of a Commercial Driver License following a suspension of the Commercial Driver License or a downgrade to non-commercial driving privileges and the person is eligible for commercial driving privileges.

(q) Requests to correct information on the driver license, driver permit or identification card that was provided to DMV in error.

(3) An applicant for a replacement driver license, driver permit, or identification card must:

(a) Provide proof of a verifiable SSN, or proof that the person is not eligible for a SSN, as provided in OAR 735-062-0005(2);

(b) Provide proof of legal presence as provided in OAR 735-062-0015;

(c) Submit to the collection of biometric data for the purpose of establishing identity as provided in ORS 807.024 and OAR 735-062-0016; and

(d) Provide proof of identity and date of birth as provided in OAR 735-062-0020.

(4) An applicant for a replacement driver license, driver permit, or identification card that includes a change of residence address must also present to DMV one of the proofs of residence address listed in OAR 735-062-0030 that shows the person's current residence address. Current residence address is the address where the person actually lives and DMV will include that address on the license, permit, or identification card issued.

(5) An applicant for a replacement driver license, driver permit, or identification card must surrender the license, driver permit or identification card replaced to DMV, if possible.

(6) Before issuing a replacement driver license or driver permit, DMV will make an inquiry to the National Driver Register/Problem Driver Pointer System (NDR/PDPS) or the Commercial Driver License Information System (CDLIS), or both, to determine if the applicant's driving privileges are suspended, revoked, canceled or otherwise not valid in any other jurisdiction. Before processing a replacement commercial driver license or commercial driver permit, DMV will make an inquiry to CDLIS to determine if the applicant has been issued a CDL in another jurisdiction.

(7) If the applicant's driving privileges are suspended, revoked, canceled or otherwise invalid in any other jurisdiction, DMV will not issue a replacement driver license or driver permit until the applicant submits a clearance letter that complies with OAR 735-062-0160 or a DMV inquiry to the NDR/PDPS or CDLIS, or both, shows that the applicant's driving privileges are reinstated or otherwise valid in the other jurisdiction.

(8) Notwithstanding section (7) of this rule, DMV will issue a replacement license or driver permit to an applicant whose driving privileges are suspended, revoked, canceled or otherwise invalid if the only remaining reinstatement requirement in the other jurisdiction is proof of future financial responsibility.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 807.021 & 807.160

# ADMINISTRATIVE RULES

Stats. Implemented: ORS 807.160, 807.021, 807.220, 807.230, 807.280 & 807.400  
Hist.: MV 14-1987, f. 9-21-87, ef. 9-27-87; Administrative Renumbering 3-1988,  
Renumbered from 735-031-0013; DMV 24-2003, f. 12-15-03 cert. ef. 1-1-04; DMV 2-2005,  
f. 1-20-05, cert. ef. 1-31-05; DMV 16-2005(Temp), f. & cert. ef. 6-17-05 thru 12-13-05;  
DMV 23-2005, f. & cert. ef. 11-18-05; DMV 1-2008(Temp), f. 1-18-08, cert. ef. 2-4-08 thru  
8-1-08; DMV 16-2008, f. 6-23-08, cert. ef. 7-1-08; DMV 24-2008, f. 9-11-08, cert. ef. 10-1-  
08; DMV 19-2010, f. 10-25-10, cert. ef. 1-1-11

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## Department of Transportation, Highway Division Chapter 734

**Rule Caption:** Prohibition of Bicycles and Pedestrians on Freeways.

**Adm. Order No.:** HWD 13-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 734-020-0045

**Subject:** Recent construction of new freeway interchanges in the Medford area made the milepost limits in the previous OAR incorrect. The amendments to OAR 734-020-0045 prohibit both bicycles and pedestrians on urban freeways in Portland and Medford and redefining the limits of the Medford prohibition to match mileposts of new South and North Medford Interchanges. Pedestrians would still be allowed to walk along freeways if their vehicle is disabled as per ORS 814.100.

**Rules Coordinator:** Lauri Kunze—(503) 986-3171

### 734-020-0045

#### Prohibition of Non-Motorized Vehicles on Freeways

(1) Bicycles and pedestrians as defined in ORS 801.150 and 801.385, are prohibited upon the following segments of freeways within the State of Oregon:

(a) Portland area:

(A) The Columbia River Highway No. 2 (Banfield/I-84) from its intersection with I-5, M.P. 0.00, to 238th Drive, M.P. 15.96;

(B) The Sunset Highway No. 47 easterly of the Jefferson Street Interchange, M.P. 73.35;

(C) Interstate 5 (Hwy. No. 1) northerly of the Beaverton - Tigard Highway Interchange, M.P. 292.20;

(D) Interstate 205 (Hwy. No. 64) northerly of the Overcrossing of the Oswego Highway No. 3, M.P. 8.82;

(E) Interstate 405 (Hwy. No. 61) in its entirety; and

(F) Lower Columbia Highway No. 2W from its intersection with I-405, M.P. 0.00, to 23rd Street, M.P. 1.99.

(b) Medford area: Interstate 5 (Pacific Highway No. 1) from the South Medford Interchange, M.P. 27.16, to the North Medford Interchange, M.P. 30.29 (in Medford).

(2) The closure of the above sections to bicycles and pedestrians shall become effective following the erection of adequate signing.

(3) The prohibition of pedestrians from the above segments of freeways does not prohibit the driver and passengers of a disabled vehicle from walking to the nearest freeway exit in accordance with ORS 814.100.

Stat. Auth.: ORS 184.619, 810.020 & 810.030

Stats. Implemented: ORS 810.020 & 810.030

Hist.: HC 1280, f. & ef. 4-5-72; HWY 2-1987, f. & ef. 2-6-87; HWY 4-1987, f. & ef. 11-24-87; HWY 2-1996(Temp), f. 3-7-96, cert. ef. 5-1-96; HWY 2-1996(Temp), f. 3-7-96, cert. ef. 5-1-96; HWD 13-2010, f. & cert. ef. 10-25-10

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**Rule Caption:** Outdoor advertising permit and business license fees.

**Adm. Order No.:** HWD 14-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 734-059-0100

**Subject:** These amendments increase outdoor advertising sign permit fees and other fees to offset higher program costs and lower revenues. Oregon statute requires the sign program to recover its costs.

**Rules Coordinator:** Lauri Kunze—(503) 986-3171

### 734-059-0100

#### Outdoor Advertising Permit and Business License Fees

This rule establishes fees for outdoor advertising permits and business licenses as authorized by ORS 377.729 and 377.730.

(1) The application fee for a permit for any sign in a year in which the sign is new, is relocated as defined in ORS 377.710, or is reconstructed under 377.725 is due at the time of application, and is non-refundable in the event of a withdrawal by applicant or denial by the Department. Fees are:

- \$200 — 25 square feet or less;
- \$500 — 26 to 50 square feet;
- \$850 — 51 to 400 square feet;
- \$1000 — 401 square feet or more.

(2) The fees for annual renewal of sign permits issued under the authority of ORS 377.712, 377.725 and 377.753 are as follows:

- \$120 — 50 square feet or less;
- \$140 — 51 to 400 square feet;
- \$160 — 401 square feet or more.

(3) The fee to convert a standing sign permit to a relocation credit under ORS 377.762 is \$150. The fee to renew a relocation credit under ORS 377.710 is \$25.

(4) Renewal fees for permits and relocation credits are due by January 2nd each year. If the renewal is mailed it must be post-marked no later than January 2nd. If the fee required by this subsection is not received or post-marked by the due date, applicant may renew the permit or relocation credit by paying the fee and a penalty of \$100 per permit or relocation credit by February 1, received or post-marked, of that year. A permit that is not renewed in compliance with this rule will be canceled. A canceled permit will not be reinstated without proof of extraordinary and compelling reason.

(5) The following is used to determine the permit fee:

(a) For a back-to-back sign, the permit sign area includes both sides of the sign.

(b) A double-faced sign or a back-to-back sign is one sign.

(c) A V-type sign constitutes two signs.

(d) A single-faced tri-vision sign constitutes three signs; a back-to-back tri-vision sign constitutes six signs.

(e) Any mechanically operated multifaced display sign other than a tri-vision sign is the number of signs equal to the number of display faces. Nothing in this subsection authorizes mechanically operated multifaced display signs.

(6) The annual fees for outdoor advertising business licenses under ORS 377.730 are as follows:

- \$850 — only erects or maintains signs;
- \$650 — owns 1 to 49 signs;
- \$1700 — owns 50 to 499 signs;
- \$2500 — owns 500 or more signs.

(7) Miscellaneous Fees

(a) The fee for a replacement permit plate required by ORS 377.725 is \$100.

(b) The fee to combine (aggregate) relocation credits into a single credit under ORS 377.763 is \$500 per application.

(c) The fee to transfer ownership of a permit or relocation credit is \$150 per credit or permit. The maximum fee for multiple permits and credits transferred in a single transaction is \$1500.

(8) The Department will review sign program revenues and costs every two years to determine whether fees should be adjusted up or down to comply with the requirement of ORS 377.729 that fees be designed to recoup costs of operating the sign program. The Department will retain civil penalties collected under ORS 377.992 as revenue for the operation of the program, and will attribute collected amounts as revenue in the biennial calculations.

Stat. Auth.: ORS 184.616, 184.619 & 377.992

Stats. Implemented: ORS 377.992

Hist.: TO 2-2002, f. & cert. ef. 2-19-02; HWD 11-2010, f. & cert. ef. 9-27-10; HWD 14-2010, f. & cert. ef. 10-25-10

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## Department of Transportation, Motor Carrier Transportation Division Chapter 740

**Rule Caption:** Motor carrier bond and insurance requirements.

**Adm. Order No.:** MCTD 4-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 740-040-0010, 740-040-0060, 740-040-0070

**Rules Repealed:** 740-040-0050

# ADMINISTRATIVE RULES

**Subject:** These rules describe the requirements and methods for a motor carrier to provide proof of insurance coverage and a highway use tax bond to the Department. OAR 740-040-0050 is repealed as the requirements in the rule regarding collect-on-delivery service were preempted by federal authority. The amendments to insurance rules reflect current agency practices, clarify when a motor carrier is required to file proof of insurance with the Department and provide uniform methodology for addressing insurance filings when a motor carrier changes operations. The amendments to OAR 740-040-0070 reflect current agency practices, clarify when the Department will treat a motor carrier as a new carrier for the purpose of requiring a highway use tax bond and decreases the bond amount required from certain motor carriers. Additional revisions to OAR 740-040-0070 provide the Department flexibility in determining if a highway use tax bond may be waived, clarify conditions when a bond waiver may not be granted and describe Department action if a cash deposit is applied to a motor carrier's outstanding balance.

**Rules Coordinator:** Lauri Kunze—(503) 986-3171

## 740-040-0010

### Insurance

(1) Insurance required in compliance with ORS 825.160 or 825.166 must provide for payment of any final judgment recovered against the carrier for bodily injury to or the death of any person or for damage to property resulting from negligence in the operation, maintenance, ownership or use of the vehicle involved, except injury to or death of the name insured's employees while engaged in the course of their employment, and loss of or damage to property owned or operated by or in the care, custody or control of the name insured, and property transported by the named insured, designated as cargo, and to any obligation for which the named insured may be held liable under any workers' compensation law.

(2) The liability of the insurer as to each vehicle must be a continuing one notwithstanding any recovery under the policy.

(3) Prior to operating, carriers or persons engaged solely in intrastate commerce shall file an insurance policy of public liability and property damage or a signed certificate of insurance signed by the carrier's insurer with the Department. Such policy of insurance or certificate of insurance signed by the carrier's insurer shall be effective and retained on file for the duration of the time operating.

(4) Carriers formerly engaged in interstate commerce that change operations and engage solely in intrastate commerce shall cause to be filed within 30 days of the date the Department is notified of such change, an insurance policy of public liability and property damage or a signed certificate of insurance signed by the carrier's insurer with the Department. Such policy of insurance or certificate of insurance signed by the carrier's insurer shall show that the carrier's insurance was effective at the time of the change in operations and remained effective for the duration of the time operated. Failure to file within 30 days of notification from the Department is cause for revocation or suspension of the carrier's certificate or permit.

(5) If for any reason the evidence of insurance becomes insufficient, the certificate or permit of the concerned carrier shall immediately, and by operation hereof, be suspended.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 823.011 & 825.164

Stats. Implemented: ORS 825.160 & 825.166

Hist.: PUC 18, f. 1-21-55, ef. 9-1-54 (Order No. 33203); PUC 120, f. 10-26-62, ef. 11-15-62 (Order No. 38811); PUC 135, f. 5-9-66, ef. 5-15-66 (Order No. 42332); PUC 148, f. 7-29-68, ef. 9-1-68 (Order No. 44783); PUC 152, f. & ef. 12-22-69 (Order No. 46489); PUC 156, f. 8-6-73, ef. 8-15-73 (Order No. 73-507); PUC 181, f. 12-30-77, ef. 1-15-78 (Order No. 77-896); PUC 3-30, Part 1, f. & ef. 6-30-80 (Order No. 79-805); Renumbered from 860-033-0005; PUC 12-1981, f. & ef. 12-16-81 (Order 81-880); PUC 19-1985, f. & ef. 11-1-85 (Order No. 85-1030); PUC 14-1986, f. & ef. 10-31-86 (Order No. 86-1116); PUC 16-1994(Temp), f. 12-28-94, cert. ef. 1-1-95 (Order No. 94-2077); PUC 5-1995, f. & cert. ef. 6-23-95 (Order No. 95-561); MCT 3-1996, f. & cert. ef. 3-14-96; Renumbered from 860-063-0005; MCT 9-1997, f. & cert. ef. 12-22-97; MCTB 1-2002, f. 6-21-02, cert. ef. 7-1-02; MCTD 4-2010, f. & cert. ef. 10-25-10

## 740-040-0060

### Irrevocable Letters of Credit

(1) In lieu of filing liability insurance or cargo insurance, a motor carrier may file with the Department an irrevocable letter of credit.

(2) Any irrevocable letter of credit must meet the definition and requirements of ORS 75.1010 through 75.1170 and must:

(a) State the name and address of the issuing bank;

(b) State the name of the motor carrier;

(c) List the account number or numbers upon which draws may be made;

(d) Identify the Department as beneficiary of the letter;

(e) Set forth the amount of credit of the letter;

(f) Allow for partial draws;

(g) State the effective and termination dates of the letter;

(h) Be signed by a person with authority to bind the issuing bank; and

(i) Contain a provision that the issuing bank agrees to provide the Department written notice of at least 30 days before the issuing bank cancels the letter.

(3) The minimum amount of credit in an irrevocable letter of credit shall be as follows:

(a) For liability insurance, the minimum limit required by OAR 740-040-0020;

(b) For cargo insurance, the minimum limit required by OAR 740-040-0030.

(4) A claimant requesting that the Department make a payment under an irrevocable letter of credit shall provide:

(a) A true copy of an agreement showing that the motor carrier has consented to settle for the amount of the payment; or

(b) A true copy of a judgment showing that a court is requiring the motor carrier to tender the amount of the payment and a statement certifying:

(A) That the judgment has not been appealed and that the time for appeal has run; or

(B) That the motor carrier has exhausted its appeal rights and that such appeal or appeals were unsuccessful.

(5) If the Department's authorization of payment will cause the amount of credit in an irrevocable letter of credit to fall below the applicable minimum of section (3) of this rule, the Department shall, prior to such authorization, send the motor carrier a written notice requiring the motor carrier to increase the amount of credit so that, after payment, the amount of credit will at least equal the applicable minimum of section (3) of this rule.

(6) On or before the tenth day following the date of the written notice required by section (5) of this rule, the motor carrier shall increase the amount of credit in its irrevocable letter of credit so that, after payment, the amount of credit will at least equal the applicable minimum of section (3) of this rule.

(7) A motor carrier that fails to comply with any requirement of this rule is subject to suspension of its authority.

Stat. Auth.: ORS 823.011, 825.160 & 825.164

Stats. Implemented: ORS 825.166

Hist.: PUC 9-1992, f. & cert. ef. 6-4-92 (Order No. 92-791); MCT 3-1996, f. & cert. ef. 3-14-96; Renumbered from 860-063-0017; MCT 8-1997, f. & cert. ef. 11-17-97; MCTB 2-1998, f. & cert. ef. 8-20-98; MCTD 4-2010, f. & cert. ef. 10-25-10

## 740-040-0070

### Deposits to Secure Payment of Fees, Taxes, Charges, Penalties and Interest

(1) The Department requires each motor carrier that does not qualify for a deposit waiver under section (4) of this rule to deposit with the Department an amount of money necessary to insure the collection of fees, taxes, charges, penalties and interest.

(2) For purposes of this rule:

(a) "New carrier" means any motor carrier that has not:

(A) Previously received a permit or certificate of authority from the Department; or

(B) Operated in Oregon for 12 months or more in the most recent 36 month period after receiving a permit or certificate of authority from the Department.

(b) "Established carrier" means any motor carrier that has operated in Oregon for 12 months or more in the most recent 36-month period;

(c) If an applicant, carrier, or employee of the applicant or carrier has had substantial interest or control, directly or indirectly, in or over the operations conducted in Oregon under any carrier's authority, the Department may treat the applicant or carrier as an established carrier.

(3) The security deposit schedule is as follows:

(a) Except as described in subsections (c) and (d) of this section, for new carriers:

(A) One vehicle — \$2,000;

(B) Plus \$375 for each additional vehicle from 2-5 vehicles;

(C) Plus \$250 for each additional vehicle from 6-10 vehicles;

(D) Plus \$125 for each additional vehicle above 10 vehicles;

(E) Maximum deposit required — \$10,000.

(b) Except as described in subsections (c) and (d) of this section, for established carriers required to have a deposit, the deposit amount will be an amount determined by a review of Department records or as specified in paragraph (A) to (E) of this subsection, whichever is greater:

# ADMINISTRATIVE RULES

- (A) One vehicle — \$2,000;
- (B) Plus \$750 for each additional vehicle from 2-5 vehicles;
- (C) Plus \$500 for each additional vehicle from 6-10 vehicles;
- (D) Plus \$250 for each additional vehicle from 10 vehicles;
- (E) Maximum deposit required — \$20,000.

(c) For private carriers, carriers that conduct operations under ORS 825.020 or farmers issued permits under ORS 825.024 who operate motor vehicles weighing under 55,000 pounds that use gasoline on which gasoline tax provided by law has been paid to the State of Oregon:

- (A) One vehicle — \$500;
- (B) Plus \$150 for each additional vehicle;
- (C) Maximum deposit required — \$10,000.

(d) For private carriers, carriers that conduct operations under ORS 825.020 or farmers issued permits under ORS 825.024 who operate motor vehicles weighing under 55,000 pounds that use any fuel other than gasoline or use gasoline on which gasoline tax provided by law has not been paid to the State of Oregon:

- (A) One vehicle — \$750;
- (B) Plus \$225 for each additional vehicle;
- (C) Maximum deposit required — \$15,000.
- (4) The Department may waive the deposit required of:
  - (a) A new carrier with a Dun & Bradstreet rating of 3A2 or higher;
  - (b) An established carrier if the Department finds that in the previous

12 months the motor carrier has been required to file weight-mile tax reports for each of the reporting periods (monthly, quarterly, or annually) and has had no:

- (A) Suspensions with the Department;
- (B) Revocation of IFTA tax license;
- (C) Weight-mile tax reports filed late;
- (D) Fees not timely paid;
- (E) More than two estimated weight-mile tax reports filed;
- (F) More than one estimated weight-mile tax report filed without an actual report filed within a 30-day period;

(G) Non-sufficient fund check(s) or returned Automated Clearing House (ACH) transaction(s); and

- (H) Outstanding billings for over-dimensional variance permits.

(5) Notwithstanding subsection (4) of this rule, a carrier may not qualify for a waiver of the deposit if within the previous 36 months the carrier has had:

(a) A weight-mile tax audit resulting in an assessment that exceeds by more than 15% the amount of the weight-mile taxes and fees reported and paid during the audit period; or

(b) An outstanding balance with the Department's Collection Unit for fees owed to the Department under ORS chapter 825 and/or ORS 818.225.

(6) The deposit required of a motor carrier may be increased, or a previously waived deposit may be required of a motor carrier, in accordance with subsection (3)(b) of this rule, if Department records indicate that:

- (a) In the previous 12 months the motor carrier has had:
  - (A) Any suspensions with the Department;
  - (B) Revocation of IFTA tax license;
  - (C) More than one weight-mile tax report filed late;
  - (D) Fees not timely paid;
  - (E) More than two estimated weight-mile tax reports filed;
  - (F) More than one estimated weight-mile tax report filed without an actual report filed within 30 days;
- (G) Any non-sufficient fund check(s) or returned ACH transaction(s) with the Department; or
- (H) Delinquent billings for over-dimensional variance permits, including associated road use assessment fees;

(I) Delinquent reports required for operations subject to ORS 818.225; or

(b) In the previous 36 months, the carrier has had a weight-mile tax audit resulting in an assessment that exceeds by more than 15% the amount of the weight-mile taxes and fees reported and paid during the audit period; or

(c) The carrier has had an outstanding balance with the Department's Collection Unit for fees owed to the Department under ORS 818.225 and/or ORS chapter 825.

(7) The Department may delay granting a waiver of the security deposit if the carrier is being audited.

(8) If a carrier's cash deposit is applied to an outstanding balance or a claim is filed against a carrier's highway use tax bond filed pursuant to ORS 825.506, the authority under the certificate or permit shall be suspended until the cash deposit has been replaced or the full bond requirements have again been met.

(9) Acceptable forms of deposit. Any motor carrier may deposit:

- (a) Cash;
- (b) A bond in the form prescribed and furnished by the Department of Transportation;

(c) Bonds, negotiable by delivery, of the State of Oregon, school districts therein, or obligations of the United States, or obligations for which the faith of the United States is pledged for the payment of both principal and interest, equal in value to the amount of the requested deposit; or

- (d) Bank or savings and loan savings certificates.

(10) The Department reserves the right to modify or waive a deposit required by this rule if Department records indicate such modification, or waiver, is in the public interest.

Stat. Auth.: ORS 823.011 & 825.506

Stats. Implemented: ORS 825.506

Hist.: PUC 120, f. 10-26-62, ef. 11-15-62 (Order No. 38811); PUC 135, f. 5-9-66, ef. 5-15-66 (Order No. 42332); PUC 148, f. 7-29-68, ef. 9-1-68 (Order No. 44783); PUC 156, f. 8-6-73, ef. 8-15-73 (Order No. 73-507); PUC 3-30, Part 1, f. & ef. 6-30-80 (Order No. 79-805); Renumbered from 860-033-0020; PUC 6-1984(Temp), f. & ef. 3-19-84 (Order No. 84-197); PUC 11-1984, f. & ef. 5-25-84 (Order No. 84-418); PUC 8-1985, f. & ef. 6-10-85 (Order No. 85-499); PUC 12-1990, f. & cert. ef. 7-6-90 (Order No. 90-950); PUC 2-1992, f. & cert. ef. 1-24-92 (Order No. 92-028); MCT 2-1996, f. & cert. ef. 2-16-96; Renumbered from 860-063-0020; MCT 3-1996, f. & cert. ef. 3-14-96; MCTB 3-1998, f. & cert. ef. 10-16-98; MCTB 1-2002, f. 6-21-02, cert. ef. 7-1-02; MCTB 4-2002, f. & cert. ef. 8-23-02; MCTD 4-2010, f. & cert. ef. 10-25-10

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## Department of Transportation, Rail Division Chapter 741

**Rule Caption:** State System Safety Program Standards for Rail Fixed Guideway Systems.

**Adm. Order No.:** RD 1-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 741-060-0010, 741-060-0020, 741-060-0025, 741-060-0030, 741-060-0050, 741-060-0060, 741-060-0070, 741-060-0080, 741-060-0090, 741-060-0095, 741-060-0100, 741-060-0110

**Subject:** These amendments to the existing system safety program standards for rail fixed guideway systems operated by Oregon municipalities were needed to clarify compliance with the federal guidance, law and regulations, 49 USC 5330 and 49 CFR 659 for the two larger rail fixed guideway systems and existing reporting expectations of the two smaller rail fixed guideway systems. They reflect actual practice for the oversight of rail fixed guideway systems and implement recommendations resulting from an FTA audit. These amendments bring existing rule into compliance with statute for accessing annual fees.

**Rules Coordinator:** Lauri Kunze—(503) 986-3171

### 741-060-0010

#### General Provisions

(1) OAR 741-060-0010 through 741-060-0110 establish the system safety and system security program standards for rail transit agencies in the State of Oregon.

(2) Federal Transit Administration standards and requirements, 49 U.S.C. 5330 and Title 49 of the Code of Federal Regulations, Part 659, Rail Fixed Guideway Systems, State Safety Oversight, effective May 31, 2005, are hereby adopted by reference as the minimum acceptable program standards for state oversight of rail transit agencies that are included, or have filed to be included, in the FTA's calculation of fixed guideway route miles or receive funding under FTA's formula program for urbanized areas (49 U.S.C. 5336). These federal regulations are available for review from the Oregon Department of Transportation Rail Division and from the Federal Transit Administration.

(3) OAR 741-060-0010 through 741-060-0110 apply to all rail transit agencies operating rail fixed guideway systems in the State of Oregon. Non-compliance with these rules is subject to a penalty under ORS 824.990(1)(a). Rail transit agencies shall provide written certification of compliance with these rules to the Rail Division prior to beginning new passenger operations or passenger operations on an expanded rail fixed guideway system.

(4) The Rail Division shall monitor compliance with the system safety and system security and emergency preparedness program standards.

(5) All materials containing sensitive security information as defined in OAR 741-060-0020(24), must be identified as follows:

# ADMINISTRATIVE RULES

(a) In the case of paper records containing sensitive security information, a covered person must mark the record by placing the protective marking conspicuously on the top, and the distribution limitation statement on the bottom, of

(A) The outside of any front and back cover, including a binder cover or folder, if the document has a front and back cover;

(B) Any title page; and

(C) Each page of the document.

(b) The protective marking is: SENSITIVE SECURITY INFORMATION.

(c) The distribution limitation statement is: WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know," as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.

(d) In the case of non-paper records that contain sensitive security information, including motion picture films, videotape recordings, audio recording, and electronic and magnetic records, a covered person must clearly and conspicuously mark the records with the protective marking and the distribution limitation statement such that the viewer or listener is reasonably likely to see or hear them when obtaining access to the contents of the record.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.045

Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0020

### Definitions

As used in OAR 741-060-0010 through 741-060-0110, the following definitions apply:

(1) "24-hour day" means a period of time that begins at the time an employee reports to work, after concluding at least the required minimum number of consecutive hours off.

(2) "Accident" means any event involving a rail transit vehicle or occurring on a rail transit-controlled property, involving one or more of the following:

(a) A fatality, either at the scene or resulting from injuries sustained at the scene when the injured person dies within 30 days of the incident;

(b) Injuries requiring immediate medical attention away from the scene;

(c) Property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities, or non-transit property equal to or exceeding \$25,000;

(d) An evacuation due to life safety or security reasons;

(e) A collision at a rail-grade crossing;

(f) A mainline derailment;

(g) A collision between a rail transit vehicle and another rail transit vehicle or a rail transit non-revenue vehicle; or

(h) A collision with an individual on a rail right of way.

(3) "Contractor" means an entity that performs tasks or services on behalf of the Rail Division or rail transit agency. The rail transit agency may not be a contractor for the Rail Division.

(4) "Corrective action plan" means a plan developed by the rail transit agency that describes the actions the rail transit agency will take to minimize, control, correct, or eliminate hazards, and the schedule and responsibility for implementing those actions.

(5) "Covered Person" is any person

(a) who has access to Sensitive Security Information;

(b) who is employed by, contracted to, or acting for a covered person, including a grantee of the federal Department of Homeland Security (DHS) or Department of Transportation (DOT), and persons formerly in such a position;

(c) For whom a vulnerability assessment has been directed, created, held, funded, or approved by the DOT, DHS, or who has prepared a vulnerability assessment that will be provided to either agency in support of a Federal security program; or

(d) Who receives Sensitive Security Information.

(6) "Derailment" means an instance when the wheel of a rail transit vehicle comes off the head of the rail. It does not include vehicles equipped with rubber tires designed for highway use.

(7) "FTA" means the Federal Transit Administration, an agency within the U.S. Department of Transportation.

(8) "Hazard" means any real or potential condition (as defined in the rail transit agency's hazard management process) that may cause injury, illness, death, damage to or loss of a system, equipment or property, or damage to the environment.

(9) "Individual" means a passenger, employee, contractor, other rail transit facility worker, pedestrian, trespasser, or any person on rail transit-controlled property.

(10) "Investigation" means a process to determine the causal and contributing factors of an accident or hazard, so that actions can be identified to prevent recurrence.

(11) "NTSB" means the National Transportation Safety Board, an independent federal agency responsible for investigation of civil transportation accidents.

(12) "On-duty time" means a period of time beginning when a safety sensitive employee reports for work at a designated point or at a designated time, and continues until such time as that employee is released or relieved from all responsibility for performing work. On-duty time shall begin only after the safety sensitive employee has completed at least the minimum number of continuous hours off duty.

(13) "Passenger" means a person who is on board, boarding, or alighting from a rail transit vehicle for the purpose of travel.

(14) "Passenger operations" means the period of time when any aspect of rail transit agency operations is initiated with the intent to carry passengers.

(15) "Program standard" means a written document developed and adopted by the Rail Division that describes the rules and procedures used to provide rail transit agency safety and security oversight.

(16) "Rail Division" means the Rail Division of the Oregon Department of Transportation, an agency of the State of Oregon designated to provide safety and security oversight to rail transit agencies that operate in Oregon.

(17) "Rail fixed guideway system" means any light, heavy or rapid rail system, monorail, inclined plane, funicular, trolley, streetcar or automated guideway used primarily for carrying passengers that is not regulated by the Federal Railroad Administration, and:

(a) Is included, or has filed to be included, in the FTA's calculation of fixed guideway route miles or receives funding under FTA's formula program for urbanized areas (49 U.S.C. 5336); or

(b) Is owned or operated by a municipal corporation, as defined in ORS 824.045(2), and does not fall within the definition in (17)(a) above.

(18) "Rail transit agency" means an entity that operates a rail fixed guideway system in the State of Oregon.

(19) "Rail transit-controlled property" means property that is used by the rail transit agency and may be owned, leased, or maintained by the rail transit agency.

(20) "Rail transit vehicle" means the rail transit agency's rolling stock, including but not limited to passenger and maintenance vehicles.

(21) "Safety" means freedom from harm resulting from unintentional acts or circumstances.

(22) "Safety sensitive employee" means an individual employed by, contracted by, or a volunteer of, the rail transit agency who operates a light rail vehicle, trolley, streetcar, or other vehicle used for carrying passengers, or who dispatches or controls the movement of such vehicles, or who reports, transmits, receives or delivers orders pertaining to the movement of such vehicles, or who is engaged in the installation or maintenance of the on-track vehicles, train control, train protection, or signaling system.

(23) "Security" means freedom from harm resulting from intentional acts or circumstances.

(24) "Security breach" means an event, occurrence or threat that may endanger life or property, or may result in the loss of services or system equipment. For reporting purposes, security breach includes, but may not be limited to:

(a) Homicide;

(b) Forcible rape;

(c) Robbery;

(d) Aggravated assault;

(e) Bomb threat, or potential bomb threat;

(f) Hijack of a rail transit vehicle; or

(g) Evacuation due to any security reason or potential threat.

(25) "Sensitive security information" means any information that is exempt from public disclosure pursuant to ORS 192.502, and 49 CFR §§ 15 and 1520, effective November 26, 2008.



# ADMINISTRATIVE RULES

(26) "System safety program plan" means a document developed and adopted by the rail transit agency describing its safety policies, objectives, responsibilities and procedures.

(27) "System security and emergency preparedness plan" means a document developed and adopted by the rail transit agency describing its security policies, objectives, responsibilities and procedures to assure rapid, controlled, and predictable responses to various types of emergencies.

(28) "System Security and Emergency Preparedness Planning Guide" means the guidelines available from the FTA for the development of system security and emergency preparedness plans.

(29) "Train" means one or more rail transit vehicles coupled together and propelled as a single operating unit.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045

Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0025

### Corrective Action Plan Requirements

(1) Each rail transit agency that operates a rail fixed guideway system meeting the definition in OAR 741-060-0020(17)(a) shall prepare a corrective action plan as required by this rule and in compliance with 49 CFR Part 659, effective May 31, 2005. Each rail transit agency that operates a rail fixed guideway system meeting the definition in OAR 741-060-0020(17)(b) shall prepare a corrective action plan in compliance with this rule.

(2) Each rail transit agency must develop a corrective action plan for the following:

(a) Results from investigations in which identified causal and contributing factors are determined by the rail transit agency or Rail Division as requiring corrective action(s); or

(b) Hazards or deficiencies identified through internal or external safety and security audits or reviews, or from the hazard management process.

(3) The corrective action plan must identify the hazard or deficiency, the planned activity or actions to resolve the hazard or deficiency, the individual or department(s) responsible for implementing the corrective action, and a schedule of dates for implementation of corrective action(s).

(4) The rail transit agency must submit the corrective action plan to the Rail Division for review and approval within 30 days after the need for the corrective action plan has been identified. The Rail Division will review the plan and issue written notice approving it, approving it with conditions, or rejecting it.

(5) If the Rail Division approves the rail transit agency's corrective action plan with conditions, or rejects it, the rail transit agency shall have 15 days from the date the Rail Division issued such notice to request that the Rail Division reconsider its decision or to submit a new plan for approval.

(6) The rail transit agency shall submit verification that the corrective actions within the approved corrective action plan have been implemented.

(7) Each rail transit agency shall maintain a corrective action monitoring log and provide the Rail Division monthly status reports regarding individual corrective action plans or a monthly update to its corrective action monitoring log.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.045

Stats. Implemented: ORS 824.045

Hist.: RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0030

### System Safety Program Plan Requirements

(1) Each rail transit agency with a rail fixed guideway system meeting the definition in OAR 741-060-0020(17)(a) shall prepare a system safety program plan conforming to the requirements of 49 CFR Part 659, effective May 31, 2005, and OAR 741-060-0010 through 741-060-0110. Each rail transit agency that operates a rail fixed guideway system meeting the definition in OAR 741-060-0020(17)(b) shall prepare a system safety program plan conforming to OAR 741-060-0010 through 741-060-0110.

(2) The rail transit agency shall review its system safety program plan a minimum of once a year. After each review, and upon a date agreed to by the rail transit agency and the Rail Division, the rail transit agency shall submit the plan, along with written documentation and any checklists used for the review, to the Rail Division for review and approval. When the rail transit agency submits the plan and review materials to the Rail Division, the rail transit agency shall include a cover letter identifying any changes made to the plan. If the Rail Division [rail transit agency] determines that [no] additional changes to the plan are necessary, the Rail Division shall advise the rail transit agency in writing of the changes required. The rail

transit agency shall have 30 days to revise its plan to comply with modifications required by the Rail Division.

(3) The system safety program plan shall describe the method used to maintain effective communications and coordination with Rail Division staff, and shall contain:

(a) An organization chart of the rail transit agency;

(b) A description of employee training and certification on the System Safety Program Plan process for employees in safety-related positions;

(c) Identification of the facilities and equipment subject to regular safety-related inspection and testing;

(d) A description of the process for developing and managing corrective action plans as described in OAR 741-060-0025;

(e) A description of the process used by the rail transit agency to ensure that planned and scheduled internal safety reviews are performed to evaluate compliance with the system safety program plan, pursuant to OAR 741-060-0070;

(f) The method and schedule for annual submission of the system safety program plan to the Rail Division;

(g) The process for facilitating on-site safety reviews by the Rail Division;

(h) A description of the safety program for employees and contractors that incorporates the applicable state and local requirements, including:

(A) Safety requirements that employees and contractors must follow when working on, or in close proximity to, rail transit agency property; and

(B) Processes for ensuring the employees and contractors know and follow the requirements.

(i) A description of the hazard management process used by the rail transit agency, pursuant to OAR 741-060-0035;

(j) A description of the process used by the rail transit agency to perform accident notification, investigation and reporting, pursuant to OAR 741-060-0080 and OAR 741-060-0090;

(k) A description of the process used by the rail transit agency to ensure that safety concerns are addressed in modifications to existing systems, vehicles, and equipment, including any system extensions, rehabilitations or new starts, if applicable; and

(L) A description or reference to the hours of service policy pursuant to OAR 741-060-0100.

(4) The system safety program plan for rail transit agencies that operate a rail fixed guideway system meeting the definition in OAR 741-060-0020(17)(b) shall include a drug and alcohol-testing program, or reference to an existing program, that pertains to its safety sensitive employees. The program, if contained in a separate document from the plan, shall be submitted to the Rail Division for review.

(5) The rail transit agency shall implement and comply with the system safety program plan for all aspects of its rail fixed guideway system.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045

Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0050

### System Security and Emergency Preparedness Plan Requirements

(1) Each rail transit agency with a rail fixed guideway system meeting the definition in OAR 741-060-0020(17)(a) shall prepare a system security and emergency preparedness plan conforming to 49 CFR part 659, effective May 31, 2005, the **FTA's Transit Agency System Security and Emergency Preparedness Planning Guide**, and OAR 741-060-0010 through 741-060-0110. Each rail transit agency with a rail fixed guideway system meeting the definition in OAR 741-060-0020(17)(b) shall prepare a system security and emergency preparedness plan conforming to OAR 741-060-0010 through 741-060-0110.

(2) The system security and emergency preparedness plan shall be developed and maintained in a separate document and not as part of the system safety program plan.

(3) The rail transit agency shall review its system security and emergency preparedness plan a minimum of once a year. After each review, and upon a date agreed to by the rail transit agency and Rail Division, the rail transit agency shall submit the plan, along with written documentation and any checklists used for the review, to the Rail Division for review and approval. When the rail transit agency submits the plan and review materials to the Rail Division, it shall include a cover letter identifying any changes made to the plan. If the Rail Division determines that additional changes to the plan are necessary, the Rail Division shall advise the rail transit agency in writing of the changes required. The rail transit agency shall have 30 days to revise its plan to comply with any modifications required by the Rail Division.

# ADMINISTRATIVE RULES

(4) The rail transit agency shall implement and comply with the system security and emergency preparedness plan for all operations of its rail fixed guideway system. The rail transit agency shall document within the plan its process for managing threats and vulnerabilities during operations and for major projects, extensions, new vehicles and equipment, including integration with the safety certification process.

(5) The rail transit agency shall not make its system security and emergency preparedness plan available to the public.

(6) The system security and emergency preparedness plan shall include the process the rail transit agency used to develop the plan.

(7) The system security and emergency preparedness plan shall include measures to control and track all access to the plan and any of its contents. At a minimum, the rail transit agency must number each page, place a unique identifying mark on each copy of the plan and maintain a log showing the whereabouts of each copy of the plan. The plan shall include the process the rail transit agency uses to make the plan available for Rail Division review and approval. Any information contained therein determined to be sensitive security information, as defined in OAR 741-060-0020(25), shall be marked as specified in OAR 741-060-0010(5).

(8) The system security and emergency preparedness plan must:

(a) Identify the policies, goals, and objectives for the security program endorsed by the rail transit agency's chief executive; and

(b) Identify controls in place that address the personal security of passengers and employees.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045

Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0060

### Monitoring the System Security and Emergency Preparedness Plan

(1) The Rail Division or its contractor may investigate and review the operation [a phase] of each rail transit agency to determine whether the rail transit agency's actual security practices comply with its system security and emergency preparedness plan.

(2) At least once every three years, the Rail Division or its contractor shall conduct an on-site review of the implementation of each rail transit agency's system security and emergency preparedness plan to verify compliance with, and evaluate the effectiveness of, the plan.

(3) Following each on-site review, the Rail Division or its contractor shall prepare a written report of its findings and recommendations, and the need, if any, for updating the system security and emergency preparedness plan or revising implementation of the plan. If the report identifies deficiencies for which a corrective action plan is required, the rail transit agency shall submit a corrective action plan to the Rail Division within 30 days after receiving the report, or within a different time period if specified by the Rail Division. The corrective action plan must comply with the requirements in OAR 741-060-0025.

(4) Sensitive security information, as defined in OAR 741-060-0020(25), may not be disseminated or publicly disclosed.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045

Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0070

### Requirements for Internal Reviews

(1) Over a three-year period, each rail transit agency that operates a rail fixed guideway system meeting the definition:

(a) In OAR 741-060-0020(17)(a) shall conduct on-going internal reviews that cover all elements of 49 CFR §§ 659.19 and 659.23, effective May 15, 2005, and all elements of OAR 741-060-0030 and OAR 741-060-0050;

(b) In OAR 741-060-0020(17)(b) shall conduct on-going internal reviews that cover all the elements of OAR 741-060-0030 and OAR 741-060-0050.

(2) Internal reviews shall be performed by each rail transit agency to evaluate compliance and measure the effectiveness of its system safety program plan and system security and emergency preparedness plan.

(3) The internal reviews referenced in the system safety program plan and the security and emergency preparedness plan must describe the process used by the rail transit agency to ensure that planned and scheduled internal reviews are performed to evaluate compliance with the plans. The description must include:

(a) Identification of departments and functions subject to review;

(b) Responsibility for scheduling reviews;

(c) The process for conducting reviews, including the development of checklists and the issuing of reports and findings resulting from the reviews; and

(d) Tracking the status of findings.

(4) The rail transit agency shall notify the Rail Division at least 30 days prior to any planned internal reviews. The rail transit agency shall submit to the Rail Division copies of the checklists and procedures it will use for the review.

(5) Each internal review shall be performed in accordance with the written checklist by personnel technically qualified to verify compliance and assess the effectiveness of the system safety program plan or the system security and emergency preparedness plan components being reviewed. The reviewers may be organizationally assigned to the unit responsible for the activity being reviewed, but they must be independent from the first line of supervision responsible for performing the activity being reviewed.

(6) Internal reviews shall be documented in an annual report that covers the reviews performed and the results of each review in terms of the adequacy and effectiveness of the system safety program plan and system security and emergency preparedness plan. The annual report for the internal reviews performed during the preceding year shall be submitted to the Rail Division prior to the 15th of February of each year, pursuant to OAR 741-060-0095.

Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0080

### Requirements for Reporting Accidents, Security Breaches and Hazards

(1) Each rail transit agency shall notify the Rail Division of any accident or security breach no later than two hours after its occurrence.

(2) Each rail transit agency that shares track with a general railroad system, and is subject to Federal Railroad Administration reporting requirements, shall notify the Rail Division within two hours of any incident for which they are required to report to the Federal Railroad Administration.

(3) Each rail transit agency shall notify the Rail Division of any hazard that meets the threshold for notification and reporting of such hazards no later than 24 hours after identification.

(4) Notice required under sections (1), (2) and (3) of this section shall be made by electronic mail or telephone and, at a minimum, shall contain the following information:

(a) Name of reporting party;

(b) Date and time of the report;

(c) Date and time of the accident or security breach and probable cause;

(d) Location and brief description of the accident, security breach or identified hazard; and

(e) Action taken to insure the safety and security of employees, passengers and public from the effects of the accident, security breach or identified hazard.

(5) Each rail transit agency shall submit to the Rail Division a summary report for each month of the year:

(a) Summarizing the number of accidents, security breaches and identified hazards that occurred that month, as well as any other incident involving a fire or other event that requires fire suppression activities.

(b) With a detailed report attached for each accident, security breach, identified hazard, and incident in the report; and

(c) With the final report of any investigation completed that month.

(6) The summary report must be submitted within 30 days following the end of the month being reported.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045

Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0090

### Requirements for Investigating Accidents, Security Breaches and Hazards

(1) Each rail transit agency shall investigate accidents and [.] security breaches that meet the notification threshold. Unless formally advised otherwise, the rail transit agency shall conduct these investigations on behalf of the Rail Division. The rail transit agency may use its own staff or a contractor to conduct investigations.

(2) Within 24 hours of the accident or security breach, the rail transit agency shall submit to the Rail Division a 24-hour status report documenting investigation activities and findings. The rail transit agency shall also submit additional status reports if requested by the Rail Division.

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(3) In addition to the 24-hour status report and any other reports requested by the Rail Division pursuant to section (2) of this rule, the rail transit agency shall submit to the Rail Division a draft investigation report that includes a description of the investigation activities, findings, identified causal and contributing factors, and a corrective action plan in compliance with OAR 741-060-0025.

(4) The Rail Division will review the draft report submitted under section (3) of this rule. If the Rail Division concurs with the findings of the draft report it will be deemed a final report and the Rail Division will formally adopt it in writing. If the Rail Division does not concur with the findings of the draft report it may conduct its own investigation or transmit its dissent to the findings and negotiate with the rail transit agency until a resolution on the findings is reached.

(5) The rail transit agency shall submit to the Rail Division for review and approval a copy of its investigation procedures. Any subsequent modifications and revisions to the procedures must also be submitted to the Rail Division for review and approval.

(6) Each rail transit agency shall oversee investigations undertaken on behalf of the Rail Division pursuant to section (1) of this rule, and shall retain responsibility for the results of such investigations.

(7) The rail transit agency shall cooperate fully during any investigation conducted by the Rail Division or the NTSB. All NTSB findings or recommendations that are adopted by the Rail Division shall be implemented by the rail transit agency.

(8) Investigation reports and corrective action plans resulting from rail transit agency or Rail Division activities shall not be admissible evidence in any proceeding or civil action for damages that may result from the matters investigated.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045  
Stats. Implemented: ORS 824.045

Hist.: RS 1-1998, f. & cert. ef. 6-19-98; RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0095

### Annual Report Requirements

By February 15 of each year, each rail transit agency shall submit to the Rail Division a written report for review and approval, certifying that it has complied with the provisions of OAR 741-060-0010 through 741-060-0110 for the preceding year. The report shall include:

(1) A formal letter of certification signed by the rail transit agency's chief executive indicating:

(a) That the rail transit agency is in compliance with its system safety program plan and its system security and emergency preparedness plan; or

(b) Noncompliance findings from its internal safety and security audits and reviews, with documentation of corrective actions that will be or have been taken to achieve compliance.

(2) A compilation summarizing all the reportable accidents, security breaches, and identified hazards, and all investigations and hazard analyses conducted. It shall include findings, identified causal and contributing factors, and updated corrective action plans, if any;

(3) A summary of the hazard management process activities and all internal safety and security reviews conducted, with findings and updated corrective action plans, if any; and

(4) A summary of the required annual review and the modifications, if any, to its system safety program plan and system security and emergency preparedness plan.

(5) The security portion of the annual report must comply with the sensitive security information management requirements of the rail transit agency's security and emergency preparedness plan.

Stat. Auth.: ORS 184.616, 184.619, 823.011, 824.045

Stats. Implemented: ORS 824.045

Hist.: RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0100

### Hours of Service

(1) Each rail transit agency shall establish, implement and enforce an hours-of-service policy for its safety sensitive employees. The policy and any subsequent changes shall be reviewed and approved by the Rail Division.

(2) The policy must prohibit a safety sensitive employee from:

(a) Performing work in excess of the maximum hours of on-duty time during a 24-hour day or a seven-day period;

(b) Performing work in excess of the maximum consecutive days without a rest day; or

(c) Going on duty until the employee has had the minimum required number of consecutive hours off.

(3) Hours of service limitations may be waived under situations of emergencies, as declared by the rail transit agency's Chief Executive Officer of Operations, or his or her designee. When an emergency situation requiring the extended service of a safety sensitive employee occurs which is both unforeseeable and beyond the control of the rail transit agency, the employee may be on duty in excess of the allotted hours. These emergency situations may include, but are not limited to, winter storms, public emergencies like an earthquake or fire, and accidents or security breaches. During emergency situations, hours of service must be limited to the extent practical and monitored by the rail transit agency.

(4) The rail transit agency shall maintain hours of service records for safety sensitive employees for a period of two years, and upon request, make such records available to the Rail Division for review.

(5) The rail transit agency shall notify the Rail Division whenever a safety sensitive employee is not in compliance with the hours-of-service policy. The rail transit agency shall notify the Rail Division of the non-compliance by telephone or electronic mail, and shall do so within 48 hours of its occurrence. The notification required under this section shall contain:

(a) The employee's name;

(b) The employee's identification number;

(c) The employee's work title;

(d) The type of violation;

(e) The schedule of work and rest for the period of 72 hours prior to the infraction; and

(f) A brief description of the circumstances of the violation.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045

Stats. Implemented: ORS 824.045

Hist.: RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

## 741-060-0110

### Annual Fee for State Oversight Activities

(1) On or before July 15 of each year, the Rail Division shall provide to municipal corporations operating a rail fixed guideway system, as defined in ORS 824.045(2), an estimate of costs for the state oversight program described in OAR 741-060-0010 through 741-060-0110 for the next fiscal year. The estimate shall indicate the total excess fees collected, if any, for the prior fiscal year. Costs shall be apportioned among each rail fixed guideway system, based on time and expenses associated with the state oversight of each system.

(2) The Rail Division may also require reimbursement for expenses directly attributable to a single rail transit agency, such as federally required audits.

(3) By August 31 of each year, the rail transit agency must pay the entire amount, minus the excess fees from the prior fiscal year, or pay the entire amount and request the excess fees be refunded.

Stat. Auth.: ORS 184.616, 184.619, 823.011 & 824.045

Stats. Implemented: ORS 824.045

Hist.: RD 2-2003, f. & cert. ef. 7-17-03; RD 1-2007, f. & cert. ef. 3-7-07; RD 1-2010, f. & cert. ef. 10-25-10

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## Land Conservation and Development Department

### Chapter 660

**Rule Caption:** Uses authorized on land designated as urban or rural reserves in the Portland Metro region.

**Adm. Order No.:** LCDD 10-2010

**Filed with Sec. of State:** 10-20-2010

**Certified to be Effective:** 10-20-10

**Notice Publication Date:** 8-1-2010

**Rules Amended:** 660-027-0040, 660-027-0070

**Subject:** Amend rules under OAR 660, division 27, that prohibit Metro area counties from amending comprehensive plan provisions or land use regulations applied to land in urban or rural reserves in order to allow uses that were not allowed, or smaller lots or parcels than were allowed at the time of the reserves designations. The amended rules allow such amendments in limited circumstances and under certain specified provisions.

**Rules Coordinator:** Casaria Tuttle—(503) 373-0050, ext. 322

## 660-027-0040

### Designation of Urban and Rural Reserves

(1) Metro may not designate urban reserves under this division in a county until Metro and applicable counties have entered into an intergovernmental agreement that identifies the lands to be designated by Metro as urban reserves. A county may not designate rural reserves under this divi-

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sion until the county and Metro have entered into an agreement that identifies the lands to be designated by the county as rural reserves.

(2) Urban reserves designated under this division shall be planned to accommodate estimated urban population and employment growth in the Metro area for at least 20 years, and not more than 30 years, beyond the 20-year period for which Metro has demonstrated a buildable land supply inside the UGB in the most recent inventory, determination and analysis performed under ORS 197.296. Metro shall specify the particular number of years for which the urban reserves are intended to provide a supply of land, based on the estimated land supply necessary for urban population and employment growth in the Metro area for that number of years. The 20 to 30-year supply of land specified in this rule shall consist of the combined total supply provided by all lands designated for urban reserves in all counties that have executed an intergovernmental agreement with Metro in accordance with OAR 660-027-0030.

(3) If Metro designates urban reserves under this division prior to December 31, 2009, it shall plan the reserves to accommodate population and employment growth for at least 20 years, and not more than 30 years, beyond 2029. Metro shall specify the particular number of years for which the urban reserves are intended to provide a supply of land.

(4) Neither Metro nor a local government may amend a UGB to include land designated as rural reserves during the period described in section (2) or (3) of this rule, whichever is applicable.

(5) Metro shall not re-designate rural reserves as urban reserves, and a county shall not re-designate land in rural reserves to another use, except as provided in OAR 660-027-0070, during the period described in section (2) or (3) of this rule, whichever is applicable.

(6) If Metro designates urban reserves under this division it shall adopt policies to implement the reserves and must show the reserves on its regional framework plan map. A county in which urban reserves are designated shall adopt policies to implement the reserves and must show the reserves on its comprehensive plan and zone maps.

(7) If a county designates rural reserves under this division it shall adopt policies to implement the reserves and must show the reserves on its comprehensive plan and zone maps. Metro shall adopt policies to implement the rural reserves and show the reserves on its regional framework plan maps.

(8) When evaluating and designating land for urban reserves, Metro and a county shall apply the factors of OAR 660-027-0050 and shall coordinate with cities, special districts and school districts that might be expected to provide urban services to these reserves when they are added to the UGB, and with state agencies.

(9) When evaluating and designating land for rural reserves, Metro and a county shall apply the factors of OAR 660-027-0060 and shall coordinate with cities, special districts and school districts in the county, and with state agencies.

(10) Metro and any county that enters into an agreement with Metro under this division shall apply the factors in OAR 660-027-0050 and 660-027-0060 concurrently and in coordination with one another. Metro and those counties that lie partially within Metro with which Metro enters into an agreement shall adopt a single, joint set of findings of fact, statements of reasons and conclusions explaining why areas were chosen as urban or rural reserves, how these designations achieve the objective stated in OAR 660-027-0005(2), and the factual and policy basis for the estimated land supply determined under section (2) of this rule.

(11) Because the January 2007 Oregon Department of Agriculture report entitled "Identification and Assessment of the Long-Term Commercial viability of Metro Region Agricultural Lands" indicates that Foundation Agricultural Land is the most important land for the viability and vitality of the agricultural industry, if Metro designates such land as urban reserves, the findings and statement of reasons shall explain, by reference to the factors in OAR 660-027-0050 and 660-027-0060(2), why Metro chose the Foundation Agricultural Land for designation as urban reserves rather than other land considered under this division.

Stat. Auth.: ORS 195.141, 197.040.  
Stats. Implemented: ORS 195.137 - 195.145  
Hist.: LCDD 1-2008, f. & cert. ef. 2-13-08; LCDD 10-2010, f. & cert. ef. 10-20-10

## 660-027-0070 Planning of Urban and Rural Reserves

(1) Urban reserves are the highest priority for inclusion in the urban growth boundary when Metro expands the UGB, as specified in Goal 14, OAR chapter 660, division 24, and in ORS 197.298.

(2) In order to maintain opportunities for orderly and efficient development of urban uses and provision of urban services when urban reserves are added to the UGB, counties shall not amend comprehensive plan provisions

or land use regulations for urban reserves designated under this division to allow uses that were not allowed, or smaller lots or parcels than were allowed, at the time of designation as urban reserves until the reserves are added to the UGB, except as specified in sections (4) through (6) of this rule.

(3) Counties that designate rural reserves under this division shall not amend comprehensive plan provisions or land use regulations to allow uses that were not allowed, or smaller lots or parcels than were allowed, at the time of designation as rural reserves unless and until the reserves are re-designated, consistent with this division, as land other than rural reserves, except as specified in sections (4) through (6) of this rule.

(4) Notwithstanding the prohibitions in sections (2) and (3) of these rules, counties may adopt or amend comprehensive plan provisions or land use regulations as they apply to lands in urban reserves, rural reserves or both, unless an exception to Goals 3, 4, 11 or 14 is required, in order to allow:

(a) Uses that the county inventories as significant Goal 5 resources, including programs to protect inventoried resources as provided under OAR chapter 660, division 23, or inventoried cultural resources as provided under OAR chapter 660, division 16;

(b) Public park uses, subject to the adoption or amendment of a park master plan as provided in OAR chapter 660, division 34;

(c) Roads, highways and other transportation and public facilities and improvements, as provided in ORS 215.213 and 215.283, OAR 660-012-0065, and 660-033-0130 (agricultural land) or OAR chapter 660, division 6 (forest lands);

(d) Other uses and land divisions that a county could have allowed under ORS 215.130(5) – (11) or as an outright permitted use or as a conditional use under ORS 215.213 and 215.283 or Goal 4 if the county had amended its comprehensive plan to conform to the applicable state statute or administrative rule prior to its designation of rural reserves;

(5) Notwithstanding the prohibition in sections (2) through (4) of this rule a county may amend its comprehensive plan or land use regulations as they apply to land in an urban or rural reserve that is subject to an exception to Goals 3 or 4, or both, acknowledged prior to designation of the subject property as urban or rural reserves, in order to authorize an alteration or expansion of uses allowed on the land under the exception provided:

(a) The alteration or expansion would comply with the requirements described in ORS 215.296, applied whether the land is zoned for farm use, forest use, or mixed farm and forest use;

(b) The alteration or expansion conforms to applicable requirements for exceptions and amendments to exceptions under OAR chapter 660, division 4, and all other applicable laws; and

(c) The alteration or expansion would not expand the boundaries of the exception area unless such alteration or expansion is necessary in response to a failing on-site wastewater disposal system.

(6) Notwithstanding the prohibitions in sections (2) through (5) of this rule, a county may amend its comprehensive plan or land use regulations as they apply to lands in urban reserves or rural reserves or both in order to allow establishment of a new sewer system or the extension of a sewer system provided the exception meets the requirements under OAR 660-011-0060(9)(a).

(7) Counties, cities and Metro may adopt and amend conceptual plans for the eventual urbanization of urban reserves designated under this division, including plans for eventual provision of public facilities and services, roads, highways and other transportation facilities, and may enter into urban service agreements among cities, counties and special districts serving or projected to serve the designated urban reserve area.

(8) Metro shall ensure that lands designated as urban reserves, considered alone or in conjunction with lands already inside the UGB, are ultimately planned to be developed in a manner that is consistent with the factors in OAR 660-027-0050.

Stat. Auth.: ORS 195.141 & 197.040  
Stats. Implemented: ORS 195.137 - 195.145  
Hist.: LCDD 1-2008, f. & cert. ef. 2-13-08; LCDD 3-2010, f. 4-29-10, cert. ef. 4-30-10; LCDD 10-2010, f. & cert. ef. 10-20-10

## ..... Landscape Architect Board Chapter 804

**Rule Caption:** Reinstatement of delinquent registration, Define "in good standing;" Documenting PDH, Audit of PDH and change name of form from affidavit to statement.

**Adm. Order No.:** LAB 2-2010

**Filed with Sec. of State:** 10-19-2010

**Certified to be Effective:** 10-19-10

# ADMINISTRATIVE RULES

**Notice Publication Date:** 7-1-2010

**Rules Adopted:** 804-025-0030, 804-025-0035

**Rules Amended:** 804-003-0000, 804-022-0020, 804-035-0010, 804-035-0020, 804-035-0035

**Subject:** OAR 804-025-0030 is a new rule in which the Board is outlining the acceptable documentation that must accompany the log if audited.

OAR 804-025-0035 is a new rule outlining how the PDH audit is carried out by the Board.

OAR 804-022-0020 outlines what items must be presented to reinstate a registration that is delinquent.

OAR 804-003-000 definition of "good standing" is being added to clarify what is required if an inactive registration status is to be granted.

OAR 804-035-0010 & OAR 804-035-0020 changes name of form from Affidavit to Statement.

OAR 804-035-0035, A change in wording from biennial to annual.

**Rules Coordinator:** Susanna Knight—(503) 589-0093

## 804-003-0000

### Definitions

The definitions of terms used in ORS 671.310 to 671.459, and the rules of this chapter are:

- (1) "Assumed or Fictitious Name" – A false name taken as one's own.
- (2) "Business entity" – a sole proprietor Landscape Architect operating under either the registrant name or an assumed business name or any corporation, limited liability company, partnership, or other entity or association of persons providing landscape architectural design or consulting services.
- (3) "Deceit" – An attempt to portray as true or valid something that is untrue or invalid.
- (4) "Delinquent" – a registrant who fails to renew his/her certificate on or before the renewal date.
- (5) "Emeritus" – Retired but retaining an honorary title corresponding to that held immediately before retirement.
- (6) "Employing" – Hiring a person, not an independent contractor, for compensation.
- (7) "Fraud" – Intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right.
- (8) "Grossly Negligent" – Reckless and wanton disregard for exercising care and caution.
- (9) "Impersonate" – To assume, without authority or with fraudulent intent, the identity of another person.
- (10) "In good standing" – For purposes of ORS 671.376(4) and OAR 804-022-0025(1), 'in good standing' means that the Registered Landscape Architect when making the request for inactive status has a current active unrestricted registration; is in compliance with all requirements for registration including, but not limited to, payment of all required fees and completion of all continuing education requirements; and is not the subject of a pending board investigation or action or the subject of a board order.

(11) Late fee: a fee assessed when a payment is received after the date due.

(12) "Material Misrepresentation" – An untrue statement that is significant under the circumstances.

(13) "Renewal of Registration" – To annually maintain the current status of a valid registration or to bring a delinquent certificate of registration to current, valid status.

Stat. Auth.: ORS 183 & 671.415

Stats. Implemented:

Hist.: LAB 1-1984, f. & ef. 1-5-84; LAB 1-1985, f. & ef. 7-1-85; LAB 2-1986, f. & ef. 3-5-86; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 3-2006, f. & cert. ef. 8-14-06; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 2-2010, f. & cert. ef. 10-19-10

## 804-022-0020

### Reinstatement of Delinquent Registration

(1) If a delinquent registrant does not renew within five years of being in delinquent status then the delinquent registrant must apply for and qualify as an initial registrant.

(2) If a registrant fails to renew a certificate by the renewal date

(a) No late fee is required if the renewal is completed not later than 30 days after the renewal date; or

(b) A late fee is required if the renewal is completed more than 30 days but not later than 60 days after the renewal date.

(3) Individuals seeking reinstatement after 60 days delinquent but within the five year reinstatement period for a delinquent registrant

(a) Must submit a written request for reinstatement to the Board explaining why the registration renewal was late accompanied by

(b) The PDH log and PDH documentation for each delinquent year as required in OAR 804-025-0015(3);

(c) Must pay all fees required by the Board including any exam fee, renewal fee, and late fee;

(d) Must pass an examination required by the Board; and

(e) May be required to appear before the Board.

(4) Upon satisfying the requirements above, the certificate of registration may be reinstated to an active status.

Stat. Auth.: ORS 671.415

Stats. Implemented: ORS 671.376

Hist.: LAB 2-1982, f. & ef. 6-24-82; LAB 1-1984, f. & ef. 1-5-84; LAB 2-1986, f. & ef. 3-5-86; LAB 1-1989, f. 4-4-89, cert. ef. 4-7-89; LAB 2-1998, f. & cert. ef. 4-22-98; Renumbered from 804-030-0035, LAB 1-2008, f. & cert. ef. 2-4-08; LAB 2-2010, f. & cert. ef. 10-19-10

## 804-025-0030

### Documentation of PDH

(1) All active Registered Landscape Architects must maintain proper documentation for any PDH listed on the registrant's PDH Documentation Log. If audited, acceptable documentation must accompany the PDH Documentation Log.

(2) For any PDH activity, each Registered Landscape Architect is responsible for obtaining verification of participation as required under this rule.

(3) The following documentation from a third party provider qualifies as verification of attendance at a PDH activity. The documentation must include the name of the provider, the title of the event, dates attended, and the number of PDHs requested for attendance:

(a) Certificate of completion;

(b) Certificate of attendance;

(c) Letter of confirmation of attendance; or

(d) Transcript.

(4) If proof of attendance is not available from the third party provider as provided under paragraph (3) above, a copy of the sign-in sheet which includes the date, title, and presenter along with the agenda may be submitted to validate participation for purposes of PDH compliance.

(5) In the absence of the above documentation, a summary may be submitted to the Board for review and must include (at a minimum) the following:

(a) Name/Title of the activity;

(b) Date(s) and hours of the activity;

(c) Location of the activity;

(d) Presenter or instructor of the activity;

(e) Written summary of the subject matter:

(A) If the activity is to meet the HSW component, the summary must include key elements which meet HSW related to the practice of landscape architecture.

(B) If the activity is not related to HSW, the summary must identify the benefit of the activity to the registrant's practice.

Stat. Auth.: ORS 671.415

Stats. Implemented: ORS 671.395

Hist.: LAB 2-2010, f. & cert. ef. 10-19-10

## 804-025-0035

### Auditing of PDH

(1) Each registrant may be audited annually.

(2) Audited registrants are selected randomly each year. All active registrants are subject to being audited each year.

(3) Registrants receiving an audit notification must respond within 21 days with:

(a) The Board approved PDH Documentation Log identifying all PDH activities for the audit period and documentation validating all PDH for which the registrant is seeking credit, including carryover hours; or

(b) proof of exemption from the Continuing Education requirements per OAR 804-025-0010(1),

(4) PDH documentation received from the registrant is reviewed by the Board's Continuing Education Committee (CEC). If the documentation is incomplete, the audited registrant will have 21 days after such notice to provide additional documentation.

(5) The CEC recommendation will be presented for approval to the Board.

(6) Written notification of the Board's decision will be issued following the Board meeting in which the PDH is approved.

# ADMINISTRATIVE RULES

(7) It is the responsibility of the registrant to identify all PDH on the PDH Documentation Log. Any carryover PDH may be used only in the subsequent compliance period. The letter informing the registrant of approved carryover hours may be submitted without additional documentation if the registrant is selected for audit in subsequent years.

Stat. Auth.: ORS 671.415  
Stats. Implemented: ORS 671.395  
Hist.: LAB 2-2010, f. & cert. ef. 10-19-10

## 804-035-0010

### Qualifications for a Certificate of Authorization for Business Providing Landscape Architecture Services

(1) A business entity is required to obtain a Certificate of Authorization from the board.

(2) Each such business entity must meet the following requirements:

(a) For purposes of ORS 671.318, an “officer” of the business entity means an individual owning, operating, or employed by the business entity in Oregon and having the authority on behalf of the business entity to enter into contracts for landscape architectural services and to otherwise make decisions regarding the execution and outcome of such services.

(b) Each business entity must designate one or more Registered Landscape Architects as being in responsible charge of the landscape architectural services and decisions of the business entity. In the case of a business entity with multiple offices, each office in Oregon will have a designated Registered Landscape Architect in responsible charge of that office.

(c) Each Landscape Architect designated as being in responsible charge of the business entity’s landscape architectural activities and decisions must file an Statement of Responsibility with the board.

(3) Each certified business entity must notify the board in writing within 30 days of any change in:

- (a) Address;
- (b) Business status; or

(c) Status of the person or persons designated as being in responsible charge of the landscape architectural services and decisions of the business entity.

Stat. Auth.: ORS 671.415  
Stats. Implemented: ORS 671.315  
Hist.: LAB 2-1984, f. & ef. 5-1-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2006 f. & cert. ef. 6-26-06, Renumbered from 804-030-0011; LAB 2-2008, f. & cert. ef. 3-20-08; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 2-2010, f. & cert. ef. 10-19-10

## 804-035-0020

### Application for Certificate of Authorization for a Business Entity

(1) A business entity must submit an application for a Certificate of Authorization to the board, accompanied by the appropriate fee. See OAR 804-040-0000.

(2) The application must be on forms prescribed by the board and will contain the following information:

(a) Name and address of each Registered Landscape Architect designated as being in responsible charge of the business entity’s landscape architectural activities and decisions.

(b) Statement of Responsibility from each Registered Landscape Architect designated as being in responsible charge of the business entity’s landscape architectural activities and decisions.

Stat. Auth.: ORS 671.415  
Stats. Implemented: ORS 671.315  
Hist.: LAB 2-1984, f. & ef. 5-1-84; LAB 2-1998, f. & cert. ef. 4-22-98; LAB 1-2001 (Temp), f. 12-24-01 cert. ef. 1-1-02 thru 5-1-02; Administrative correction 12-2-02; LAB 1-2005, f. & cert. ef. 2-14-05; LAB 2-2006 f. & cert. ef. 6-26-06, Renumbered from 804-030-0011; LAB 1-2010, f. & cert. ef. 2-17-10; LAB 2-2010, f. & cert. ef. 10-19-10

## 804-035-0035

### Reinstatement of Expired Certificate of Authorization

To reinstate a certificate that has expired more than 30 days, the business must provide the following:

(1) A written request to the Board for reinstatement of the certificate explaining the reason for failing to renew within 30 days of the expiration date;

(2) Any additional information the Board may request for purposes of considering the request for reinstatement;

- (3) Payment of the current annual renewal fee;
- (4) Payment of any delinquent annual renewal fees; and
- (5) Payment of late fees.

Stat. Auth.: ORS 671  
Stats. Implemented: ORS 671.315  
Hist.: LAB 2-2006 f. & cert. ef. 6-26-06; LAB 2-2010, f. & cert. ef. 10-19-10

## Landscape Contractors Board Chapter 808

**Rule Caption:** Clarifies subcontracting requirements; eliminates address change by post office as official address and allows settlement of fine for failure to notify the board of address change.

**Adm. Order No.:** LCB 7-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 808-002-0020, 808-002-0540, 808-003-0040, 808-003-0045, 808-003-0125, 808-005-0020

**Rules Repealed:** 808-003-0200

**Subject:** 808-002-0020 – Requires contract to include name and license number of any subcontractor and a description of the landscaping work to be subcontracted. It also requires written notification to the consumer before the landscaping work is performed.

808-002-0540 – Repeals the requirement that a forwarding address for a licensee as designated by the United States Postal Service as the last-known address of record without taking into consideration the address notification statute that requires a licensee to notify the board of a change of address. This rule is being repealed because it is inconsistent with Oregon Law (ORS 671.510–671.760). The repeal of this rule allows the Board to bring its rules into conformity with the law.

808-003-0040 – Clarifies a landscape contracting business may not advertise for or perform those phases of landscaping work for which it does not hold a license. This rule also clarifies a landscape contracting business may subcontract work outside the scope of the license.

808-003-0045 – Clarifies if a phase of license changes that landscape contracting business must stop advertising or performing the work outside the scope of the license.

808-003-0125 – Requires a landscape contracting business to notify the board when a phase of license changes and allows online notification.

808-003-0200 – Repeals rule that allows subcontracting in this rule because it is being moved to OAR 808-003-0040.

808-005-0020 – Allows the Board to settle for violations of failure to notify the board of a change of address for the first offense.

**Rules Coordinator:** Kim Gladwill-Rowley—(503) 378-5909

## 808-002-0020

### Minimum Standards for Written Contracts and Billings

(1) Landscaping contracts and subcontracts shall include, but not be limited to, the following:

(a) Landscape contracting business name, license number, business address and telephone number;

(b) Consumer’s name and address;

(c) Address or location of work to be performed if different from the consumer’s address;

(d) A list of plant materials, if any, together with the size and quantity;

(e) General description of the work to be performed;

(f) Estimated time for completion or estimated completion date;

(g) Price and payment schedule;

(h) Description of guarantee; if no guarantee such a statement shall be included;

(i) Signatures of the business licensee and consumer;

(j) Statement that the business is licensed by the State Landscape Contractors Board and the current address and phone number of the board.

(k) Name and license number of any subcontractor and a description of the landscaping work to be subcontracted. If any of the landscaping work is subcontracted after the signing of the contract the landscape contracting business must provide the consumer in writing with the name and license number of the subcontractor and a description of the landscaping work to be subcontracted, prior to the landscaping work being performed by the subcontractor.

(2) All billings by a licensed landscape contracting business shall include the following:

(a) Name, address and telephone number of the licensed landscape contracting business;

# ADMINISTRATIVE RULES

- (b) Name and address of the consumer;
  - (c) Total contract price and amount paid to date;
  - (d) The amount now due and the work performed for the amount due.
- Stat. Auth.: ORS 183, 671.670 & 670.310  
Stats. Implemented: ORS 671.625  
Hist.: LC 3, f. & ef. 2-7-77; LC 1-1981, f. & ef. 10-8-81; LC 1-1984, f. & ef. 7-17-84; LC 2-1984, f. & ef. 10-2-84; LC 1-1985, f. & ef. 7-1-85; LC 1-1986, f. & ef. 1-3-86; LCB 1-1991, f. & ef. 1-26-88, cert. ef. 2-1-88; Renumbered from 808-020-0010 & 808-020-0020; LCB 1-1991, f. & cert. ef. 7-22-91; LSCB 2-1995, f. & ef. 8-8-95, cert. ef. 8-15-95; LCB 1-2000, f. & cert. ef. 1-1-00; LCB 4-2007, f. 12-19-07, cert. ef. 1-1-08; LCB 7-2010, f. & cert. ef. 10-25-10

## 808-002-0540

### Last-Known Address of Record

"Last-known address of record" for a landscape construction professional, a landscape contracting business or for a claimant, as used in ORS 671.603(2), means the mailing address provided by the landscape construction professional, landscape contracting business or claimant in writing to the agency.

Stat. Auth.: ORS 670.310 & 671.670

Stats. Implemented: ORS 671.603

Hist.: LCB 1-2001, f. 12-4-01, cert. ef. 1-1-02; LCB 8-2003(Temp), f. 12-23-03, cert. ef. 1-1-04 thru 6-27-04; Administrative correction 8-5-04; LCB 6-2004(Temp), f. & cert. ef. 12-15-04 thru 6-10-05; LCB 1-2005, f. & cert. ef. 2-15-05; LCB 4-2007, f. 12-19-07, cert. ef. 1-1-08; LCB 7-2010, f. & cert. ef. 10-25-10

## 808-003-0040

### Scope of License; Sanctions for Claims Filed against Probationary License; Tapping into Potable Water Supply

(1) A licensed landscape contracting business may only advertise for or perform those phases of landscaping work for which its owners or employees hold a valid landscape construction professional license.

(2) The landscaping work a licensed landscape contracting business advertises for or performs shall be limited to the following:

(a) For an all phase license holder, all areas of landscaping work, plus the installation of backflow prevention assemblies unless, in lieu of Backflow Prevention, the landscape construction professional contractor has signed an agreement with the Board prior to April 30, 1996 stating that the landscape construction professional will not perform Backflow Prevention work;

(b) For an irrigation, no backflow limited license holder, irrigation functions, including the maintenance of irrigation systems with the use of compressed air;

(c) For a sod and seed limited license holder, grass seed planting or sod laying;

(d) For a tree limited license holder, install new or transplant trees;

(e) For a standard limited license holder, all areas of landscaping work except irrigation functions and the installation of backflow assemblies;

(f) For an irrigation plus backflow license holder, irrigation functions, including the maintenance of irrigation systems with the use of compressed air and the installation of backflow assemblies.

(g) For a probationary All Phase Plus Backflow license holder, all areas of landscaping work, provided all landscaping work on any given landscape job as defined in OAR 808-002-0495 must not exceed a total contract amount of \$15,000.

(3) A landscape contracting business may bid on a job or enter into a contract that includes the phase of landscaping work for which it is not licensed if that landscape contracting business:

(a) Upgrades the landscape contracting business license by employing a landscape construction professional licensed for that phase of landscaping work and notifies the board of this change in license prior to performing this landscaping work, or

(b) Subcontracts the landscaping work that is outside the phase of the license to another licensed landscape contracting business licensed for that phase of landscaping work and provides the consumer with the subcontractors name, license number and a description of the work to be subcontracted as required in OAR 808-002-0020(1)(k).

(4) If a landscape contracting business holds a probationary license and two or more claims are filed against the landscape contracting business within a 12 month period the owner or employee who holds the probationary landscape construction professional license and is providing supervision as described in ORS 671.540(15) and (16) or 671.565(1)(b) may be required to take specific continuing education hours (CEH) or approved courses as required by the board that are related to the claim issues. Failure to complete the required CEH or courses within the specified time frame may result, in addition to any civil penalties, revocation, refusal to renew or suspension of the probationary license of the landscape construction professional.

(5)(a) Tapping into the potable water supply and installation of irrigation or ornamental water feature backflow assemblies shall be done by a

licensed landscape construction professional who has been qualified by examination to install backflow assemblies and who is either an employee or owners of a landscape contracting businesses. The landscape construction professional or landscape contracting business shall obtain all required permits prior to the installation of the backflow assembly and shall install the backflow assemblies in conformance with the applicable code requirements.

(b) If a landscape construction professional or landscape contracting business fails to obtain permits to tap into the potable water system for the installation of backflow assemblies for irrigation or ornamental water feature or fails to comply with applicable code requirements, the Board in addition to any other remedy, may suspend, condition or revoke the landscape construction professional or landscape contracting business license.

Stat. Auth.: ORS 670.310 & 671.670

Stats. Implemented: ORS 447.060 & 671.560

Hist.: LC 1-1984, f. & ef. 7-17-84; LCB 1-1988, f. 1-26-88, cert. ef. 2-1-88; Renumbered from 808-010-0021; LCB 2-1990, f. 7-27-90, cert. ef. 8-1-90; LCB 2-1992, f. 7-14-92, cert. ef. 7-15-92; LCB 2-1993, f. & cert. ef. 2-1-93; LSCB 2-1994, f. 11-8-94, cert. ef. 11-15-94; LSCB 2-1997, f. & cert. ef. 11-3-97; LCB 1-2001, f. 12-4-01, cert. ef. 1-1-02; LCB 1-2003, f. 1-31-03, cert. ef. 2-1-03; LCB 7-2003(Temp), f. 11-28-03, cert. ef. 12-1-03 thru 5-29-04; LCB 1-2004, f. 1-27-04, cert. ef. 2-1-04; LCB 6-2005, f. 12-30-05, cert. ef. 1-1-06; LCCB 3-2007, f. & cert. ef. 8-1-07; LCB 4-2007, f. 12-19-07, cert. ef. 1-1-08; LCB 9-2007, f. 12-24-07, cert. ef. 1-1-08; LCB 3-2008, f. & cert. ef. 4-11-08; LCB 10-2008, f. & cert. ef. 11-6-08; LCB 13-2009, f. 12-23-09, cert. ef. 1-1-10; LCB 7-2010, f. & cert. ef. 10-25-10

## 808-003-0045

### Change to Limited Licenses; Removal from Probationary Status

(1) Landscape construction professionals holding limited licenses may upgrade that phase of license by passing additional sections of the exam. Licensees shall submit the required fees and a written request to take the additional sections of the exam.

(2) The following sections must be passed to upgrade to a standard landscape license:

(a) Sod & Seed license holders must pass General A, General B, General C, and General D.

(b) Tree license holders must pass General A, General B, General C, and General D.

(3) Holders of a Sod & Seed license or a Tree license must pass the irrigation and Backflow Prevention sections of the landscape examination to upgrade that phase of license to irrigation plus backflow

(4) If the phase of license for a landscape contracting business license changes, the landscape contracting business must immediately stop advertising for or performing those phases of landscaping work for which the business no longer holds a license.

(5) Probationary license holders may obtain removal from probationary status by:

(a) Demonstrating one or more of the following after the date of obtaining the probationary license:

(A) Completion of 24 months or more of employment with an actively licensed landscape contracting business under the direct supervision of a non-probationary licensed landscape construction professional,

(B) Completion of 24 months or more as an owner or employee of an actively licensed landscape contracting business providing supervision as described in ORS 671.540(15) or 671.565(1)(b) for a period of 24 months where the landscaping work performed on any landscape job by the landscape contracting business did not exceed \$15,000 and where the landscape contracting business filed and maintained with the board a bond, letter of credit or deposit in the amount of \$15,000, or

(C) Completion of 24 months or more as an actively licensed construction contractor under ORS Chapter 701.

(b) Submitting a written request to the board for removal of the probationary status.

Stat. Auth.: ORS 183 & 671

Stats. Implemented: ORS 671.560

Hist.: LC 1-1984, f. & ef. 7-17-84; LCB 1-1988, f. 1-26-88, cert. ef. 2-1-88; Renumbered from 808-010-0022; LCB 1-2003, f. 1-31-03, cert. ef. 2-1-03; LCB 4-2003, f. 5-27-03, cert. ef. 6-1-03; LCB 1-2004, f. 1-27-04, cert. ef. 2-1-04; LCB 6-2005, f. 12-30-05, cert. ef. 1-1-06; LCB 4-2007, f. 12-19-07, cert. ef. 1-1-08; LCB 9-2007, f. 12-24-07, cert. ef. 1-1-08; LCB 8-2008, f. & cert. ef. 9-5-08; LCB 9-2008, f. 9-29-08, cert. ef. 10-1-08; LCB 10-2008, f. & cert. ef. 11-6-08; LCB 4-2009, f. 6-1-09 cert. ef. 7-1-09; LCB 7-2010, f. & cert. ef. 10-25-10

## 808-003-0125

### Notification of Change of Address, Employment, Partners or Owners or Ownership Interest

(1) Within ten (10) calendar days following a change of address, the landscape construction professional shall submit written or online notification to the agency as provided in ORS 671.603.

(2) Within ten (10) calendar days following a change of address, the landscape contracting business shall submit written or online notification to the agency as provided in ORS 671.603.

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(3) A landscape contracting business shall notify the agency in writing within ten (10) days after the date a landscape contracting business' phase of license changes due to:

(a) The license phase of an owner or employee who is the licensed landscape construction professional and phase basis of the business changes; or

(b) The landscape construction professional who holds part or wholly the phase basis of the landscape contracting business license ceases to own or be employed by the landscape contracting business.

(4) A landscape construction professional shall notify the agency in writing within ten (10) days of the date of termination of employment or ownership from an actively licensed landscape contracting business.

(5) A landscape contracting business subject to ORS 671.595 must:

(a) Within ten (10) calendar days of the date a managing owner or managing employee ceases to act in the roles as defined in OAR 808-002-0625 or 808-002-0734(2) notify the agency in writing and provide:

(A) The effective date of the change; and

(B) The name of the managing owner or managing employee ceasing to act in this role.

(b) Within thirty (30) calendar days of a change of managing owner or managing employee, designate a new managing owner or managing employee and must have notified the agency in writing and provide:

(A) The effective date of the change; and

(B) The name of the new managing owner or managing employee performing this role.

(6) Within ten (10) calendar days following a change in partners or owners or a change in percentage of an ownership interest, the landscape contracting business shall submit written notification of the change to the agency as required by ORS 671.605.

Stat. Auth.: ORS 183 & 671

Stats. Implemented: ORS 671.595, 671.600, 671.603 & 671.605

Hist.: LC 1-1984, f. & ef. 7-17-84; LCB 1-1988, f. 1-26-88, cert. ef. 2-1-88; Renumbered from 808-010-0034; LCB 1-2001, f. 12-4-01, cert. ef. 1-1-02; LCB 1-2004, f. 1-27-04, cert. ef. 2-1-04; LCB 4-2007, f. 12-19-07, cert. ef. 1-1-08; LCB 2-2008, f. & cert. ef. 6-2-08; LCB 12-2009, f. 12-23-09, cert. ef. 1-1-10; LCB 7-2010, f. & cert. ef. 10-25-10

## 808-005-0020

### Schedule of Civil Penalties

Sections 1-4, 21 & 22 may be adjusted per the terms of a settlement agreement for the first offense:

(1) Operating as a landscape contracting business in violation of ORS 671.530(1) or (3):

(a) if the value of the work is \$500 or less; \$500; and

(b) if the value of the work is more than \$500; \$1,000

(2) Operating as a landscape contracting business in violation of ORS 671.530(1) or (3), when a claim has been filed for damages arising out of that work, \$2,000.

(3) Operating as a landscape construction professional in violation of ORS 671.530(1), \$1,000.

(4) Advertising in violation of ORS 671.530(2), (4), or (5):

(a) \$500 for the first offense; and

(b) \$1,000 for subsequent offenses occurring after action taken on first offense.

(5) Advertising for landscaping work outside the scope of the landscape contracting business license in violation of OAR 808-003-0040:

(a) \$500 for the first offense; and

(b) \$1,000 for subsequent offenses occurring after action taken on first offense.

(6) Operating as a landscape contracting business in violation of ORS 671.530(1) or (3) when one or more previous violations have occurred after action taken on first offense, \$2,000.

(7) Operating as a landscaping contracting business without having at least one owner or employee who is a licensed landscape construction professional licensed within the phase of work performed, in violation of OAR 808-003-0040 and 808-003-0045:

(a) \$500 for the first offense; and

(b) \$1,000 for subsequent offenses occurring after action taken on first offense.

(8) Performing landscaping work while not subject to a written contract or failing to comply with minimum contract standards, in violation of ORS 671.625(2) and OAR 808-002-0020:

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(9) Failure to include the license number in all written advertising, in violation of OAR 808-003-0010:

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(10) Performing work outside the scope of the landscape contracting business license in violation of OAR 808-003-0040:

(a) \$500 for the first offense; and

(b) \$1,000 for subsequent offenses occurring after action taken on first offense.

(11) Installation of an irrigation backflow assembly or tapping into the potable water supply in violation of a written agreement with the Board as provided in OAR 808-003-0040, \$1,000 and suspension of the license until Backflow Prevention license is obtained.

(12) Failure to maintain the insurance required by ORS 671.565 or bond or other board accepted surety as required by 671.690 in effect continuously throughout the license period:

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(13) Failure to conform to information provided on the application in violation of ORS 671.510 to 671.710:

(a) \$500 for the first offense and suspension of the license until the applicant provides the agency with proof of compliance with the statutes and rules; and

(b) \$1,000 for subsequent offenses occurring after action taken on first offense and suspension of the license until the applicant provides the agency with proof of compliance with the statutes and rules.

(14) Failure to comply with any part of ORS Chapters 316, 656, 657, and 671, as authorized by ORS 671.510 to 671.710:

(a) \$500 for the first offense and suspension of the license until the applicant provides the agency with proof of conformance with the application; and

(b) \$1,000 for subsequent offenses occurring after action taken on first offense and suspension of the license until the applicant provides the agency with proof of conformance with the application.

(15) Violating an order to stop work as authorized by ORS 671.510 to 671.710, \$1,000 per day.

(16) Failure to obtain a permit to tap into a potable water supply prior to the installation of an irrigation backflow assembly or failure to comply with applicable plumbing code requirements as required by OAR 808-003-0040(3)(a):

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(17) Failure to obtain the appropriate building code permit(s):

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(18) When as set forth in ORS 671.610(5), the number of licensed landscape contracting businesses working together on the same task on the same job site, where one of the businesses is licensed exempt under 671.525(2)(b), exceeded two sole proprietors, one partnership, one corporation, or one limited liability company, penalties shall be imposed on each of the persons to whom the contract is awarded and each of the persons who award the contract, as follows:

(a) \$1,000 for the first offense;

(b) \$2,000 for the second offense;

(c) Six month suspension of the license for the third offense; and

(d) Three-year revocation of license for a fourth offense.

(19) Failure of a landscape contracting business to notify the board of a change in the landscaping business' phase of license as required by OAR 808-003-0045(4):

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(20) Failure by the landscape construction professional to comply with the supervisory responsibilities as required by OAR 808-003-0018:

(a) \$200 for the first offense;

(b) \$500 for the second offense occurring after action taken on first offense; and

(c) \$1,000 and six month suspension of the license for the third offense.

(21) Failure of the landscape construction professional to notify the Landscape Contractors Board of a change of address or employment in writing or on line at the LCB website as required by ORS 671.603 and OAR 808-003-0045:

(a) \$200 for the first offense; and



# ADMINISTRATIVE RULES

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(22) Failure of a landscape contracting business to notify the board of a change in address in writing or on line at the LCB website as required by ORS 671.603:

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(23) Failure of a landscape contracting business to require the landscape construction professional to directly supervise unlicensed employees of the landscaping business performing landscaping work that is related to the landscape construction professional phase of license:

(a) \$200 for the first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(24) Failure of a landscape contracting business to obtain the correct amount of surety bond or irrevocable letter of credit, as required by ORS 671.690(1):

(a) \$500 for the first offense and immediate suspension per ORS 671.610(2) until the proper bond is received in the State Landscape Contractors Board office;

(b) \$1,000 for the second offense occurring after action taken on the first offense and immediate suspension per ORS 671.610(2) until the proper bond is received in the State Landscape Contractors Board office.

(25) Failure to notify the LCB of a new business name (including any new assumed business name) or, in the case of a sole proprietor, any personal surname under which the business is conducted, in violation of OAR 808-003-0020:

(a) \$200 for first offense; and

(b) \$500 for subsequent offenses occurring after action taken on first offense.

(26) Failure to respond to the continuing education audit as required under OAR 808-040-0060(3):

(a) For the first offense:

(A) \$200; and

(B) Suspension of the license until the CEH documentation is received by the agency. For purposes of subsection 26(a) only, if the CEH documentation as required by OAR 808-040-0060(3) is received by the agency on or before the 21st day after the date of the contested case notice, the contested case will be withdrawn without prejudice.

(b) For subsequent offenses occurring after action taken on the first offense:

(A) \$500; and

(B) Suspension of the license until the CEH documentation is received by the agency.

(27) Failure to submit complete documentation as required under OAR 808-004-0060(3), (4), (5) or (6):

(a) For the first offense:

(A) \$200; and

(B) Suspension of the license until the CEH documentation is received by the agency. For purposes of subsection (27)(a) only, if the CEH documentation as required by OAR 808-040-0060(3), (4), (5) or (6) is received by the agency on or before the 21st day after the date of the contested case notice, the contested case will be withdrawn without prejudice.

(b) For subsequent offenses occurring after action taken on the first offense:

(A) \$500; and

(B) Suspension of the license until the CEH documentation is received by the agency.

(28) Failure to complete the continuing education hours by the deadline as required under OAR 808-040-0020(1):

(a) For the first offense, \$200; and

(b) For subsequent offenses occurring after action taken on the first offense, \$500.

Stat. Auth.: ORS 183.310 - 183.500, 670.310 & 671.670

Stats. Implemented: ORS 671.997

Hist.: LCB 1-1988, f. 1-26-88, cert. ef. 2-1-88; LCB 2-1990, f. 7-27-90, cert. ef. 8-1-90; LCB 2-1991(Temp), f. 9-27-91, cert. ef. 9-29-91; LCB 1-1992, f. 1-27-92, cert. ef. 2-1-92; LCB 2-1992, f. 7-14-92, cert. ef. 7-15-92; LSCB 2-1994, f. 11-8-94, cert. ef. 11-15-94; LSCB 2-1995, f. 8-8-95, cert. ef. 8-15-95; LSCB 2-1997, f. & cert. ef. 11-3-97; LCB 4-2002, f. & cert. ef. 12-4-02; LCB 4-2003, f. 5-27-03, cert. ef. 6-1-03; LCB 1-2004, f. 1-27-04, cert. ef. 2-1-04; LCB 2-2005, f. & cert. ef. 4-5-05; LCB 6-2005, f. 12-30-05, cert. ef. 1-1-06; LCCB 3-2007, f. & cert. ef. 8-1-07; LCB 4-2007, f. 12-19-07, cert. ef. 1-1-08; LCB 7-2007, f. 12-24-07, cert. ef. 1-1-08; LCB 3-2008, f. & cert. ef. 4-11-08; LCB 10-2008, f. & cert. ef. 11-6-08; LCB 1-2010, f. & cert. ef. 1-27-10; LCB 3-2010, f. & cert. ef. 6-1-10; LCB 7-2010, f. & cert. ef. 10-25-10

**Rule Caption:** Clarifies the effective date of the rule requiring subcontractor information in landscaping contracts.

**Adm. Order No.:** LCB 8-2010(Temp)

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-26-10 thru 4-24-11

**Notice Publication Date:**

**Rules Amended:** 808-002-0020

**Subject:** 808-002-0020 – Clarifies the effective date of the requirement to include subcontractor information in landscaping contracts.

**Rules Coordinator:** Kim Gladwill-Rowley—(503) 378-5909

## 808-002-0020

### Minimum Standards for Written Contracts and Billings

(1) Landscaping contracts and subcontracts shall include, but not be limited to, the following:

(a) Landscape contracting business name, license number, business address and telephone number;

(b) Consumer's name and address;

(c) Address or location of work to be performed if different from the consumer's address;

(d) A list of plant materials, if any, together with the size and quantity;

(e) General description of the work to be performed;

(f) Estimated time for completion or estimated completion date;

(g) Price and payment schedule;

(h) Description of guarantee; if no guarantee such a statement shall be included;

(i) Signatures of the business licensee and consumer;

(j) Statement that the business is licensed by the State Landscape Contractors Board and the current address and phone number of the board.

(k) Effective April 1, 2011, name and license number of any subcontractor and a description of the landscaping work to be subcontracted. If any of the landscaping work is subcontracted after the signing of the contract the landscape contracting business must provide the consumer in writing with the name and license number of the subcontractor and a description of the landscaping work to be subcontracted, prior to the landscaping work being performed by the subcontractor.

(2) All billings by a licensed landscape contracting business shall include the following:

(a) Name, address and telephone number of the licensed landscape contracting business;

(b) Name and address of the consumer;

(c) Total contract price and amount paid to date;

(d) The amount now due and the work performed for the amount due. Stat. Auth.: ORS 183, 671.670 & 670.310

Stats. Implemented: ORS 671.625

Hist.: LC 3, f. & ef. 2-7-77; LC 1-1981, f. & ef. 10-8-81; LC 1-1984, f. & ef. 7-17-84; LC 2-1984, f. & ef. 10-2-84; LC 1-1985, f. & ef. 7-1-85; LC 1-1986, f. & ef. 1-3-86; LCB 1-1988, f. 1-26-88, cert. ef. 2-1-88; Renumbered from 808-020-0010 & 808-020-0020; LCB 1-1991, f. & cert. ef. 7-22-91; LSCB 2-1995, f. 8-8-95, cert. ef. 8-15-95; LCB 1-2000, f. & cert. ef. 2-1-00; LCB 4-2007, f. 12-19-07, cert. ef. 1-1-08; LCB 7-2010, f. & cert. ef. 10-25-10; LCB 8-2010(Temp), f. 10-25-10, cert. ef. 10-26-10 thru 4-24-11

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## Oregon Business Development Department Chapter 123

**Rule Caption:** Revisions to rules regarding the procedures for contracts entered onto by the department.

**Adm. Order No.:** OBDD 37-2010

**Filed with Sec. of State:** 10-29-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 10-1-2010

**Rules Amended:** 123-006-0020, 123-006-0035, 123-006-0045

**Subject:** These rules are being revised to incorporate 123-125 relating to contracting with the departments foreign trade offices. "Event Speakers" has been added to 123-006-0045.

**Rules Coordinator:** Mindee Sublette—(503) 986-0036

## 123-006-0020

### Standard Procedures and Exceptions

The Department will comply with the Oregon Department of Justice Model Public Contract Rules, OAR chapter 137, divisions 046, and 047, as applicable, for all its procurement and contracting activity, with the following exceptions:

(1) For Architectural, Engineering, and Land Surveying contracts, a special class of personal services contracts, the Department will comply

# ADMINISTRATIVE RULES

with OAR chapter 137, division 048. Services defined as Related Services are subject to 123, Division 6.

(2) For contracts relating to the Department's foreign trade offices operating outside the state, the provisions of OAR 137-047-0700 through 137-047-0760 (regarding legal remedies) shall not apply to public contracts under this division.

(3) For contracts, other than those identified in (1) or (2) of this rule, that are best implemented as multiple work order contracts under an Agreement for Goods or Services, the Department will comply with OAR 123-006-0025.

(4) The provisions of OAR 137-047-0800, 137-047-0265(2) and 137-047-0270(3) (regarding contract amendments) do not apply to contracts by the Department.

(5) The provisions of OAR 137-047-0670 (regarding cancelled offers) do not apply to contracts by the Department.

Stat. Auth.: ORS 285A.075

Stats. Implemented: ORS 285A.075 & 279A.070

Hist.: EDD 4-1991, f. & cert. ef. 5-20-91; EDD 11-2004(Temp), f. & cert. ef. 6-15-04 thru 8-5-04; EDD 21-2004, f. & cert. ef. 8-5-04; EDD 11-2005, f. 11-30-05, cert. ef. 12-1-05; EDD 26-2008, f. 8-28-08, cert. ef. 9-1-08; OBDD 37-2010, f. 10-29-10, cert. ef. 11-1-10

## 123-006-0035

### Contract Amendments

(1) General Rule. The Department may amend any contract without additional competition, including reinstatements and cost overruns, but only when the Department has determined:

(a) The amended Contract is within the Scope of the Solicitation Document, or if no Solicitation Document, the Contract; or in the instance of a Special Procurement, the approval of Special Procurement;

(b) The amended Contract does not adversely affect the competitive conditions for the original contract; and

(c) If the Contract was selected according to the Small Procurement method, the total compensation does not exceed \$5000, or, if selected according to the Intermediate Procurement method, the total compensation does not exceed \$150,000.

(2) Anticipated Amendments.

(a) "Anticipated Amendment" means the Department has text in any Solicitation Document and the Contract that explains:

(A) The possibility of one or more Amendments;

(B) A general description of circumstances that might require an Amendment to be issued under the Contract and any changes to the requirements of the Contract that may be anticipated or even planned for, but not necessarily quantified at the time of Contract execution. These changes may be described in any Solicitation and Contract as, for example: Extra Work or Goods; Additional Work; Work to be done if certain situations are encountered; or Changes in terms, conditions, price, or type of Work; etc.; and

(C) The provisions of the Contract that are subject to negotiation in order to finalize the details and costs of such an Amendment.

(b) Anticipated Amendments do not include cost overruns or reinstatements.

(c) The Department may make one or more Anticipated Amendments to a Contract without any additional competitive process and for an unlimited amount, subject to section (1) of this rule.

(3) Unanticipated Amendments.

(a) Unanticipated Amendment" means any Amendment that does not meet the requirements of an Anticipated Amendment. Unanticipated Amendments do not include cost overruns or reinstatements.

(b) Limited Amount. The Department may make one or more Unanticipated Amendments to a Contract without any additional competitive process, provided the cumulative amounts of all Unanticipated Amendments do not exceed 20% of the Original Contract amount, and subject to section (1) of this rule.

(c) Unlimited Amount. The Department may make one or more Unanticipated Amendments to a Contract without any additional competitive process and for an unlimited amount, subject to section (1) of this rule, and provided the Department's Designated Procurement Officer gives written approval of the Unanticipated Amendment as meeting the following requirements:

(A) The Unanticipated Amendment is due to circumstances that were unforeseen at the time the original Contract was established;

(B) The Unanticipated Amendment does not represent any important general change that alters the essential identity or main purpose of the original Contract, nor is of such importance that it should be a new undertaking; and

(C) The Unanticipated Amendment serves the public interest, including specific reasoning to support that conclusion. Reasons may include, but

are not limited to: To address emergencies arising in the course of the Contract that require prompt action to protect the Work already completed or Goods delivered; to comply with official or judicial commands or directives issued during contract performance; or to ensure that the purpose of the Contract will be realized.

(4) Cost Overruns.

(a) Unless the Contract provides that the maximum total compensation is based on an estimate and is subject to amendment, if Contractor expends all authorized compensation but the required Goods, Work or Services are not complete or are not satisfactory, Contractor is responsible to complete the Goods, Work or Services to Department's satisfaction without further compensation.

(b) Notwithstanding the general rule in subsection (4)(a) above, Department may, by Amendment to the Contract, agree to increases in the maximum total compensation, subject to section (1) of this rule, and provided the Department's Designated Procurement Officer gives written approval of the Cost Overrun Amendment as meeting the following requirements:

(A) The cost overrun arose out of circumstances or conditions encountered in the course of contract performance that were unavoidable and not reasonably anticipated at the time of the original Contract, or the most recent Amendment, if any;

(B) The cost overrun was incurred in good faith, results from the good faith performance by the Contractor, and is no greater than the prescribed hourly rate or the reasonable value of the additional Goods, Work or Services rendered; and

(C) The Cost Overrun Amendment serves the public interest, including specific reasoning to support that conclusion. Reasons may include, but are not limited to: To address emergencies arising in the course of the Contract that require prompt action to protect the Work already completed; to comply with official or judicial commands or directives issued during contract performance; or to ensure that the purpose of the Contract will be realized.

(5) Reinstatements.

(a) "Reinstatement" of an expired Contract means an amendment to restore the full action of the Contract as though the expiration had not occurred, and extend the Contract to a new expiration. A reinstatement may be combined with any other amendment allowed by this rule.

(b) The Department's Designated Procurement Officer may give written approval to reinstate an expired Contract if the following requirements are met:

(A) The failure to extend or renew the Contract in a timely manner was due to unforeseen or unavoidable conditions, or if due to administrative mistake, the reason for the mistake and the steps taken to prevent similar mistakes;

(B) The expiration occurred in good faith on the part of both the Department and the Contractor;

(C) The reinstatement furthers the public interest, compared to a separate procurement process, including specific reasoning to support that conclusion; and

(D) The request to reinstate must be made no later than 90 days after expiration of the original Contract.

(e) When a Contract is reinstated pursuant to this section, the Department may compensate the Contractor only at the rate or terms of compensation established in the original Contract, for Goods, Work or Services performed in the interim between the expiration of the original Contract and the execution of the Reinstatement Amendment.

(6) Amendments of Contracts for Architectural, Engineering and Land Surveying Services. This rule does not apply to amendments of Contracts for Architectural, Engineering and Land Surveying Services. The Department will comply with the Oregon Department of Justice Model Public Contract Rules, OAR chapter 137, division 048 for amendments to such contracts.

Stat. Auth.: ORS 285A.075

Stats. Implemented: ORS 285A.075 & 279.070

Hist.: EDD 11-2005, f. 11-30-05, cert. ef. 12-1-05; EDD 26-2008, f. 8-28-08, cert. ef. 9-1-08; OBDD 37-2010, f. 10-29-10, cert. ef. 11-1-10

## 123-006-0045

### Sole Source Procurements, by Rule.

The Department may procure goods or services for the following subjects without competition:

(1) **Advertising.** This covers all types of advertising, including booth space at trade shows and exhibitions.

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(2) **Bond Counsel.** The Department will follow the procedures and requirements of ORS 286A.130 and any applicable Oregon Administrative Rules.

(3) **Event Speakers.** This covers those contracts for event speakers such as a keynote address. This does not cover those contracts for services such as training instructors or facilitators of meetings.

Stat. Auth.: ORS 285A.075  
Stats. Implemented: ORS 285A.075, 279A.070 & 279B.075  
Hist.: EDD 26-2008, f. 8-28-08, cert. ef. 9-1-08; OBDD 37-2010, f. 10-29-10, cert. ef. 11-1-10

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**Rule Caption:** These rules are being repealed and incorporated into 123-006.

**Adm. Order No.:** OBDD 38-2010

**Filed with Sec. of State:** 10-29-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 10-1-2010

**Rules Repealed:** 123-125-0000, 123-125-0020, 123-125-0040

**Subject:** These rules are being repealed. Minor language relating to these rules will be added to 123-006.

**Rules Coordinator:** Mindee Sublette—(503) 986-0036

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**Rule Caption:** Temporary Coalition of Brownfields Clean-up Fund rules are becoming permanent.

**Adm. Order No.:** OBDD 39-2010

**Filed with Sec. of State:** 10-29-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 10-1-2010

**Rules Amended:** 123-140-0010, 123-140-0020, 123-140-0030

**Rules Repealed:** 123-140-0010(T), 123-140-0020(T), 123-140-0030(T)

**Subject:** These rules were temporarily filed in May of 2010 and now becoming permanent. Loan agreement conditions were updated to comply with statute.

**Rules Coordinator:** Mindee Sublette—(503) 986-0036

## 123-140-0010

### Purpose, Scope, and Incorporated Documents

(1) As provided in Oregon Revised Statutes (ORS) 285A.190, the Oregon Business Development Department shall administer the federally funded revolving fund to provide cleanup financing to eligible publicly and privately owned brownfields as authorized by the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (P.L. 107-118).

(2) Oregon Coalition Brownfields Cleanup Fund Program is funded through a cooperative agreement (BF-97080301, and as amended from time to time) between the U.S. Environmental Protection Agency and Department and includes any program income generated as a result of Department loans to Recipients as provided for in ORS 285A.192. The primary objectives of the Program are to:

(a) Remove or abate environmental health risks at sites not yet addressed by the private market;

(b) Provide resource assistance to rural, distressed, or affected communities allowing them to build quality, livable communities and neighborhoods; and

(c) Employ a problem-solving philosophy of coordination through state and local partnerships.

Stat. Auth.: ORS 285A.190, 285A.192 & 285A.075  
Stats. Implemented: ORS 285A.190  
Hist.: EDD 9-2006, f. 10-30-06, cert. ef. 10-31-06; OBDD 8-2010, f. 3-30-10, cert. ef. 4-1-10; OBDD 19-2010(Temp), f. & cert. ef. 5-21-10 thru 11-17-10; OBDD 39-2010, f. 10-29-10, cert. ef. 11-1-10

## 123-140-0020

### Definitions

For the purposes of these rules additional definitions may be found in Procedural Rules, OAR 123-001. For purposes of this division of administrative rules, unless the context demands otherwise:

(1) "Applicant" means any public or private entity that is eligible under OAR 123, division 140 to receive an OBCF loan or grant and that has control over or access to a brownfields site, except those entities that may potentially be liable under CERCLA, or are currently suspended or debarred from receiving federal funding, or are otherwise declared ineligible.

(2) "Brownfields" means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

(3) "CERCLA" means the Comprehensive Environmental Response, Compensation and Liability Act (42 United States Code 9601) as amended by the Small Business Liability Relief and Brownfields Revitalization Act (P.L. 107-118), and any subsequent amendments.

(4) "Fund" means the Oregon Coalition Brownfields Cleanup Fund.

(5) "Non-profit Organization" means as defined at Section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999 except those non-profit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995.

(6) "Program" means the Oregon Coalition Brownfields Cleanup Fund Program

(7) "Project" means under this division those remedial and/or removal action activities identified in the Contract for which the Recipient may expend, obligate or commit funds to address cleanup of a brownfields.

(8) "Recipient" means an Applicant that has been awarded an OBCF grant or loan for a Project.

(9) "Remedial and/or Removal Actions" means those eligible cost activities listed in the Program Guidelines and Application Handbook.

(10) "Site" means the parcel or parcels of real property on which the funded activities will be performed;

(11) "USEPA" means the Environmental Protection Agency of the United States federal government.

Stat. Auth.: ORS 285A.190 & 285A.192, 285A.075  
Stats. Implemented: ORS 285A.190

Hist.: EDD 9-2006, f. 10-30-06, cert. ef. 10-31-06; OBDD 8-2010, f. 3-30-10, cert. ef. 4-1-10; OBDD 19-2010(Temp), f. & cert. ef. 5-21-10 thru 11-17-10; OBDD 39-2010, f. 10-29-10, cert. ef. 11-1-10

## 123-140-0030

### Eligible Applicants and Activities

(1) Eligible loan applicants are any public, private, or Non-Profit organization with control over or access to a brownfields site, except those entities which are potentially liable under CERCLA, or which are currently suspended, debarred from receiving federal funding, or are otherwise declared ineligible.

(2) Eligible grant applicants are any public or Non-Profit organization that owns a brownfields at the time the grant is awarded, except those entities which are potentially liable under CERCLA, which are currently suspended, debarred from receiving federal funding, or are otherwise declared ineligible.

(3) Eligible and ineligible activities are defined in CERCLA and in USEPA's Revolving Loan Fund Administrative Manual (October 2004), as well as subsequent revisions or editions of such guidelines.

Stat. Auth.: ORS 285A.190 & 285A.192, 285A.075  
Stats. Implemented: ORS 285A.190

Hist.: EDD 9-2006, f. 10-30-06, cert. ef. 10-31-06; OBDD 8-2010, f. 3-30-10, cert. ef. 4-1-10; OBDD 19-2010(Temp), f. & cert. ef. 5-21-10 thru 11-17-10; OBDD 39-2010, f. 10-29-10, cert. ef. 11-1-10

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## Oregon Department of Education Chapter 581

**Rule Caption:** Modifies form for school sports pre-participation examination.

**Adm. Order No.:** ODE 14-2010

**Filed with Sec. of State:** 11-15-2010

**Certified to be Effective:** 11-15-10

**Notice Publication Date:** 8-1-2010

**Rules Amended:** 581-021-0041

**Rules Repealed:** 581-021-0041(T)

**Subject:** The proposed amendments specify the implementation date for the new pre-participation examination form. These amendments were formerly adopted as a temporary rule.

**Rules Coordinator:** Diane Roth—(503) 947-5791

## 581-021-0041

### Form and Protocol for Sports Physical Examinations

The State Board of Education adopts by reference the form entitled "School Sports Pre-Participation Examination May 2010" that must be used to document the physical examination and sets out the protocol for conducting the physical examination. Medical providers conducting physicals on or after April 30, 2011 must use the form dated May 2010.

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**NOTE:** The form can be found on the Oregon School Activities Association (OSAA) website: [www.osaa.org](http://www.osaa.org)  
Stat. Auth.: ORS 326.051  
Stats. Implemented: ORS 336.479  
Hist.: ODE 24-2002, f. & cert. ef. 11-15-02; ODE 29-2004(Temp), f. & cert. ef. 9-15-04 thru 2-25-05; ODE 4-2005, f. & cert. ef. 2-14-05; ODE 9-2010(Temp), f. & cert. ef. 6-30-10 thru 11-26-10; ODE 14-2010, f. & cert. ef. 11-15-10

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**Rule Caption:** Modifies rule relating to evaluation of student transcripts.

**Adm. Order No.:** ODE 15-2010

**Filed with Sec. of State:** 11-15-2010

**Certified to be Effective:** 11-15-10

**Notice Publication Date:** 8-1-2010

**Rules Amended:** 581-021-0210

**Subject:** OAR 581-022-0031 as adopted by the State Board of Education in April 2009, provided districts with additional options for awarding credit to in-district students. The new rule amendments to OAR 581-021-0210 align the evaluation of student transcripts with the credit options rule previously adopted by the state board. Districts use OAR 581-021-0210 daily to determine the value of credit from out-of-district students entering their schools. Since 1994, additional development of distance learning, and other proficiency based credits have rendered the scope of OAR 581-021-0210 out-of-date.

Additionally, the new rule amendments also specifically address students from military families who have been transferred in and out of state due to active duty orders

**Rules Coordinator:** Diane Roth—(503) 947-5791

## 581-021-0210

### Evaluating Student Transcripts

When evaluating student transcripts, the school district shall:

(1) Accept credits and attendance completed in standard Oregon schools as if they had been earned in the enrolling district consistent with OAR 581-022-1131;

(2) For out-of-state transfer students, accept credits and attendance completed in standard secondary schools as if the requirements had been completed in this state consistent with OAR 581-022-1131;

(3) For transfer students who are dependents of an active duty or deployed member in the uniformed service of the United States, accept credits and attendance as if the requirements had been completed in this state consistent with OAR 581-022-1131.

(a) For purposes of this rule, “active duty” means full-time duty status in the active uniformed service of the United States, including members of the National Guard or the military reserve forces who are on active duty orders pursuant to 10 U.S.C. 1209 and 1211 or 32 U.S.C. 502(f) Active Guard/Reserve status.

(b) For purposes of this rule, “deployed” means that period of time spanning one month prior to a service member’s departure from his or her home station on military orders through six months after return to his or her home station.

(4) For students from private, alternative, or nonstandard public secondary schools:

(a) Determine the value of prior credits consistent with OAR 581-022-1131; and

(b) Determine the number of years of school attendance or equivalent.

(5) Determine placement for students enrolled in kindergarten through grade 8;

(6) Determine the value of credits obtained through home school-based courses, on-line or other distance learning methods in meeting the graduation requirements consistent with OAR 581-022-1131; and

(7) Determine the value of credits obtained in approved community college programs in meeting graduation requirements consistent with OAR 581-022-1131.

Stat. Auth.: ORS 326.051

Stats. Implemented: ORS 326.051 & 326.565

Hist.: EB 31-1993(Temp), f. 10-6-93, cert. ef. 11-6-93; EB 5-1994, f. & cert. ef. 4-29-94; ODE 15-2010, f. & cert. ef. 11-15-10

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**Rule Caption:** Updates and clarifies rules relating to private career school licenses.

**Adm. Order No.:** ODE 16-2010

**Filed with Sec. of State:** 11-15-2010

**Certified to be Effective:** 1-1-11

**Notice Publication Date:** 8-1-2010

**Rules Amended:** 581-045-0014, 581-045-0018, 581-045-0019, 581-045-0032, 581-045-0062

**Subject:** The rule amendments would do the following:

581-045-0014 Exceptions for Schools with Programs also Regulated by Another State Agency – Clarifies intent of this rule by using more specific language; to provide a cross-reference to exceptions granted in another rule to facilitate more accurate updates to the rules in the future.

581-045-0018 Record Keeping and 581-045-0019 School Catalogs – Brings rule requirements into closer alignment with the requirements of accrediting bodies and other federal programs and to provide clarity to the components and level of detail required in student records and school catalogs.

581-045-0032 Standards for Financial Reporting – Updates financial thresholds for specific report types, to adjust language to reflect current industry practice, and clarifies reporting requirements and allow for alternative forms of financial reports

581-045-0062 Application for Private Career School License Renewal – Updates the rule regarding the information required for renewal of a license; to clarify consequences for failure to submit an adequate and timely application; to fix a statutory conflict in the rule.

**Rules Coordinator:** Diane Roth—(503) 947-5791

## 581-045-0014

### Exceptions for Schools with Programs also Regulated by another State Agency

(1) Private career school programs with curriculum or other requirements that are established and approved by another state agency are exempt from having a program advisory committee as defined in OAR-581-045-0013.

(2) While the programs described in section (1) of this rule must meet the Department’s approval criteria for teacher registration, the Superintendent may defer approval of the school’s teachers to the appropriate state agency.

(3) The Superintendent may modify the financial reporting requirements as described in OAR 581-045-0032 or Student Completion and Placement reporting requirements as described in OAR 581-045-0064 for any school or programs described in section (1) of this rule.

Stat. Auth.: ORS 345.325

Stats. Implemented: ORS 345.325

Hist.: ODE 32-2000, f. 12-11-00 cert. ef. 1-1-01; ODE 15-2006, f. 12-11-06, cert. ef. 1-1-07; ODE 16-2010, f. 11-15-10, cert. ef. 1-1-11

## 581-045-0018

### Recordkeeping

(1) Schools must furnish each prospective student, and have evidence of receipt acknowledged by student signature at the time of enrollment, with the following items:

(a) A copy of the school’s most recent catalog that complies with OAR 581-045-0019, with any supplements and correction sheets;

(b) Completion and relevant program performance measures, including but not limited to placement data, as required by accrediting agencies, or certification or state licensing examination passage rates, or placement data for students enrolled in the program for the last two years;

(c) A program outline for the program(s) in which the student may potentially enroll that details the program outcomes, broken down by course including, the core abilities and individual course competencies addressed by the program(s); and

(d) Upon request of the student, a copy of or the web address for the Oregon Revised Statutes and Oregon Administrative Rules that govern Private Career Schools.

(2) Upon enrollment, the student shall receive:

(a) A copy of their enrollment agreement, signed by the student and a school official; the actual enrollment agreement will be retained by the school;

(b) A document signed by the student and that is separate from the enrollment agreement detailing the school’s cancellation policy, which must include a statement that the enrollment agreement constitutes a binding contract; a copy of this document will be retained by the school.

(3) Schools shall maintain a file for each student that must include:

(a) A statement signed by the student at the time of enrollment certifying receipt of all materials indicated in section (1) and (2) of this rule (or copies of materials where indicated);

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(b) The student's actual signed enrollment agreement and cancellation policy acknowledgment;

(c) A copy of the student's signed statement acknowledging receipt of any books, supplies, kits, or other substantial materials required to participate in the instructional program that are issued to the student subsequent to enrollment. The statement must be itemized, indicate the fee paid by the student for the materials (if any), and identify the date the materials were received by the student. If not all materials are issued at the same time, the student must initial the date of receipt each time materials are issued; alternatively, the materials list may contain a statement to the effect that certain indicated materials will be issued at the time of instruction when they are to be used. By initialing the statement, students acknowledge that indicated materials are to be received at a date that corresponds with the sequencing of the instructional program.

(d) If an orientation is offered by the school on or before the first day of classes, an indication of attendance signed by the student on that orientation day acknowledging that school policies and procedures were explained and student questions were answered.

(e) A copy of the student's signed payment plan if separate from the enrollment agreement;

(f) A schedule of anticipated student payments due, payments made, and copies of receipts for all payments;

(g) All documentation regarding third party training contracts, e.g., NAFTA, Vocational Rehabilitation, etc.,

(h) Written progress reports that shall include at a minimum information on how the student is progressing in areas such as classroom attendance and performance (but not used as final grades) updated at appropriate intervals;

(i) Progress reports may be maintained by electronic means provided there is an electronic system in place with sufficient security protocols to allow for student access while maintaining confidentiality. A log of student access activity must be placed in the student file at intervals corresponding with the stated progress report intervals to demonstrate that the student is reviewing the progress report and receiving appropriate feedback and improvement planning;

(j) Copies of any documentation required for admission, or a written evaluation of required documentation, when appropriate, signed by a member of the school admissions staff explaining scoring of documentation and evaluation criteria;

(k) A copy of the results of any enrollment evaluation or examination or evaluation of transfer credit or competencies, and any calculations used to determine awarding of credit or hours;

(l) Record of operations completed, if applicable, with dates and scores received;

(m) Student information that shall include:

(A) Legal name of the student;

(B) Mailing address;

(C) Telephone number;

(D) Student identification number assigned, if any;

(E) Social security number (if student signs disclaimer);

(F) Copy of disclaimer if signed by student acknowledging receipt of disclosure statement regarding the collection and use of social security number;

(G) Date of birth;

(H) Course or program of instruction; and

(I) Date of transfer if appropriate.

(n) The student file must be maintained for a minimum of 3 years after the student has completed or withdrawn.

(4) Schools shall maintain a record of each student's attendance, updated weekly. This record shall include each student's dates and hours of attendance.

(5) Upon the student's satisfactory completion of instruction, schools shall:

(a) Issue an appropriate certificate or diploma; and

(b) Issue appropriate educational transcripts that shall include, but are not limited to:

(A) School name and location;

(B) Student's name;

(C) First and last date of attendance;

(D) Specific program(s) taken;

(E) Clock and credit hours (if applicable);

(F) Grade for each course;

(G) Name of accrediting agency, if the school is accredited;

(H) Statement indicating the school maintains transcripts for a minimum of 25 years; and

(l) Signature of the appropriate school official with school seal (if any) and date of issue.

(6) Schools shall maintain and issue transcripts as follows:

(a) Store transcripts in a safe, vault, or file having a minimum one-hour fire-safe rating unless duplicate records are kept in a safe location outside the school building. The address of locations outside the school building must be on file with the Department;

(b) Keep transcripts of all former students that include the information described in subsection (5)(b)(A)-(H) of this rule for a period of no less than 25 years from date of termination of enrollment. Transcripts must be stored under the same conditions as described in paragraph (a) of this subsection;

(c) Make a student's records available to the student upon request. Availability of records shall comply with the "Family Educational Rights and Privacy Act" (Public Law 93-380 as amended by Public Law 93-568). The educational institution shall respond within a reasonable period of time, but not more than 45 days after receipt of the request;

(d) Deliver to the Superintendent all permanent student transcripts for safekeeping if the school should cease to operate. The Superintendent will maintain the transcripts of all closed schools. If available, certified copies of the transcripts will be provided, when a written request signed by the student, is received at the Department. A non-refundable search fee of \$10 must accompany the request; and

(e) A school may withhold an official transcript, certificate of completion, or diploma if the student has any outstanding debt owed to the school. Forms, letters, questionnaires, or other material printed or written for the purpose of debt collection must clearly and conspicuously state that they are used for the purpose of attempting to collect a debt or attempting to obtain information concerning a debtor.

Stat. Auth.: ORS 345.325

Stats. Implemented: ORS 345.325

Hist.: ODE 32-2000, f. 12-11-00 cert. ef. 1-1-01; ODE 21-2002, f. 9-26-02 cert. ef. 10-1-02;

ODE 17-2003, f. 12-30-03, cert. ef. 1-1-04; ODE 15-2006, f. 12-11-06, cert. ef. 1-1-07; ODE

16-2010, f. 11-15-10, cert. ef. 1-1-11

## 581-045-0019

### School Catalogs

A school catalog shall have numbered pages and include the following elements. If any of the following elements do not appear in the body of the catalog, a reference to other specific documents where the required information appears must be in the catalog. Copies of ancillary documents referred to in the catalog must be approved by and on file with the Department:

(1) Name, address, phone number, and other relevant contact information (e.g., fax number, website address) of the school;

(2) Effective dates for the catalog, not to exceed one year, and other reference identifiers such as volume or edition, or version numbers, etc.;

(3) A Table of Contents;

(4) Name(s) of school owner(s);

(5) Names and positions of administrative and instructional staff;

(6) Names and contact information for all licensing and accrediting institutions that have governing authority over the school;

(7) School's mission statement;

(8) The educational or vocational objective of each program including the name and level of occupations for which the program purports to train;

(9) The number of clock hours and credit hours (if applicable) of instruction in each program and the length of time in weeks or months expected for completion; if a program is lesson based, the number of lessons comprising the program must also be included;

(10) Maximum time allowed for completion of each program;

(11) A complete listing and description of courses offered by program, describing subjects included in each course in sufficient detail to clearly identify the scope, sequence, and coverage of the training. If a course is for the purpose of continuing education or self-improvement, the course must be clearly identified as such;

(12) A description of the school's physical facilities, equipment, and instructional resources available for student use, including a description of any library or media resources available to the student, and the policies governing use of these resources;

(13) Admission process including:

(a) Admission requirements;

(b) Documentation requirements;

(c) Criteria for acceptance on each requirement;

(d) Schedule of all admission fees and the purpose of each listed fee;

(e) Ability to benefit (ATB) policy;

(A) If a school uses an ATB test, the school must provide;

(i) The name of ATB test used;

## ADMINISTRATIVE RULES

- (ii) The name and location of proctor;
- (iii) The method of test administration; and
- (iv) The minimum acceptable score; or
- (B) If the school does not use an ATB test, the alternative methods of determining ability to benefit and accompanying procedures and criteria used by the school;
  - (f) Identity verification policy (if applicable);
  - (g) Drug testing policy (if applicable);
  - (h) Policy for notification of acceptance or denial of admissions request including time lines;
    - (i) Reapplication policy for denied applicants;
    - (j) A statement of non-discrimination for admission on the basis of sex, age, race, color, religion, ethnic origin, or sexual orientation.
- (14) Transfer policy, including:
  - (a) Documentation requirements for previous training or experience;
  - (b) Method for evaluating documentation of previous training or experience;
  - (c) Description of any skills evaluation processes or exams given by the school to determine credit to award for previous training or experience;
  - (d) Time line for evaluation process and notification of results;
  - (e) Description of how program requirements, cost and length will be adjusted;
- (15) Enrollment process, including:
  - (a) A school calendar indicating enrollment / registration dates, start and end dates for each program, holidays, other days school is not in session, and any other important dates that are reasonably likely to affect the decision of a potential student to enroll;
  - (b) Schedule of enrollment fees showing cost of tuition, registration fee, other instructional fees for books, supplies, laboratory time, etc., and any other costs for which the student may be responsible. Schedule will present total costs for each program offered and provide clear disclosure of what is and is not included specifically in the individual fee for tuition. This information may be presented as an addendum or insert to the publication. A copy of the current fee schedule must be on file with the Department at all times.
  - (c) Options and terms for payment of tuition and other fees, including clear disclosure of any associated discounts and deposits required, with timing of such deposits indicated;
  - (d) Fee waiver policy, criteria, and procedure;
  - (e) Criteria for any in-house scholarship programs available, the process for application, notification of award or denial, the disbursement schedule, and the credit methodology;
  - (f) Clear disclosure of policy for return of books, supplies, or other materials, and refund of fees paid for such items;
  - (g) State approved refund policy or school's refund policy if determined by the Superintendent or designee to be more favorable to the student;
  - (h) Clear and conspicuous disclosure of student's cancellation rights;
- (16) Policies and procedures relating to:
  - (a) Attendance, including course minimum and program cumulative satisfactory progress standards;
  - (b) Excused and unexcused absence criteria and effect of such absence on satisfactory attendance progress;
  - (c) Tardiness;
  - (d) Leaves of absence, including how a leave of absence affects satisfactory attendance progress;
  - (e) Make-up work;
  - (f) Overall grading system, including rating scale, point system, or other rubric used, with definitions of performance indicated by rating levels or ranges;
  - (g) All institutions with which the school has an articulation agreement, if applicable;
  - (h) Academic satisfactory progress standards for:
    - (A) Minimum acceptable performance for courses and programs according to grading system;
    - (B) Cumulative acceptable performance for programs according to grading system; and
    - (C) Frequency and method of reporting student progress, including:
      - (i) Elements of performance reported on;
      - (ii) Recourse of student to challenge report information and process for doing so;
      - (iii) Process for performance improvement planning and other uses of progress reports;
      - (iv) Effect of course incompletes, repetitions, and remedial courses on satisfactory progress calculations
- (17) Specific requirements for graduation or completion;
- (18) Description of the certificate, diploma, or credential awarded upon graduation or completion;
- (19) If the school has negotiated any articulation agreements with other institutions for transfer or awarding of credit based on course completion at the school, a description of those articulation agreements will be included in the school catalog. Description will include at a minimum:
  - (a) Name of all institutions with which an official articulation agreement is in place;
  - (b) Name of all programs or courses that are eligible for transfer to each institution identified;
  - (c) Description of process to initiate request for transfer of credit.
- (20) Policies and procedures relating to discipline:
  - (a) Description of verbal and written warning systems including number and timing of warnings issued of each type and how warnings trigger further disciplinary action. When a student receives a verbal or written warning, the student will sign an acknowledgment that they have received a warning. This acknowledgment does not constitute agreement by the student with the content of the warning.
    - (b) Student conduct standards, including:
      - (A) Standards regarding discriminatory behavior of students against other students, school personnel, or other related persons;
      - (B) Clear disclosure of types of conduct violations;
      - (c) Probation, including:
        - (A) Clear indicators for when probation is invoked, according to stated standards for conduct and satisfactory progress;
        - (B) Length of probation and terms for reinstatement to good standing;
        - (C) Number of times probation is allowed in a set period of time and the consequences if that number is exceeded;
        - (D) Effect of probationary status on satisfactory progress standards and student financial obligations and awards;
      - (d) Suspension, including:
        - (A) Clear indicators for when suspension is invoked, according to stated standards for conduct and satisfactory progress;
        - (B) Length of suspension and terms for reinstatement to good standing;
        - (C) Number of times suspension is allowed in a set period of time and the consequences if that number is exceeded;
        - (D) Effect of suspension status on satisfactory progress standards and student financial obligations and awards;
      - (e) Termination, including:
        - (A) Clear indicators for when termination is invoked, according to stated standards for conduct and satisfactory progress;
        - (B) Effect of termination on student's financial obligation to the school.
      - (f) Policies and procedures relating to reinstatement or reentry:
        - (A) When student's withdrawal was voluntary and the student was in compliance with all school policies, and
        - (B) When the student's withdrawal was not voluntary and involved noncompliance of academic, attendance, or conduct policies, or financial obligations, or any combination thereof.
      - (g) A discrimination policy, including:
        - (A) Standards for treatment of students who are members of protected classes as defined in ORS 659.850;
        - (B) Recourse of students who believe they have been discriminated against, including this statement: "Any person unlawfully discriminated against, as described in ORS 345.240, may file a complaint under ORS 659A.820 with the Commissioner of the Bureau of Labor and Industries";
        - (C) Statement that school's policies governing employees will be enforced in situations where instructional staff or other school personnel have been found to have engaged in discriminatory behavior;
    - (21) A student grievance policy, which includes:
      - (a) The process for initiating a complaint or grievance against the school, its staff, or students;
      - (b) Appeal process, including point of contact for initiating appeal;
      - (c) School personnel, by name or by position, involved in evaluating an appeal. This staff person or group of persons shall not include the same staff that evaluated and ruled on the initial grievance;
      - (d) Time line for issuing a decision on an appeal; and
      - (e) This statement: "students aggrieved by action of the school should attempt to resolve these problems with appropriate school officials. Should this procedure fail students may contact: Oregon Department of Education, Public Service Building, (use current address), Salem, OR 97310-0203." After consultation with appropriate Department staff and if the complaint alleges a violation of Oregon Revised Statutes 345.010 to 345.470 or

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standards of the Oregon Administrative Rules 581-045-0001 through 581-045-0210, the Department will begin the complaint investigation process as defined in OAR 581-045-0023 Appeals and Complaints.

(22) Student Services, including:

(a) A description of the extent and nature of placement assistance provided to students and graduates, including but not limited to:

(A) Job search techniques;

(B) Resume' writing or the industry equivalent;

(C) Job interview techniques or the industry equivalent;

(D) The assistance the school provides in establishing job contacts or interviews for graduates;

(E) A clear statement that the institution does not and cannot guarantee employment;

(b) Specifics describing the availability of and eligibility for student housing.

(c) Availability of career or other counseling services.

(d) Statement of rights of student to access their files and procedure for doing so.

(e) Policy regarding release of information about an individual student, including applicable requirements of the "Family Educational Rights and Privacy Act" (FERPA) (Public Law 93-380 as amended by Public Law 93-568), and

(f) Other student services, if any.

Stat. Auth.: ORS 345.325

Stats. Implemented: ORS 345.325

Hist.: ODE 32-2000, f. 12-11-00 cert. ef. 1-1-01; ODE 17-2003, f. 12-30-03, cert. ef. 1-1-04;

ODE 15-2006, f. 12-11-06, cert. ef. 1-1-07; ODE 16-2010, f. 11-15-10, cert. ef. 1-1-11

## 581-045-0032

### Standards for Financial Reporting

(1) All private career schools shall submit at initial licensing, and annually thereafter in conjunction with the license renewal, financial information reflecting the fiscal condition of the school at its start-up or at the close of its most recent fiscal or calendar year, whichever is applicable. For such purposes the information submitted shall conform to the following:

(a) At initial application for licensing, the school must submit a business plan based on the major goals of the school for the first two years of operation along with the methods and procedures for achieving the goals. Included as part of the plan will be an opening balance sheet, along with worksheets documenting the source and method of calculation for amounts listed on the balance sheet. The school shall have sufficient capital to provide all the appropriate instruction, support and administrative services (including appropriate comprehensive general liability insurance), staffing, equipment, and facilities. The Superintendent will use financial ratios relevant to the private career school industry, such as those suggested by national professional organizations, accrediting organizations, and other appropriate financial statistics to determine the sufficiency of the planned capital. The plan also shall include a projected income statement showing the projected income and expenses for each of the first two years of operation, with the first year's projections calculated on a monthly basis, and the second year's projections calculated on a quarterly basis.

(b) In addition to the licensing requirements cited in subsection (1)(a) of this rule, financial requirements shall be based on a school's ability to fulfill its obligations to students, meet refund obligations, meet operational expenses and other financial obligations, and make the required contributions to the existing tuition protection fund. When the sufficiency of the planned capital is questionable, the Superintendent may require mechanisms be put in place to ensure the availability of operating funds and funds required to satisfy student tuition refund requests, including but not limited to a letter of credit, or the escrow of unearned tuition funds.

(c) The financial report for license renewal may be prepared by the school owner or competent school personnel for schools with gross annual tuition income of less than \$225,000. Such report shall cover the most recent annual accounting period completed. The balance sheet information must clearly show all assets, liabilities, and net worth, while the income statement must clearly show the profit or loss for the fiscal year. Each school also must provide a cash flow statement showing its:

(A) Cash flow from operations;

(B) Cash flow used in investing; and

(C) Cash flow from financing activities.

(d) The information for license renewal must also show total instructional income and expense for the school for the preceding fiscal year, along with supporting worksheets and documentation as provided by the Superintendent. If a school offers both licensed programs and programs exempt from licensure, total instructional income for licensed programs and exempt programs shall be displayed separately so that gross tuition income

from which license fees and the tuition protection fund assessment will be computed is clearly identified. At the option of the school owner, expenses may or may not be displayed separately for licensed and exempt programs. The amount of the tuition protection fund assessment required for an initial license will be computed on the basis of projected first year tuition income but shall not be less than a liability limit of \$6,250;

(e) At the option of the school, the financial report may be in the format provided by the Superintendent;

(f) Each school must certify in its financial report that all refunds due students have been made and are not in default. If any refund requests are pending, the school must disclose this information along with a status report of the request(s); documentation prepared for accreditation reviews or from reviewed financial reports may be submitted to satisfy this requirement;

(g) In all instances, information supplied must be certified true and correct by the school owner or an authorized representative;

(h) Schools reporting gross tuition income between \$225,000 and \$1,999,999, inclusive, will submit a reviewed financial report that conforms to Generally Accepted Accounting Principles (GAAP) and is completed and signed by an independent Certified Public Accountant (CPA). In lieu of a reviewed financial report, schools may submit income tax forms if all of the following conditions are met:

(A) The income tax forms were prepared and signed by an independent Certified Public Accountant (CPA), and

(B) The income tax forms are reporting financial information solely for the career school or the organization within which the school function is embedded if the career school is not a legal entity in its own right, and

(C) The school or organization's fiscal year matches the tax year, and

(D) All sensitive information such as social security numbers have been redacted, and

(E) The income tax forms are complete with all related schedules and worksheets and include all information that would be used to prepare a reviewed financial report, and

(F) The requirements of subsection 1(d) of this rule are met. Separate forms displaying tuition costs for licensed programs versus exempt programs and other activities must be included if the career school is embedded within the operation of a larger organization and is not a legal entity in its own right.

(G) Any income tax forms received by the Oregon Department of Education that do not meet the requirements of subsection 1(h) (A) to (F) will be shredded upon receipt.

(i) Schools that are accredited and offer students state or federal financial aid may not submit income tax forms and must submit an audited financial report signed by an independent Certified Public Accountant, regardless of amount of gross tuition income.

(j) Schools reporting gross tuition income of \$2,000,000 or more will submit an audited financial report that conforms to Generally Accepted Accounting Principles, (GAAP), Generally Accepted Audit Standards, (GAAS), and Statements for Accounting and Review Services (SAARS) currently in effect.

(2) If after analyzing a school's financial reports and records, the Superintendent determines the school is not financially responsible, as described in OAR 581-045-0063, or that the school's records are incomplete or inaccurate, the Superintendent may require the school to submit within 75 calendar days of written notice:

(a) An audited financial report signed by an independent Certified Public Accountant (CPA); and

(b) Its most recent federal and state income tax reports.

(3) The Superintendent may waive or modify all or part of the requirements in sections (1) and (2) of this rule for a school that operates within the context of a larger business structure and is not a legal business entity in its own right, or has other financial considerations that are best evaluated through examination of a different set of financial data..

Stat. Auth.: ORS 345.325(8)

Stats. Implemented: ORS 345.325

Hist.: 1EB 34-1978, f. & ef. 10-5-78; 1EB 30-1986, f. & ef. 7-23-86; EB 11-1990, f. & cert.

ef. 2-1-90; EB 13-1996, f. & cert. ef. 7-26-96; Renumbered from 581-045-0016, ODE 32-

2000, f. 12-11-00 cert. ef. 1-1-01; ODE 17-2003, f. 12-30-03, cert. ef. 1-1-04; ODE 15-2006,

f. 12-11-06, cert. ef. 1-1-07; ODE 16-2010, f. 11-15-10, cert. ef. 1-1-11

## 581-045-0062

### Application for Private Career School License Renewal

(1) Each school shall annually renew its license. At least 60 calendar days prior to the anniversary date of its license, the school must file with the Department a completed application for license renewal, including:

(a) Current financial reports as required by OAR 581-045-0032;

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(b) Financial report certification form signed by the school's owner or chief administrative officer;

(c) A current and accurate enrollment agreement or contract;

(d) A copy of the catalog that will be in effect for the instructional year that commences during the reporting period for which the license is being renewed. The catalog submission must include an indication of changes that have been made to the structure or wording of the catalog contents;

(e) A copy of any student handbook, addendums, or supplements to the school catalog, and any additional policies and requirements provided to the student that will be in effect for the instructional year that commences during the reporting period for which the license is being renewed. Submission of these materials must include an indication of changes that have been made to the structure or wording of these materials as previously approved by the Department;

(f) Copies of any advertising materials used to recruit new students;

(g) Affidavit of ownership form, signed by all owners holding more than 10% ownership in the school, or by the chief corporate officer (other than the campus president) for publicly held companies;

(h) Affidavit of non-delinquency for student refunds, signed by the school owner or chief administrative officer, as described by OAR 581-045-0032 1(f);

(i) Student enrollment, completion, and placement information as described in section (3) of this rule;

(j) Roster of all instructional staff utilized during the reporting period with dates of service and gross earnings paid;

(k) Information regarding changes to the instructional design as described in section (4) of this rule;

(l) License renewal fee and any outstanding penalties, late fees, or other charges owing to the Department of Education.

(2) If a school has been licensed for three years or more and there are no changes in the school's structure, the Superintendent may allow the school to submit an abbreviated renewal application that confirms the school's compliance with applicable Oregon Revised Statutes and Oregon Administrative Rules. Such abbreviated renewal application shall include the required renewal fee.

(3) The school must provide the following information on the forms provided by the Department for the reporting period:

(a) Names and enrollment information for all students continuing from the prior enrollment period;

(b) Names and enrollment information for all students who enrolled in the program during the reporting period;

(c) Names and enrollment information for all students who left the program without completing it during the reporting period;

(d) Names and enrollment information for all students who transferred between programs during the reporting period;

(e) Names and enrollment information for all students who were graduated from the program during the reporting period; and

(f) Names of those who graduated and were placed or are working in directly related occupations during the reporting period, along with employer information.

(4) If any changes have occurred in the instructional design for any course or program during the previous reporting period or changes are anticipated during the new reporting period, these changes will be submitted to the Department for review and approval.

(5) If the applicant school accepts enrollment of minors, or employs agents who have contact with persons under the age of 18 on behalf of the applicant school, the provisions of OAR 581-045-0003 will apply to any subject individuals the school currently employs or proposes to hire.

(6) An application for renewal of license shall be considered late if not postmarked (or date stamped if hand delivered to the Department) before or on the due date. The Superintendent as allowed under ORS 345.995 and OAR 581-045-0190(5) may impose a late fee for each calendar day the renewal application is late. Such fees, where applicable, shall be included with the renewal application.

(7) The Superintendent may invoke license suspension as defined in OAR 581-045-0001 and begin revocation procedures pursuant to ORS 183.413-497 when:

(a) A school fails to submit the application for license renewal by the due date as described in section (1) of this rule;

(b) The application does not include accurate or adequate, or complete materials necessary for license renewal; or

(c) The school is on probation and not making satisfactory progress to comply with all provisions of the program improvement plan.

(8) License renewal may be denied when a renewal application is incomplete or received by the Department less than 30 days before the license expiration date. Pursuant to ORS 183.484, denial of license renewal on these grounds is an order in other than a contested case. Appeal of the decision to deny may be made by written request to the Circuit Court within 60 days of the issuance of the denial order.

(9) The Superintendent may conditionally approve a license renewal providing a school agrees to a program improvement plan acceptable to the Superintendent. Conditional license approval shall be subject to the provisions of ORS 345.030(8). The conditional license issued by the Department shall include the period and dates of effectiveness of the license.

Stat. Auth.: ORS 345.030

Stats. Implemented: ORS 345.030

Hist.: EB 13-1996, f. & cert. ef. 7-26-96; Renumbered from 581-045-0004 by ODE 32-2000, f. 12-11-00 cert. ef. 1-1-01; ODE 21-2002, f. 9-26-02 cert. ef. 10-1-02; ODE 15-2006, f. 12-11-06, cert. ef. 1-1-07; ODE 3-2010, f. & cert. ef. 2-8-10; ODE 16-2010, f. 11-15-10, cert. ef. 1-1-11

## Oregon Health Licensing Agency Chapter 331

**Rule Caption:** Decrease temporary license fees for the Respiratory Therapy and align late fees with other agency programs.

**Adm. Order No.:** HLA 7-2010

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 7-1-2010

**Rules Adopted:** 331-715-0045

**Rules Amended:** 331-705-0050, 331-705-0060, 331-710-0010, 331-710-0020, 331-710-0030, 331-715-0000, 331-715-0010, 331-715-0030, 331-720-0010, 331-720-0020, 331-725-0020

**Rules Repealed:** 331-720-0000

**Subject:** General amendments to Oregon Administrative Rules, Chapter 331, Divisions 705 to 725 were made to align current industry, agency and statewide rulemaking standards and principles.

Amendments were made to align with administrative rules for all Oregon Health Licensing Agency programs pertaining to fee structure, application and identification requirements, examination, and affidavit of licensure. Align renewal requirements with agency model.

The following amendments were made:

- Define "place" as referenced in ORS 688.805 to specify emergency and ambulatory settings;
- Require specific documentation verifying completion of education and defining supervision for a temporary license holder;
- Requirements for displaying and posting licenses.
- Clarify documentation required for audit; and
- Clarify procedure for providing incomplete continuing education documentation.

• Adopt 331-715-0045, Pharmacological Agents, to set general parameters around intravenous pharmacological agents administered by respiratory therapists including a distinction between administering and monitoring of the patient.

**Rules Coordinator:** Samantha Patnode—(503) 373-1917

### 331-705-0050

#### Definitions

The following definitions apply to OAR 331-705-0000 through 331-720-0020:

(1) "Affidavit of Licensure" means an original document or other approved means of verifying an authorization to practice (certification, licensure or registration) status and history, including information disclosing all unresolved or outstanding penalties and/or disciplinary actions. Refer to OAR 331-030-0040.

(2) "Agency" means the Oregon Health Licensing Agency. The agency is responsible for the budget, personnel, performance-based outcomes, consumer protection, fee collection, mediation, complaint resolution, discipline, rulemaking and record keeping.

(3) "Certified Respiratory Therapist (CRT)" applies to a person who has satisfactorily completed the Certified Respiratory Therapist examination issued by the National Board for Respiratory Care.

(4) "National Board for Respiratory Care (NBRC)" means the National Board for Respiratory Care, which provides credentialing and examination services for the respiratory care profession.



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(5) "Place" as referenced in ORS 688.805 includes but is not limited to practicing respiratory care in emergency and ambulatory settings.

(6) "Registered Respiratory Therapist (RRT)" applies to a person who has satisfactorily completed the Registered Respiratory Therapist examination issued by the National Board for Respiratory Care.

Stat. Auth.: ORS 676.605, 676.615 & 688.830

Stats. Implemented: ORS 676.605, 676.615 & 688.830

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-705-0060

### Fees

(1) An applicant or licensee are subject to the provisions of OAR 331-010-0010 and 331-010-0020 regarding the payment of fees, penalties and charges.

(2) Fees established by the Oregon Health Licensing Agency are as follows:

(a) Application:

(A) License: \$150.

(B) Temporary license: \$50.

(b) Examination — Oregon laws & rules: \$50.

(c) Original issuance of authorization to practice:

(A) License: \$100 for two years.

(B) Temporary license (six month, non renewable): \$50.

(d) Renewal of license: \$100 for two years.

(e) Delinquent (late) renewal of license: \$50 for each year in expired status up to three years.

(f) Restoration of license: \$100.

(g) Replacement of license, including name change: \$25.

(h) Duplicate license document: \$25 per copy with maximum of three.

(i) Affidavit of licensure for reciprocity: \$50.

(j) Reactivation: \$150

(k) An additional \$25 administrative processing fee will be assessed if a NSF or non-negotiable instrument is received for payment of fees, penalties and charges. Refer to OAR 331-010-0010.

Stat. Auth.: ORS 688.830(9)

Stats. Implemented: ORS 688.830(9)

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 1-1998(Temp), f. & cert. ef. 3-20-98 thru 4-1-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HDLP 2-2002, f. 12-20-02 cert. ef. 1-1-03; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 7-2008, f. 9-15-08, cert. ef. 10-1-08; HLA 2-2009(Temp), f. 11-30-09, cert. ef. 12-1-09 thru 5-15-10; HLA 1-2010, f. 2-26-10, cert. ef. 3-1-10; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-710-0010

### Application Requirements

An individual applying for licensure to practice respiratory care must:

(1) Meet the requirements of OAR 331 division 30.

(2) Submit must be at least 18 years of age, and must provide documentation, confirming date of birth, such as a copy of the birth certificate, driver's license, passport or school/military/governmental.

(3) Submit a completed application form prescribed by the agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application and license fees.

(4) In addition to requirements listed in subsection (1) through (3) of this rule, an applicant must provide documentation of one of the following pathways:

#### LICENSE PATHWAY ONE

(a) National Credential: Official documentation of a passing score, successfully completed within one year preceding the date of application, of the CRT examination or RRT examination mailed by the NBRC to the agency. Copies of examination results or other documentation provided by the applicant are not acceptable. The applicant is responsible for payment of fees assessed by NBRC in obtaining required official documentation.

#### LICENSE PATHWAY TWO

(b) Out of State Licensure: Applicants who hold a current license to practice respiratory care issued from another city, county, or state which meets or exceeds Oregon standards must provide an Affidavit of Licensure as defined in OAR 331-030-0040 to the agency. The applicant is responsible for payment of any service fee the originating state may assess for producing the affidavit. The following must be provided with the affidavit of licensure:

(A) Evidence the applicant has satisfactorily passed the NBRC examination or a state prepared examination that has been approved by the Board as being equivalent to the national examination.

Stat. Auth.: ORS 676.605, 676.615, 688.815 & 688.830

Stats. Implemented: ORS 676.605, 676.615, 688.815 & 688.830

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLO 10-2004(Temp), f. & cert.

ef. 11-8-04 thru 3-31-05; HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-710-0020

### Application for Temporary Licensure; Expiration; Changes in Employment Status

(1) Temporary License is a license issued for a period of six months, which is not renewable, authorizing an applicant for licensure to practice respiratory care under supervision pending passage of the qualifying examination.

(2) For the purpose of this rule supervision means the required presence of a licensed respiratory therapist or qualified Medical Director within the work location at the same time as the applicant working under a "temporary license".

(3) Application for temporary licensure may be made by an individual who has completed training and would like to begin supervised practice pending passage of the qualifying examination.

(4) An individual applying for temporary licensure must meet the requirements of OAR 331-030-0000 in addition to the provisions of this rule.

(5) An applicant must submit an application form prescribed by the agency and be accompanied by payment of the application and temporary license fees. The applicant must arrange for a statement signed by an official from a college or university, sent directly to the agency, verifying the applicant has completed all work necessary to obtain a degree in respiratory care.

(6) The temporary applicant must submit the following items within 30 days of application, or, if application precedes employment, within 30 days of hire:

(a) Employer's name, address and telephone number; and

(b) Name and credentials of supervisor.

(7) A temporary license must be issued when all requirements have been met, and must expire the last day of the month six months from the date of issuance. Temporary licenses are not renewable.

(8) A temporary license holder must notify the agency within 30 calendar days of changes in employment status.

Stat. Auth.: ORS 676.605, 676.615, 688.815 & 688.830

Stats. Implemented: ORS 676.605, 676.615, 688.815 & 688.830

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-710-0030

### Examination

(1) The Board has selected the CRT or RRT examination administered by the NBRC as its minimal qualifying examination for licensure. Individual applicants are responsible for payment of all NBRC application, examination, national certification or other fees directly to NBRC.

(2) An applicant who meets the educational requirements and has achieved a passing score on the examination must request that certification of the passing score be sent from the NBRC to the agency as a prerequisite to application.

Stat. Auth.: ORS 676.605, 676.615 & 688.830

Stats. Implemented: ORS 676.605, 676.615 & 688.830

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-715-0000

### License Display and Posting Requirements

(1) A licensee must show proof of valid license with the agency upon request or post the license document in public view at the licensee's primary workplace.

(2) A licensee may temporarily conceal the address printed on the license document with a covering that is removable.

(3) A licensee must carry the license identification card (pocket card) with them, or post in plain view, the official license anytime services are being provided.

Stat. Auth.: ORS 676.605, 676.615 & 688.830

Stats. Implemented: ORS 676.605, 676.615 & 688.830

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 1-1998(Temp), f. & cert. ef. 3-20-98 thru 4-1-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HDLP 2-2001, f. & cert. ef. 5-1-01; HDLP 3-2001, f. 6-29-01, cert. ef. 7-1-01; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-715-0010

### License Issuance and Renewal

(1) LICENSING: A licensee is subject to the provisions of OAR Chapter 331, division 30 regarding the issuance and renewal of a license,

# ADMINISTRATIVE RULES

and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.

(2) **LICENSE RENEWAL:** License renewal must be made prior to the license entering inactive status. The licensee must submit the following:

- (a) Renewal application form;
- (b) Payment of required renewal fee pursuant to OAR 331-705-0060;
- (c) Attestation of having obtained required continuing education pursuant to OAR 331-720-0010;

(3) **INACTIVE LICENSE RENEWAL:** License renewal made after the license enters inactive status. A license may be inactive for up to three years. The licensee must submit the following:

- (a) Renewal application form;
- (b) Payment of delinquency and license fees pursuant to OAR 331-705-0060;
- (c) Attestation of having obtained required continuing education pursuant to OAR 331-720-0010;

(4) **EXPIRED LICENSE:** A license that has been inactive for more than three years is expired and must meet the requirements listed in OAR 331-710-0010.

(5) A licensee failing to meet continuing education requirements listed under OAR 331-720-0010 must reapply and meet requirements pursuant to OAR 331-710-0000.

Stat. Auth.: ORS 676.605, 676.615 & 688.830  
Stats. Implemented: ORS 676.605, 676.615 & 688.830  
Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 1-1998(Temp), f. & cert. ef. 3-20-98 thru 4-1-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLO 10-2004(Temp), f. & cert. ef. 11-8-04 thru 3-31-05; HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-715-0030

### Professional Standards

(1) A licensee must comply with the prevailing community standards for professional conduct. The Board recognizes and adopts the American Association of Respiratory Care (AARC) Statement of Ethics and Professional Conduct effective March 2000 as its professional standards model. A copy of these documents are on file at the agency for review.

(2) At minimum, licensees are subject to directives and policies established by the medical facilities, businesses or agencies by which they are employed or regulated.

(3) A licensee must comply with the following safety and infection control requirements:

(a) All devices or items that come into direct contact with a client must be cleaned, sanitized or disinfected according to the manufacturer's instructions or Centers for Disease Control and Prevention (CDC) Standard Precautions;

(b) All items that come in direct contact with the client's skin that do not require disinfecting must be clean;

(c) All items that come in direct contact with the client's skin that cannot be cleaned or disinfected must be disposed of in a covered waste receptacle immediately after use;

(d) All disinfecting solutions and agents must be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times unless equipment is prepackaged and pre-sterilized;

(e) All high-level and low-level disinfecting agents must be EPA registered. High-level disinfectant means a chemical agent which has demonstrated tuberculocidal activity. Low-level disinfectant means a chemical agent which has demonstrated bactericidal, germicidal, fungicidal and limited virucidal activity;

(f) Before use, disposable prepackaged products and sterilized reusable instruments must be stored in clean, sterilized containers that can be closed between treatments to maintain effective sterilization of the instrument until removed from the container.

(4) A licensee must observe and follow the Standard Precautions adopted by the CDC as defined in OAR 437 division 2, subdivision Z, and the CDC Standard Precautions for public service workers regarding personal protection equipment and disposal of blood or bodily fluid contaminated articles, tools and equipment when providing services to patients.

Stat. Auth.: ORS 676.605, 676.615 & 688.830  
Stats. Implemented: ORS 676.605, 676.615 & 688.830  
Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 1-2007, f. 3-30-07, cert. ef. 4-1-07; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-715-0045

### Pharmacological Agents

(1) A licensee administering intravenous narcotics, paralytics and opioids under ORS 688.800(3)(a) is prohibited from monitoring the patient

and must have another qualified licensed individual present to monitor the patient throughout procedures with intravenous narcotics, paralytics and opioids.

(2) All policies, procedures and protocols for respiratory therapists related to administration of intravenous pharmacological agents must be made available to the agency if requested.

Stat. Auth.: ORS 676.605, 676.615 & 688.830  
Stats. Implemented: ORS 676.605, 676.615 & 688.830  
Hist.: HLA 7-2010, f. & cert. ef. 11-1-10

## 331-720-0010

### Continuing Education Requirements

(1) A licensee is required to complete 15 hours of Board approved continuing education every two years. At least two-thirds of the required continuing education hours must be related to clinical practice of respiratory care.

(2) To renew the license, evidence of required continuing education must be provided at the time of renewal by means of a prescribed self-attestation statement certifying participation in approved continuing education. To ensure that adequate proof of attainment of required continuing education is available for audit or investigation by the agency, the licensee must maintain a record of attendance for two years following the two-year continuing education cycle and renewal of the license.

(3) Continuing education is acceptable if provided by:

(a) A medical organization or association accredited by the Oregon Medical Association, the Oregon Osteopathic Association, the American Medical Association Continuing Medical Education, the American Osteopathic Association, the American Nurses Association, the American Association for Respiratory Care, and its affiliates, to provide continuing education to physicians, nurses, or respiratory therapists;

(b) A hospital not accredited to provide continuing education but the continuing education provided meets the following requirements:

(A) The content of the course or program must be relevant to the scope of practice of respiratory care as defined in ORS 688.800(4);

(B) The faculty must be knowledgeable in the subject matter as evidenced by a degree from an accredited college or university and verifiable experience in the subject matter or teaching and clinical experience in the same or similar subject matter;

(C) Educational objectives must be listed;

(D) The teaching methods must be described, e.g., lecture, seminar, audiovisual, simulation;

(E) Evaluation methods must document that the objectives have been met.

(c) An institution of higher education accredited by the Northwest Association of Secondary and Higher Schools or its successor, or the State Board of Higher Education, providing the course(s) meet the requirements of paragraph (a) of this subsection. Five hours of continuing education credit per course, and up to two-thirds of the continuing education requirement, can be obtained by successfully completing the course(s) with a grade "C" or above, or a "pass" for a pass/fail course;

(d) A respiratory care educational program accredited by the American Medical Association Committee on Allied Health Education and Accreditation in collaboration with the Committee On Accreditation for Respiratory Care, or its successor, or the Commission on Accreditation for Allied Health Education Programs offering an Associate Degree in Respiratory Care;

(e) The NBRC through passing the examination for initial certification as a RRT, or Perinatal/Pediatric Respiratory Care Specialist (PPRCS), or the NBRC through passing the re-credentialing examination for a CRT, RRT, or PPRCS. Fifteen hours of continuing education can be obtained by passing these certification and re-credentialing examinations;

(f) The NBRC through passing the examination for initial certification as a Certified Pulmonary Function Technician (CPFT), or Registered Pulmonary Function Technician (RFPT). Seven and one-half hours of continuing education can be obtained by passing these certification examinations;

(g) Publication in a peer reviewed journal as the author or co-author of a clinical paper or abstract. A total of five credit hours will be accepted per biennium for the publication of articles or abstracts in professional journals;

(h) An established and approved organization conducting humanitarian activities in another state or country, that is providing respiratory care services as defined in ORS 688.800(6) under its auspices. The organization and services are subject to Board approval on a case-by-case basis for continuing education credit.

# ADMINISTRATIVE RULES

(4) A licensee who instructs continuing education courses may obtain the same number of continuing education hours for each initial course taught during the two-year continuing education cycle, in which the course is initially presented, as granted to course participants.

(5) A licensee is awarded continuing education credit once for completion of the initial certification course for Cardiac Life Support (ACLS), Pediatric Advanced Life Support (PALS) courses, and Neonatal Resuscitation Program (NRP). Up to four hours of continuing education credit may be obtained for each re-certification in ACLS, PALS, or NRP courses.

(6) Continuing education credit will not be granted for completion of the Basic Life Support (BLS) course.

(7) A licensee who does not meet continuing education requirements must reapply and meet requirements for licensure according to OAR 331-710-0010 at the time of application.

Stat. Auth.: ORS 676.605, 676.615 & 688.830  
Stats. Implemented: ORS 676.605, 676.615 & 688.830  
Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLO 10-2004(Temp), f. & cert. ef. 11-8-04 thru 3-31-05; HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-720-0020

### Continuing Education: Audit, Required Documentation and Sanctions

(1) The Oregon Health Licensing Agency will audit a select percentage of agencies determined by the Board to verify compliance with continuing education requirements.

(2) If selected for audit the licensee must provide documentation within 30 days to substantiate they have obtained the required continuing education. Documentation must include:

(a) Certificate of completion, official transcript, statement or affidavit from the sponsor attesting to attendance or other documentation approved by the agency.

- (b) Name of sponsoring institution/association or organization;
- (c) Title of presentation and description of content;
- (d) Name of instructor or presenter;
- (e) Date of attendance and duration in hours; and
- (f) Course agenda.

(3) If documentation of continuing education is incomplete, the licensee has 30 calendar days from the date of notice to submit further documentation to substantiate having completed the required continuing education.

(4) Failure to meet continuing education requirements shall constitute grounds for disciplinary action which may include but is not limited to assessment of a civil penalty, suspension, refusal to renew or revocation of the license.

Stat. Auth.: ORS 676.605, 676.615 & 688.830  
Stats. Implemented: ORS 676.605, 676.615 & 688.830  
Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 7-2010, f. & cert. ef. 11-1-10

## 331-725-0020

### Investigatory Authority

The Oregon Health Licensing Agency has the authority to initiate and conduct investigations of matters relating to the practice of respiratory care, pursuant to ORS 676.608, and take appropriate disciplinary action in accordance with the provisions of 676.612 and 688.836.

Stat. Auth.: ORS 676.605, 676.615, 688.830 & 688.836  
Stats. Implemented: ORS 676.605, 676.615, 688.830 & 688.836  
Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLA 7-2010, f. & cert. ef. 11-1-10

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**Rule Caption:** Exempt sleep labs from the definition of respiratory care if certain standards and guidelines are met.

**Adm. Order No.:** HLA 8-2010(Temp)

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10 thru 4-30-11

**Notice Publication Date:**

**Rules Adopted:** 331-705-0070

**Subject:** Adopt temporary administrative rule regarding Sleep Lab Exemption, to allow for certain respiratory care services (e.g. positive airway pressure) to be performed in sleep labs under a medical director. The temporary rule includes a definition of sleep lab including a commercial space used by a hospital, a facility provisionally accredited or fully accredited by the American Academy of Sleep Medicine (AASM). The exemption does not include the home set-

ting. The exemption under the new rule does not include partial or full ventilatory support services involving tidal volume regulation or which require the setting of respiratory back-up rates unless these services are for the treatment of central and mixed sleep apnea. The exemption makes an allowance for those facilities seeking accreditation through the AASM at the time the rule goes into effect. The exemption requires that all facilities be accredited by August 1, 2011, however requires them to adhere to all other standards of the rule until accreditation is complete.

**Rules Coordinator:** Samantha Patnode—(503) 373-1917

## 331-705-0070

### Sleep Lab Exemption

(1) The following are exempt from the definition of Respiratory Care Services under ORS 688.800 when performed in a sleep lab environment:

(a) Positive airway pressure titration on spontaneously breathing patients;

(b) Supplemental low-flow oxygen therapy during polysomnogram (up to 6 liters per minute);

(c) Capnography during polysomnogram;

(d) Cardiopulmonary resuscitation;

(e) Pulse oximetry;

(f) Electrocardiography;

(g) Respiratory effort including thoracic and abdominal;

(h) Plethysmography blood flow;

(i) Nasal and oral airflow monitoring;

(j) Monitoring the effects positive airway pressure, used to treat sleep-related breathing disorders, has on sleep patterns, provided that the device does not extend into the trachea;

(k) Monitoring the effect on sleep patterns of an oral device that does not extend into the trachea and that is used to treat sleep apnea;

(l) Maintenance of nasal and oral airways that do not extend into the trachea;

(m) The use of continuous positive airway pressure and bi-level modalities;

(n) Set-up for use of durable medical equipment; and

(o) Long term follow-up care.

(2) For the purpose of this rule, "sleep lab" is:

(a) A physical space, including any commercial space, used by a hospital for conducting sleep testing and under the supervision of a medical director; or

(b) A facility accredited by the American Academy of Sleep Medicine (AASM) for conducting sleep testing under the supervision of a medical director.

(c) A facility provisionally accredited by the AASM for conducting sleep testing under the supervision of a medical director.

(3) For purpose of this rule, "medical director" means the medical director of any inpatient or outpatient facility or department who is a physician licensed by the State of Oregon and who has special interest and knowledge in the diagnosis and treatment of sleep disorders.

(4) For the purpose of this rule, "sleep lab" does not include the home environment.

(5) The exemption under this rule does not include partial or full ventilatory support services involving tidal volume regulation or which require the setting of respiratory back-up rates unless these services are for the treatment of central and mixed sleep apnea.

(6) Sleep labs in operation on the effective date of this rule and seeking exemption under (2)(b) of this rule must be accredited by August 1, 2011. All sleep labs in the accreditation process must adhere to all other requirements of this rule.

(7) All documentation and information regarding the provisional accreditation or accreditation through the AASM must be made available to the agency if requested.

(8) All policies, procedures and protocols for unlicensed individuals related to positive airway pressure treatment and titration including but not limited to central and mixed sleep apnea must be made available to the agency if requested.

Stat. Auth.: ORS 676.606, 676.607, 676.611, 676.615 & 688.830

Stats. Implemented: ORS 688.800, 688.805

Hist.: HLA 8-2010, f. & cert. ef. 11-1-10

# ADMINISTRATIVE RULES

## Oregon Health Licensing Agency, Board of Cosmetology Chapter 817

**Rule Caption:** Adopt by reference current standards under Oregon Occupational Safety and Health Division, OAR 437-002-0350(31) relating to formaldehyde.

**Adm. Order No.:** BOC 3-2010(Temp)

**Filed with Sec. of State:** 11-10-2010

**Certified to be Effective:** 11-15-10 thru 5-10-11

**Notice Publication Date:**

**Rules Adopted:** 817-060-0050

**Rules Amended:** 817-035-0050

**Subject:** A recent report issued by Oregon Occupational Safety and Health Division (OR-OSHA) indicates the use of hair-smoothing products containing formaldehyde raises safety concerns for individuals working in cosmetology fields. OR-OSHA currently has procedures and protocols in place for employers and employees using products with specific levels of formaldehyde, including the amount found in certain hair-smoothing products.

To ensure public protection, the agency and the board are adopting temporary administrative rule, by referencing the current Oregon Occupational Safety and Health Division (OR-OSHA) Standards under OAR 437-002-0360(31) relating to formaldehyde. The temporary rule provides the agency the authority to:

Require all Cosmetology Board authorized holders, including but not limited to independent contractors and demonstration permit holders to comply with the requirements under OAR 437-002-0360(31);

Inspect and investigate specified individuals; and

Sanction any individuals who are failing to comply.

**Rules Coordinator:** Samantha Patnode—(503) 373-1917

### 817-035-0050

#### Application and Criteria for Certificate of Identification

(1) Pursuant to ORS 690.123, a practitioner who provides services outside of a licensed facility must hold a certificate of identification.

(2) The applicant for a certificate of identification must:

(a) Submit a completed application prescribed by the agency, indicating applicant's name, current residential address (and mailing address if applicable), telephone number, and certificate number;

(b) Pay required application, examination and certificate of identification fees;

(c) Pass the Oregon Laws and Rules examination. Completion of the examination is not required if the applicant passed the Oregon Laws & Rules examination within two years before the date of application for a certificate of identification.

(d) Has registered as required by Secretary of State, Corporations Division pursuant to ORS 648.007, an "Assumed Business Name" (ABN) defined under 648.005 prior to applying for a certificate of identification, and submits with certificate of identification application a current copy of the ABN filing.;

**NOTE:** ABN is not required if business includes the real and true name of each owner. Refer to Secretary of States, Corporations Division under ORS 648.005 through 648.990.

(3) Subject to ORS 676.612 and OAR 331-030-0000, upon qualification, the agency will issue a certificate of identification indicating the fields of practice the practitioner is certified to perform outside of a licensed facility.

(4) The certificate of identification is issued as a separate document from the certificate authorizing the holder to perform services.

(5) A certificate of identification may be renewed upon submission of an application for renewal, payment of required fees and passage of the Oregon Laws and Rules examination or completion of the agency's Safety & Infection Control class.

(6) A holder of a certificate of identification shall:

(a) Provide each client with the agency's name, address and telephone number, for comment on any of the services received or on any of the sanitary procedures followed while performing services;

(b) Display the practitioner's certificate number and certificate of identification number on all advertising when soliciting business;

(c) Comply with the Board's health, safety, and infection control rules and regulations; and

(d) Be subject to random audit to verify compliance with safety, infection control and licensing requirements.

(7) The certificate of identification may be suspended or revoked by the Board if the certificate holder:

(a) Practices or performs services at the practitioner's residence when the residence is not licensed as a facility under OAR 817-020-0005;

(b) Practices or performs services on clients other than those who either reside at or are employed at the residence, office or business where services are provided; or

(c) Both practices and resides outside the state of Oregon.

(8) The certificate of identification may be suspended or revoked by the agency if the Board has taken action to refuse to issue or renew, or has suspended or revoked the practitioner's certificate.

Stat. Auth.: ORS 676.615, 690.048, 690.123 & 690.165

Stats. Implemented: ORS 676.615, 690.048, 690.123 & 690.165

Hist.: BH 4-1984, f. & cert. 12-7-84; BH 1-1988, f. & cert. ef. 7-1-88; BH 2-1990, f. & cert. ef. 10-29-90; BH 1-1992, f. 6-1-92, cert. ef. 7-1-92; BH 3-1994, f. 6-23-94, f. & cert. ef. 7-1-94; Renumbered from 817-020-0040; BH 1-1996, f. 5-31-96, cert. ef. 7-1-96; BOC 1-2000, f. 5-12-00, cert. ef. 5-15-00; BOC 1-2004, f. 6-29-04, cert. ef. 7-1-04; BOC 2-2008, f. 9-15-08 cert. ef. 10-1-08; BOC 1-2009, f. & cert. ef. 6-1-09; BOC 3-2010(Temp), f. 11-10-10, cert. ef. 11-15-10 thru 5-10-11

### 817-060-0050

#### Use of Formaldehyde Products

(1) In addition to and not in lieu of, any other city, county, state or federal laws, rules, codes and regulations, the agency and board adopt by reference OAR 437-002-0360(31).

(2) For the purpose of this rule:

(a) When employer is referenced under OAR 437-002-0360(31) employer means a facility license holder, temporary facility permit holder, demonstration permit holder working outside of a licensed facility, a practitioner working outside of a licensed facility, and an independent contractor.

(b) When employee is referenced under OAR 437-002-0360(31) employee means practitioner working in a licensed facility, individual working under the direction of an independent contractor or facility license holder, and demonstration permit holder working in a licensed facility.

Stat. Auth.: ORS 676.605, 676.606, 676.607, 690.165 & 690.205

Stats. Implemented: ORS 690.165 & 690.205

Hist.: BOC 3-2010(Temp), f. 11-10-10, cert. ef. 11-15-10 thru 5-10-11

## Oregon Liquor Control Commission Chapter 845

**Rule Caption:** Housekeeping updates to streamline and clarify public records and miscellaneous fees.

**Adm. Order No.:** OLCC 12-2010

**Filed with Sec. of State:** 10-18-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 8-1-2010

**Rules Amended:** 845-004-0020

**Subject:** This rule outlines the various fees charged to the public, licensees, and the alcohol industry for certain services, including fulfilling records requests. Amendments to this rule are to bring the language up to date with the Commission's current practices regarding providing various license and compliance records. For example, the previous rule language outlined various lists available for a fee which are now available free on-line. The Commission also took the opportunity to streamline and add clarifying language regarding public records request fees in general. There are no proposed changes to existing records request fulfillment processes or fee amounts other than updating the hourly rate for staff time to reflect inflation since its last amendment in 2001 and the addition of a nominal fee for sending records via fax.

**Rules Coordinator:** Jennifer Huntsman—(503) 872-5004

### 845-004-0020

#### Public Records and Miscellaneous Fees

(1) Public Records Requests. The Commission charges the fees described in sections (2) through (7) of this rule for retrieving, copying and making records available in response to public records requests. Public records requests must be in writing.

(2) Reimbursement of Commission staff time. An hourly rate of \$25.00 will be assessed for any Commission staff time greater than 15 minutes spent locating records, reviewing records to delete exempt material, supervising the inspection of records, copying records, reproducing records

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onto a disk or other electronic format, certifying records, and mailing records. This charge is in addition to the charges for the copies of the documents. The Commission may charge for the cost of searching for records regardless of whether the Commission was able to locate the requested record.

(3) Hard copy Records. The fee schedule listed below is reasonably calculated to reimburse the Commission for the actual costs of providing hard copies of records.

(a) Hard copy (black and white, letter size): \$0.25 per page. Costs for other sized or color copies will be the Commission's actual cost.

(b) Fax charges: \$0.50 (per page up to a maximum of 20 pages). If the fax is over 20 pages the Commission will provide the records in another appropriate format or manner such as a disk or hard copies.

(c) Archive Retrieval: actual cost.

(d) Whenever feasible the Commission will provide double-sided copies of a record request. Each side of a double-sided copy will constitute one page.

(4) Electronic Records.

(a) Copies of requested electronic records may be provided in the format or manner maintained by the Commission. Some records maintained by the Commission are in hard copy format only and therefore not all records are available in electronic form. The Commission will perform all downloading, reproducing, formatting and manipulating of records. Records that are placed on a CD-ROM disk, including recorded proceedings, will incur a fee of \$5.00 per disk. The Commission does not provide transcription service. In order to protect the integrity of the Commission's records, the records requestor may not provide the disk or any other medium for the electronic records storage. The reimbursement of staff time to provide records in electronic form will be charged in accordance with section (2) of this rule.

(b) Records that are sent via electronic mail will not be charged a fee for transmission up to a file size of 10 MB. If the file size is over 10 MB the Commission will provide the records in another appropriate format or manner such as a disk or hard copies.

(5) Certification of Copies of Records. Certification of both hard and electronic copies of records may be provided upon request. The Commission will only certify that on the date copied the copy was a true and correct copy of the original record. The Commission cannot certify as to any subsequent changes or manipulation of the record.

(6) Reasonable costs associated with responding to a request to review or copy a record not specifically addressed by this rule may be assessed, including but not limited to the actual costs for the Commission to have a person make copies of the records.

(7) The Commission may not include in a fee charged under sections (2) through (6) of this rule the cost of time spent by an attorney for the public body in determining the application of the provisions of ORS 192.410 to 192.505.

(8) Collection of Fees.

(a) Method. Payment may be made in the form of cash, check, or money order. Make checks payable to "Oregon Liquor Control Commission". Payments may be made in person at: OLCC, 9079 SE McLoughlin Blvd., Portland, Oregon 97222-7355. Payments may also be mailed to: OLCC, PO Box 22297, Milwaukie, Oregon 97269-2297.

(b) Receipts. A receipt may be given, upon request, for charges incurred.

(c) Prepayment and Notification of Copy Costs.

(A) If a fee charged under sections (2) through (6) of this rule is estimated to be greater than \$25.00, the Commission must provide the requestor with a written notification of the estimated amount of the fee. The Commission shall not process the public records request until it receives confirmation from the requestor that the requestor wants the Commission to proceed with making the public record available.

(B) Depending on the volume of the records requested, the difficulty in determining whether any of the records are exempt from disclosure, and the necessity of consulting legal counsel, the Commission may preliminarily estimate the charges for responding to a record request and require prepayment of the estimated charges. If the actual charges are less than the prepayment, any overpayment will be refunded to the requestor.

(d) Waiver of Fees.

(A) Ordinarily there will be no waiver of fees.

(B) The Commission will not charge a fee if a record can be provided at nominal expense. Nominal expense means costing less than \$5.00, including the labor required to fulfill the request.

(C) The Commission may furnish copies without charge or at a substantially reduced fee if the Commission determines that the waiver or

reduction of fees is in the public interest because making the record available primarily benefits the general public. Examples include when the material requested is currently being distributed as part of the public participation process such as a news release or public notice, or the material requested has been distributed through mass mailing and is readily available to the Commission at the time of the request.

(D) The Commission considers the following factors in determining whether to waive or reduce fees pursuant to subsection (8)(d)(C) of this rule:

(i) Any financial hardship on the Commission;

(ii) The extent of time, expense and interference with the Commission's regular business;

(iii) The volume of the records requested; or

(iv) The necessity to segregate exempt from non-exempt materials.

(9) Miscellaneous Distilled Spirits Fees:

(a) Representatives of distilled spirits' suppliers may purchase monthly reports of sales and inventory by code number (brand) by retail outlet. The fee is \$20.00 for preparation of the report, plus \$2.00 for each code included in the report. The Commission will bill representatives monthly, with payment due within 30 days.

(b) The Commission will charge the supplier or carrier, according to the responsibility for damage, a fee for recouping merchandise. The Commission sets this fee based on an annual review of the Commission's labor and materials cost.

(c) The Commission's charge on special accounts that do not pay normal markup on liquor purchases is the landed cost plus a 5% handling fee per case. The handling fee for split cases will be 15% of the landed cost of each bottle ordered.

Stat. Auth.: ORS 471, including 471.030, 471.730(1) & (5)

Stats. Implemented: ORS 192.440(3)

Hist.: LCC 11-1980, f. 3-3-80, ef. 4-1-80; Renumbered from 845-0010-355; LCC 30-1980, f. 12-22-80, ef. 1-1-81; LCC 30-1986, f. 11-20-86, ef. 1-1-87; OLCC 3-1990, f. 3-16-90, cert. ef. 4-1-90; OLCC 16-1991, f. 10-31-91, cert. ef. 1-1-91; OLCC 19-2000, f. 12-6-00, cert. ef. 1-1-01; OLCC 5-2001, f. 8-15-01, cert. ef. 9-1-01; OLCC 1-2005, f. 4-21-05, cert. ef. 5-1-05; OLCC 10-2005, f. 12-19-05, cert. ef. 1-1-06; OLCC 12-2010, f. 10-18-10, cert. ef. 11-1-10

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**Rule Caption:** Amendments implementing statute which now allows issuing full on-premises sales licenses to for-profit private clubs.

**Adm. Order No.:** OLCC 13-2010

**Filed with Sec. of State:** 10-18-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 8-1-2010

**Rules Adopted:** 845-005-0322, 845-006-0495

**Rules Amended:** 845-005-0321, 845-006-0460, 845-006-0461, 845-006-0490

**Subject:** The 2010 special session of the legislature passed Senate Bill (SB) 1039 which amends ORS 471.001 & ORS 471.175 allowing the Commission to issue a full on-premises sales license to a for-profit private club. This package of rule amendments implements the statutory changes. This rule package includes the adoption of two new rules: OAR 845-005-0322, which describes the licensing criteria for a for-profit private club; and OAR 845-006-0495, which describes the compliance requirements for a for-profit private club. Additionally, this package amends the current food service rule for Full Commercial (F-COM) licensees (OAR 845-006-0460) in order to make the rule language parallel to the new statutory definition of "commercial establishment" in ORS 471.001. The rule package also amends three existing private club rules in order to clarify that these private club rules apply to nonprofit private clubs, to bring rule language into alignment with the new statutory definition of "non-profit private club" in ORS 471.175, and to lower the minimum membership requirement to match that for for-profit private clubs.

**Rules Coordinator:** Jennifer Huntsman—(503) 872-5004

**845-005-0321**

**Additional License Refusal Reasons for a Full On-Premises Sales License for a Private Club**

ORS 471.175 allows the Commission to issue a full on-premises sales license to a nonprofit private club as described in 471.175(8). This rule sets criteria to refuse to issue or renew a Full On-Premises Sales License for a Nonprofit Private Club. These criteria are in addition to other refusal criteria set out in ORS Chapter 471 and OAR chapter 845 division 5.

(1) Definitions. For this rule and OAR 845-006-0490:

# ADMINISTRATIVE RULES

(a) "Auxiliary Member" means a living individual that has met the eligibility requirements as set out in the nonprofit corporation's bylaws to be an auxiliary member and has been designated as an auxiliary member with certain limited membership privileges by the nonprofit corporation.

(b) "Full Member" means a living individual that has met the eligibility requirements as set out in the nonprofit corporation's bylaws to be a full member and has been designated as a full member by the nonprofit corporation. A full member must pay dues to the club, have full-time membership privileges equal to all other full members of the club, and be entitled to vote in all elections for directors of the nonprofit corporation licensee of the club.

(c) "Nonmember" means an individual who is not a full member or auxiliary member and who is at the club for the purpose of benefiting from the club's services or facility.

(d) "Nonprofit Corporation" means a mutual benefit corporation, a public benefit corporation, or religious corporation as defined in ORS Chapter 65.

(2) The Commission may refuse to issue or renew a Full On-Premises Sales License for a Nonprofit Private Club when the applicant:

(a) Is not a nonprofit corporation currently registered as such with Oregon's Office of the Secretary of State; or

(b) At the time of initial application for licensure, has not been registered as a nonprofit corporation with Oregon's Office of the Secretary of State for a minimum of one year immediately prior to the date of the application; or

(c) Does not have a minimum of 100 full members.  
Stat. Auth.: ORS 471.471.030, 471.040, 471.175 & 471.730(1) & (5)  
Stats. Implemented: ORS 471.175  
Hist.: OLCC 6-2009, f. 6-22-09, cert. ef. 7-1-09; OLCC 13-2010, f. 10-18-10, cert. ef. 11-1-10

## 845-005-0322

### Additional License Refusal Reasons for a Full On-Premises Sales License for a For-Profit Private Club

ORS 471.175 allows the Commission to issue a full on-premises sales license to a for-profit private club as described in the definition of a "commercial establishment" in ORS 471.001(2). This rule sets criteria to refuse to issue or renew a Full On-Premises Sales License for a For-Profit Private Club. These criteria are in addition to other refusal criteria set out in ORS Chapter 471 and OAR chapter 845, division 5.

(1) Definitions. For this rule and OAR 845-006-0495:

(a) "Member" means a living individual that has been accepted by the club as a member, pays dues to the club, and has full-time membership privileges.

(b) "Nonmember" means an individual who is not a member and who is at the club for the purpose of benefiting from the club's services or facility.

(2) The Commission may refuse to issue or renew a Full On-Premises Sales License for a For-Profit Private Club when the applicant does not have a minimum of 100 members.

Stat. Auth.: ORS 471.471.001, 471.030, 471.040, 471.175, & 471.730(1),(5)  
Stats. Implemented: ORS 471.001 & 471.175  
Hist.: OLCC 13-2010, f. 10-18-10, cert. ef. 11-1-10

## 845-006-0460

### Food Service at Commercial Establishment with Full On-Premises Sales License

(1) Purpose: The Oregon Liquor Control Act allows licensed commercial establishments with food service to sell distilled spirits by the drink. ORS 471.001(2) defines a commercial establishment as a place of business where food is cooked and served, which has adequate kitchen facilities for the preparation and serving of meals, and has dining facilities adequate for the serving and consumption of meals. A commercial establishment must also either serve meals to the general public or, if a for-profit private club, must serve meals to the club's members and guests and comply with minimum food service requirements established by Commission rule. This rule sets the food service requirements for commercial establishments with a Full On-Premises Sales license. The applicant has the burden of proving it meets the standards and qualifications of this rule and OAR 845-006-0466.

(2) Food Service at Required Meal Periods.

(a) A business open after 5:00 pm must make available to its patrons in all areas where alcohol service is available an offering of at least five different meals during a regular meal period which must last at least three hours. At least three out of the five different meals used to meet the minimum meal requirement must include a main course or entrée (substantial food item) which has been prepared or cooked on the premises in some

manner beyond the simple re-heating of a pre-cooked frozen food or carry-out item obtained from a business other than the licensed premises. A business may have fewer than five different meals in the premises or in an area if the Commission determines that the clearly dominant emphasis in the premises or in the area is food service after 5:00 pm.

(b) A business not open after 5:00 pm must make available to its patrons in all areas where alcohol service is available an offering of at least five different meals during a required meal period which must last at least two hours. At least three out of the five different meals used to meet the minimum meal requirement must include a main course or entrée (substantial food item) which has been prepared or cooked on the premises in some manner beyond the simple re-heating of a pre-cooked frozen food or carry-out item obtained from a business other than the licensed premises. A business may have fewer than five different meals in the premises or in an area if the Commission determines that the clearly dominate emphasis in the premises or in the area is food service before 5:00 pm.

(c) One method for showing that the clearly dominant emphasis in the premises or in the area is food service for the Commission to determine that the gross receipts from the sale of meals and substantial food items to patrons for consumption in the premises or in the area exceed or are reasonably expected to exceed the gross receipts from alcohol sales when alcohol service is available.

(3) Minimum Food Requirement at Times other than Required Meal Periods. At all times other than required meal periods and in all areas where alcohol service is available, businesses must make available to their patrons an offering of at least five different substantial food items.

(4) Dining Seats during Required Meal Periods: The licensed premises must have at least 30 dining seats during required meal periods. Seats at counters in entertainment areas and at bars as defined in OAR 845-006-0340(2)(i) do not qualify as dining seating. A premises may have less than 30 dining seats if the Commission determines that the clearly dominant emphasis of the premises is food service as described in section (2)(c) of this rule at all times and in all areas where alcohol service is available when open to the public.

(5) Violation of any section of this rule is a Category III violation.

Stat. Auth.: ORS 471.471.030, 471.040 & 471.730(1) & (5)  
Stats. Implemented: ORS 471.175  
Hist.: OLCC 19-2000, f. 12-6-00, cert. ef. 1-1-01; OLCC 12-2008, f. 10-13-08, cert. ef. 11-1-08; OLCC 13-2010, f. 10-18-10, cert. ef. 11-1-10

## 845-006-0461

### Food Service Requirements for Private Clubs with a Full On-Premises Sales License

(1) Purpose: ORS 471.175 allows nonprofit private clubs with food service to sell distilled spirits by the drink. ORS 471.175(8) requires a nonprofit private club, to meet minimum food service requirements established by Commission rule. This rule sets the food service requirements for nonprofit private clubs.

(2) A nonprofit private club must comply with the food service requirements of OAR 845-006-0460(2) & (3) during all times and in all areas it is serving alcohol to the general public.

(3) Food Requirements When Serving Alcohol in Areas where only Full and Auxiliary Members, and their Guests, are Present. At all times and in all areas where only full and auxiliary members, and their guests, are present and alcohol service is available, the club must make available at least three different substantial food items.

(4) Violation of any section of this rule is a Category III violation.

Stat. Auth.: ORS 471.471.030, 471.040 & 471.730(1) & (5)  
Stats. Implemented: ORS 471.175  
Hist.: OLCC 19-2000, f. 12-6-00, cert. ef. 1-1-01; OLCC 12-2008, f. 10-13-08, cert. ef. 11-1-08; OLCC 13-2010, f. 10-18-10, cert. ef. 11-1-10

## 845-006-0490

### Requirements for a Full On-Premises Sales License for a Private Club

This rule sets requirements in addition to other requirements set out in ORS Chapter 471 and OAR Chapter 845 Divisions 5 and 6 for a Full On-Premises Sales License for a Nonprofit Private Club.

(1) Definitions. For this rule and OAR 845-005-0321:

(a) "Auxiliary Member" means a living individual that has met the eligibility requirements as set out in the nonprofit corporation's bylaws to be an auxiliary member and has been designated as an auxiliary member with certain limited membership privileges by the nonprofit corporation.

(b) "Full Member" means a living individual that has met the eligibility requirements as set out in the nonprofit corporation's bylaws to be a full member and has been designated as a full member by the nonprofit corporation. A full member must pay dues to the club, have full-time membership privileges equal to all other full members of the club, and be enti-

# ADMINISTRATIVE RULES

ted to vote in all elections for directors of the nonprofit corporation licensee of the club.

(c) "Nonmember" means an individual who is not a full member or auxiliary member and who is at the club for the purpose of benefiting from the club's services or facility.

(d) "Nonprofit Corporation" means a mutual benefit corporation, a public benefit corporation, or religious corporation as defined in ORS Chapter 65.

(2) Food service requirements. The licensee must meet the food service requirements of OAR 845-006-0461.

(a) For the purposes of food service requirements, guests are defined as:

(A) A nonmember who has been invited by a member (full or auxiliary) or the club and a member is present with that individual at all times in areas where alcohol is sold, served, or consumed; or

(B) A nonmember attending a family-oriented event of a member (full or auxiliary) and where eating or an activity appropriate for minors is the overall predominant activity in the area where the individual is present. Examples include but are not limited to: wedding; wedding reception; wedding anniversary; birthday; family reunion; and memorial service.

(b) For the purposes of food service requirements, the general public is anyone who is not a member (full or auxiliary) or a guest. This rule in no way requires a nonprofit private club to be open to the general public.

(3) Nonmembers.

(a) If one (or more) nonmember(s) is in an area where alcohol is sold, served, or consumed, at least one member (full or auxiliary) must be present in the area at all times.

(b) A violation of this section is a Category III violation.

Stat. Auth.: ORS 471, 471.030, 471.040, 471.175 & 471.730(1) & (5)

Stats. Implemented: ORS 471.175

Hist: LCC 22-1980, f. 7-22-80, ef. 10-1-80; Renumbered from 845-010-0770; LCC 8-1982, f. 8-27-82, ef. 10-1-82; LCC 11-1982(Temp), f. & ef. 12-3-82; LCC 1-1985, f. & ef. 2-7-85; OLCC 19-2000, f. 12-6-00, cert. ef. 1-1-01; OLCC 8-2004, f. 6-29-04 cert. ef. 7-1-04; OLCC 9-2008, f. 6-12-08, cert. ef. 7-1-08; Renumbered from 845-008-0045 by OLCC 6-2009, f. 6-22-09, cert. ef. 7-1-09; OLCC 13-2010, f. 10-18-10, cert. ef. 11-1-10

## 845-006-0495

### Requirements for a Full On-Premises Sales License for a For-Profit Private Club

This rule sets requirements in addition to other requirements set out in ORS Chapter 471 and OAR chapter 845 divisions 5 and 6 for a Full On-Premises Sales License for a For-Profit Private Club.

(1) Definitions. For this rule and OAR 845-005-0322:

(a) "Member" means a living individual that has been accepted by the club as a member, pays dues to the club, and has full-time membership privileges.

(b) "Nonmember" means an individual who is not a member and who is at the club for the purpose of benefiting from the club's services or facility.

(2) Food service requirements. The licensee must meet the food service requirements of OAR 845-006-0460.

(3) Nonmembers.

(a) If one (or more) nonmember(s) is in an area where alcohol is sold, served, or consumed, at least one member must be present in the area at all times.

(b) A violation of this section is a Category III violation.

(4) Access to Premises.

(a) The licensee must follow the requirements of OAR 845-006-0345(4).

(b) In addition, the licensee must provide the Commission with a means to gain immediate access to the premises. If the entrance to the premises is unattended, then the licensee must provide a valid mechanism for Commission employees to gain immediate entry, such as a keypad or keycard code.

(c) Violation of this section is a Category II violation.

Stat. Auth.: ORS 471, 471.001, 471.030, 471.040, 471.175 & 471.730(1) & (5)

Stats. Implemented: ORS 471.001 & 471.175

Hist.: OLCC 13-2010, f. 10-18-10, cert. ef. 11-1-10

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**Oregon Medical Board**  
**Chapter 847**

**Rule Caption:** Add US Dept. of Veteran Affairs and Foreign Service.

**Adm. Order No.:** BME 16-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 847-008-0015, 847-008-0018

**Subject:** The proposed rule amendments add service under the US Department of Veteran Affairs or US Department of State Foreign Service to the definition of Military/Public Health active status.

**Rules Coordinator:** Malar Ratnathicam—(971) 673-2713

## 847-008-0015

### Active Registration

(1) Each licensee of the Board who practices within the State of Oregon shall register and pay a biennial active registration fee prior to the last day of the registration period, except where:

(a) The licensee is in a qualified training program and elects to register on an annual basis.

(b) The licensee practices on an intermittent, locum-tenens basis, as defined in OAR 847-008-0020.

(c) The licensee is in the Military or Public Health Service or employed with the US Department of Veteran Affairs or the US Department of State, Foreign Service where the licensee's official state of residence is Oregon as defined in OAR 847-008-0018.

(d) The licensee practices teleradiology as defined in OAR 847-008-0022, telemonitoring as defined in OAR 847-008-0023, or telemedicine as defined in OAR 847-025.

(2) Each licensee of the Board whose practice address of record with the Board is within 100 miles of the border of the State of Oregon and who intends to practice within Oregon shall qualify for active registration status. Such licensee shall submit a statement to the Board attesting to practice in Oregon.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.228

Hist.: ME 5-1990, f. & cert. ef. 4-25-90; ME 5-1991, f. & cert. ef. 7-24-91; BME 2-2004, f. & cert. ef. 1-27-04; BME 14-2004, f. & cert. ef. 7-13-04; BME 7-2006, f. & cert. ef. 5-8-06; BME 2-2007, f. & cert. ef. 1-24-07; BME 8-2008, f. & cert. ef. 4-24-08; BME 16-2010, f. & cert. ef. 10-25-10

## 847-008-0018

### Military/Public Health Active Registration

(1) Any licensee who is in the Military or US Public Health Service, or employed with the US Department of Veteran Affairs or the US Department of State, Foreign Service whose official state of residence is Oregon may maintain an active status by request and by paying the active biennial registration fee.

(2) Prior to being granted a status of Military/Public Health Active status, the applicant for licensure or the licensee requesting a change of status, shall provide the Board with documentation of:

(a) If in the Military:

(A) Current military service with a copy of their military identification card; and

(B) Residency in Oregon with a copy of their Defense Finance and Accounting Service Military Leave and Earnings Statement.

(b) Current assignment or employment with the US Public Health Service, Department of Veteran Affairs, or US Department of State, Foreign Service and residency in Oregon with a copy of their Oregon Driver's License.

(3) Practice must be limited to the military or US Public Health Service, US Department of Veteran Affairs, or US Department of State Foreign Service.

(4) The licensee granted Military/Public Health Active status must register and pay a biennial active registration fee.

(5) The Military/Public Health Active status remains valid as long as the licensee maintains active duty in the military or public health, and the licensee's official state of residence is Oregon.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.172, 677.265

Hist.: BME 8-2008, f. & cert. ef. 4-24-08; BME 16-2010, f. & cert. ef. 10-25-10

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**Rule Caption:** Adopted rule removes use of California list to approve international medical schools.

**Adm. Order No.:** BME 17-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 847-020-0130

**Subject:** Adopted rule amendment removes the use of the California list as a resource to approve International Medical Schools.

**Rules Coordinator:** Malar Ratnathicam—(971) 673-2713

# ADMINISTRATIVE RULES

## 847-020-0130

### Basic Requirements for Licensure of an International Medical School Graduate

(1) The following requirements must be met in lieu of graduation from a school of medicine approved by the Liaison Committee on Medical Education of the American Medical Association or the Committee on the Accreditation of the Canadian Medical Schools of the Canadian Medical Association in order to qualify under ORS 677.100.

(2) The requirements for licensure of the international medical school graduate are as follows:

(a) Must speak English fluently and write English legibly.

(b) Must have graduated from an international school of medicine:

(A) The medical school must be chartered in the country in which it is located.

(B) The graduate must have attended at least four full terms of instruction of eight months each, with all courses having been completed by physical on-site attendance in the country in which the school is chartered. The requirement for four full terms of instruction of eight months each term may be waived for any applicant for licensure who has graduated from an international school of medicine, has substantially complied with the attendance requirements provided herein, and is certified by a specialty board recognized by the American Board of Medical Specialties (ABMS) or the American Osteopathic Association's Bureau of Osteopathic Specialists (AOA-BOS).

(C) Any institutions in which clinical clerkships were obtained in a country other than that in which the school is chartered must provide a certificate to prove the time spent and the satisfactory completion of the clerkships. After June 30, 1988, clinical clerkships served in the United States or Canada shall be taken only in institutions which conduct residencies approved by the Accreditation Council for Graduate Medical Education or the College of Family Physicians of Canada or the Royal College of Physicians and Surgeons of Canada or the American Osteopathic Association in the specific subject of the clerkship.

(D) The applicant must provide the Board with documentation to substantiate that the medical school from which the applicant graduated provided a resident course of professional instruction, was accredited by an accrediting organization acceptable to the Board, or was recognized by the appropriate civil authorities of the country in which the school is located as an acceptable education program. The Board may determine that the accreditation of an international medical school is not acceptable if the Board receives documentation that the medical school has had its authorization, accreditation, certification or approval denied or removed by any state, country or territorial jurisdiction or that its graduates were refused a license by any state, country or territorial jurisdiction on the grounds that the school failed or fails to meet reasonable standards for medical education facilities.

(c) Must have obtained the Standard Educational Commission for Foreign Medical Graduates Certificate issued by the Educational Commission for Foreign Medical Graduates. This requirement may be waived if accredited postgraduate training was completed in Canada, or prior to the enforcement of the ECFMG certification, or if the applicant has been certified by a specialty board recognized by the American Board of Medical Specialties (ABMS) or the American Osteopathic Association's Bureau of Osteopathic Specialists (AOA-BOS). In lieu of the ECFMG certificate, Fifth Pathway applicants shall show evidence of passing the examination pursuant to Oregon standards.

(d) Must have satisfactorily completed an approved internship and/or residency (or clinical fellowship) in the United States or Canada of not less than three years of progressive training in not more than two specialties in not more than two training programs accredited for internship, residency or fellowship training by the Accreditation Council for Graduate Medical Education or the College of Family Physicians of Canada or the Royal College of Physicians and Surgeons of Canada or the American Osteopathic Association.

(A) The following may be used in lieu of the three years of post graduate training:

(I) A valid certificate issued by a specialty board recognized by the American Board of Medical Specialties or the American Osteopathic Association's Bureau of Osteopathic Specialists (AOA-BOS); or

(II) Successful completion of four years of practice in Oregon under a Limited License, Medical Faculty, in accordance with OAR 847-020-0140(1)(b)-(c), or

(III) Successful completion of four years of practice in another state or the District of Columbia under a license substantially similar to the Board's Limited License, Medical Faculty.

(B) If the applicant is unable to satisfy the requirement in section (d) of this rule for postgraduate training, and the applicant has been granted a dispensation by a specialty board of the American Board of Medical Specialties (ABMS) or the American Osteopathic Association's Bureau of Osteopathic Specialists (AOA-BOS) whereby the ABMS or AOA-BOS specialty board has granted credit to the applicant for postgraduate training completed abroad toward fulfillment of the specialty board's requirements for admission to a future specialty board's certification examination, the Board may consider the ABMS or AOA-BOS specialty board's dispensation as fulfilling that same portion of the Board's requirement for postgraduate training.

(e) A graduate of a school of medicine approved by the Oregon Medical Board pursuant to OAR 847-031-0001, 847-031-0010, 847-031-0020, 847-031-0030 and 847-031-0040 must have satisfactorily completed not less than one year of approved training in the United States or Canada in not more than one hospital accredited for internship, residency or fellowship training by the Accreditation Council for Graduate Medical Education or the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada.

(f) Must pass a written licensure examination as provided in ORS 677.110 and OAR 847-020-0170.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.265

Hist. BME 9-2001, f. & cert. ef. 7-24-01; BME 8-2002, f. & cert. ef. 7-17-02; BME 10-2004(Temp), f. & cert. ef. 4-22-04 thru 10-15-04; BME 15-2004, f. & cert. ef. 7-13-04; BME 8-2005, f. & cert. ef. 7-20-05; BME 4-2006(Temp), f. & cert. ef. 2-8-06 thru 7-7-06; BME 10-2006, f. & cert. ef. 5-8-06; BME 20-2007, f. & cert. ef. 10-24-07; BME 4-2009, f. & cert. ef. 1-22-09; BME 6-2010, f. & cert. ef. 4-26-10; BME 11-2010(Temp), f. & cert. ef. 7-26-10 thru 1-10-11; BME 17-2010, f. & cert. ef. 10-25-10

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**Rule Caption:** Reorders current levels of EMT providers; tracheobronchial suctioning.

**Adm. Order No.:** BME 18-2010

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**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 847-035-0001, 847-035-0030

**Subject:** The adopted rules establish a re-order to better reflect lowest to highest scopes of practice; add tracheobronchial suctioning to the EMT scope of practice.

**Rules Coordinator:** Malar Ratnathicam—(971) 673-2713

## 847-035-0001

### Definitions

(1) "Agent" means a medical or osteopathic physician licensed under ORS Chapter 677, actively registered and in good standing with the Board, a resident of or actively practicing in the area in which the emergency service is located, designated by the supervising physician to provide direction of the medical services of EMTs and First Responders as specified in these rules.

(2) "Board" means the Oregon Medical Board for the State of Oregon.

(3) "Committee" means the EMT Advisory Committee to the Oregon Medical Board.

(4) "Emergency Care" as defined in ORS 682.025(5) means the performance of acts or procedures under emergency conditions in the observation, care and counsel of the ill, injured or disabled; in the administration of care or medications as prescribed by a licensed physician, insofar as any of these acts is based upon knowledge and application of the principles of biological, physical and social science as required by a completed course utilizing an approved curriculum in prehospital emergency care. However, "emergency care" does not include acts of medical diagnosis or prescription of therapeutic or corrective measures.

(5) "Section" means the Emergency Medical Services and Trauma Systems Section of the Public Health Division of the Department of Human Services.

(6) "First Responder" means a person who has successfully completed a first responder course approved by the Section and has been examined and certified as a First Responder by an authorized representative of the Section to perform basic emergency and nonemergency care procedures.

(7) "Emergency Medical Technician-Basic (EMT-Basic)" means a person certified under ORS Chapter 682 and in good standing with the Section, who has completed an EMT-Basic course as prescribed by OAR 333, Division 265, and is certified by the Section.

(8) "Emergency Medical Technician-Intermediate (EMT-Intermediate)" means a person certified under ORS Chapter 682 and in good standing with the Section, who has completed an EMT-Intermediate



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course as prescribed by OAR 333, Division 265, and is certified by the Section.

(9) "Emergency Medical Technician-Paramedic (EMT-Paramedic)" means a person certified under ORS Chapter 682 and in good standing with the Section, who has completed an EMT-Paramedic course as prescribed by OAR 333, Division 265, and is certified by the Section.

(10) "In Good Standing" means a person who is currently certified or licensed, who does not have any restrictions placed on his/her certificate or license, or who is not on probation with the certifying or licensing agency for any reason.

(11) "Nonemergency care" as defined in ORS 682.025 (11) means the performance of acts or procedures on a patient who is not expected to die, become permanently disabled or suffer permanent harm within the next 24 hours, including but not limited to observation, care and counsel of a patient and the administration of medications prescribed by a physician licensed under ORS 677, insofar as any of these acts are based upon knowledge and application of the principles of biological, physical and social science and are performed in accordance with scope of practice rules adopted by the Oregon Medical Board in the course of providing prehospital care.

(12) "Supervising Physician" means a person licensed under ORS Chapter 677, actively registered and in good standing with the Board as a Medical Doctor or Doctor of Osteopathic Medicine, approved by the Board, and who provides direction of, and is ultimately responsible for emergency and nonemergency care rendered by EMTs and First Responders as specified in these rules. The supervising physician is also ultimately responsible for the agent designated by the supervising physician to provide direction of the medical services of the EMT and First Responder as specified in these rules.

(13) "Scope of Practice" means the maximum level of emergency and nonemergency care that an EMT or First Responder may provide as defined in OAR 847-035-0030.

(14) "Standing Orders" means the written detailed procedures for medical or trauma emergencies and nonemergency care to be performed by an EMT or First Responder issued by the supervising physician commensurate with the scope of practice and level of certification of the EMT or First Responder.

Stat. Auth.: ORS 682.245

Stats. Implemented: ORS 682.015(11)

Hist.: ME 2-1983, f. & ef. 7-21-83; ME 7-1985, f. & ef. 8-5-85; ME 11-1986, f. & ef. 7-31-86; ME 15-1988, f. & cert. ef. 10-20-88; ME 6-1991, f. & cert. ef. 7-24-91; ME 1-1996, f. & cert. ef. 2-15-96; ME 3-1996, f. & cert. efg. 7-25-96; BME 6-1998, f. & cert. ef. 4-27-98; BME 13-1999, f. & cert. ef. 7-23-99; BME 10-2002, f. & cert. ef. 7-22-02; BME 18-2010, f. & cert. ef. 10-25-10

## 847-035-0030

### Scope of Practice

(1) The Oregon Medical Board has established a scope of practice for emergency and nonemergency care for First Responders and EMTs. First Responders and EMTs may provide emergency and nonemergency care in the course of providing prehospital care as an incident of the operation of ambulance and as incidents of other public or private safety duties, but is not limited to "emergency care" as defined in OAR 847-035-0001(5).

(2) The scope of practice for First Responders and EMTs is not intended as statewide standing orders or protocols. The scope of practice is the maximum functions which may be assigned to a First Responder or EMT by a Board-approved supervising physician.

(3) Supervising physicians may not assign functions exceeding the scope of practice; however, they may limit the functions within the scope at their discretion.

(4) Standing orders for an individual EMT may be requested by the Board or Section and shall be furnished upon request.

(5) No EMT may function without assigned standing orders issued by Board-approved supervising physician.

(6) An Oregon-certified First Responder or EMT, acting through standing orders, shall respect the patient's wishes including life-sustaining treatments. Physician supervised First Responders and EMTs shall request and honor life-sustaining treatment orders executed by a physician, nurse practitioner or physician assistant if available. A patient with life-sustaining treatment orders always requires respect, comfort and hygienic care.

(7) A First Responder may perform the following procedures without having signed standing orders from a supervising physician:

- (a) Conduct primary and secondary patient examinations;
- (b) Take and record vital signs;
- (c) Utilize noninvasive diagnostic devices in accordance with manufacturer's recommendation;
- (d) Open and maintain an airway by positioning the patient's head;

(e) Provide external cardiopulmonary resuscitation and obstructed airway care for infants, children, and adults;

(f) Provide care for soft tissue injuries;

(g) Provide care for suspected fractures;

(h) Assist with prehospital childbirth; and

(i) Complete a clear and accurate prehospital emergency care report form on all patient contacts and provide a copy of that report to the senior EMT with the transporting ambulance.

(8) A First Responder may perform the following additional procedures only when the First Responder is part of an agency which has a Board-approved supervising physician who has issued written standing orders to that First Responder authorizing the following:

(a) Administration of medical oxygen;

(b) Maintain an open airway through the use of:

(A) A nasopharyngeal airway device;

(B) A noncuffed oropharyngeal airway device;

(C) A Pharyngeal suctioning device.

(c) Operate a bag mask ventilation device with reservoir;

(d) Provision of care for suspected medical emergencies, including administering liquid oral glucose for hypoglycemia; and

(e) Administer epinephrine by automatic injection device for anaphylaxis;

(f) Perform cardiac defibrillation with an automatic or semi-automatic defibrillator, only when the First Responder:

(A) Has successfully completed a Section-approved course of instruction in the use of the automatic or semi-automatic defibrillator; and

(B) Complies with the periodic requalification requirements for automatic or semi-automatic defibrillator as established by the Section.

(9) An Oregon-certified EMT-Basic may perform the following procedures:

(a) Perform all procedures that an Oregon-certified First Responder can perform;

(b) Ventilate with a non-invasive positive pressure delivery device;

(c) Insert a cuffed pharyngeal airway device in the practice of airway maintenance. A cuffed pharyngeal airway device is:

(A) A single lumen airway device designed for blind insertion into the esophagus providing airway protection where the cuffed tube prevents gastric contents from entering the pharyngeal space; or

(B) A multi-lumen airway device designed to function either as the single lumen device when placed in the esophagus, or by insertion into the trachea where the distal cuff creates an endotracheal seal around the ventilatory tube preventing aspiration of gastric contents.

(d) Perform tracheobronchial suctioning;

(e) Provide external cardiopulmonary resuscitation and obstructed airway care for infants, children, and adults;

(f) Provide care for suspected shock, including the use of the pneumatic anti-shock garment;

(g) Provide care for suspected medical emergencies, including:

(A) Obtaining a capillary blood specimen for blood glucose monitoring;

(B) Administer epinephrine by subcutaneous injection or automatic injection device for anaphylaxis;

(C) Administer activated charcoal for poisonings; and

(D) Administer aspirin for suspected myocardial infarction.

(h) Perform cardiac defibrillation with an automatic or semi-automatic defibrillator;

(i) Transport stable patients with saline locks, heparin locks, foley catheters, or in-dwelling vascular devices;

(j) Perform other emergency tasks as requested if under the direct visual supervision of a physician and then only under the order of that physician;

(k) Complete a clear and accurate prehospital emergency care report form on all patient contacts;

(l) Assist a patient with administration of sublingual nitroglycerine tablets or spray and with metered dose inhalers that have been previously prescribed by that patient's personal physician and that are in the possession of the patient at the time the EMT-Basic is summoned to assist that patient;

(m) In the event of a release of military chemical warfare agents from the Umatilla Army Depot, the EMT-Basic who is a member or employee of an EMS agency serving the DOD-designated Immediate Response Zone who has completed a Section-approved training program may administer atropine sulfate and pralidoxime chloride from a Section-approved pre-loaded auto-injector device, and perform endotracheal intubation, using protocols promulgated by the Section and adopted by the supervising

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physician. 100% of EMT-Basic actions taken pursuant to this section shall be reported to the Section via a copy of the prehospital emergency care report and shall be reviewed for appropriateness by Section staff and the Subcommittee on EMT Certification, Education and Discipline; and

(n) In the event of a release of organophosphate agents the EMT-Basic, who has completed Section-approved training, may administer atropine sulfate and pralidoxime chloride by autoinjector, using protocols approved by the Section and adopted by the supervising physician.

(10) An Oregon-certified EMT-Intermediate may perform the following procedures:

(a) Perform all procedures that an Oregon-certified EMT-Basic can perform;

(b) Initiate and maintain peripheral intravenous (I.V.) lines;

(c) Initiate and maintain an intraosseous infusion;

(d) Initiate saline or similar locks;

(e) Draw peripheral blood specimens;

(f) Administer the following medications under specific written protocols authorized by the supervising physician, or direct orders from a licensed physician:

(A) Physiologic isotonic crystalloid solution.

(B) Vasoconstrictors:

(i) Epinephrine

(ii) Vasopressin;

(C) Antiarrhythmics:

(i) Atropine sulfate,

(ii) Lidocaine,

(iii) Amiodarone;

(D) Antidotes:

(i) Naloxone hydrochloride;

(E) Antihypoglycemics:

(i) Hypertonic glucose,

(ii) Glucagon;

(F) Vasodilators:

(i) Nitroglycerine;

(G) Nebulized bronchodilators:

(i) Albuterol,

(ii) Ipratropium bromide;

(H) Analgesics for acute pain:

(i) Morphine,

(ii) Nalbuphine Hydrochloride,

(iii) Ketorolac tromethamine,

(iv) Fentanyl;

(I) Antihistamine:

(i) Diphenhydramine;

(J) Diuretic:

(i) Furosemide;

(K) Intraosseous infusion anesthetic;

(i) Lidocaine;

(L) Anti-Emetic;

(i) Ondansetron;

(g) Administer immunizations in the event of an outbreak or epidemic as declared by the Governor of the state of Oregon, the State Public Health Officer or a county health officer, as part of an emergency immunization program, under the agency's supervising physician's standing order;

(h) Administer immunizations for seasonal and pandemic influenza vaccinations according to the CDC Advisory Committee on Immunization Practices (ACIP), and/or the Oregon State Public Health Officer's recommended immunization guidelines as directed by the agency's supervising physician's standing order.

(i) Distribute medications at the direction of the Oregon State Public Health Officer as a component of a mass distribution effort.

(j) Administer routine or emergency immunizations, as part of an EMS Agency's occupational health program, to the EMT's EMS agency personnel, under the supervising physician's standing order.

(k) Insert an orogastric tube;

(l) Maintain during transport any intravenous medication infusions or other procedures which were initiated in a medical facility, and if clear and understandable written and verbal instructions for such maintenance have been provided by the physician, nurse practitioner or physician assistant at the sending medical facility;

(m) Electrocardiographic rhythm interpretation;

(n) Perform cardiac defibrillation with a manual defibrillator.

(11) An Oregon-certified EMT-Paramedic may perform the following procedures:

(a) Perform all procedures that an Oregon-certified EMT-Intermediate can perform;

(b) Initiate the following airway management techniques:

(A) Endotracheal intubation;

(B) Tracheal suctioning techniques;

(C) Cricothyrotomy; and

(D) Transtracheal jet insufflation which may be used when no other mechanism is available for establishing an airway.

(c) Initiate a nasogastric tube;

(d) Provide advanced life support in the resuscitation of patients in cardiac arrest;

(e) Perform emergency cardioversion in the compromised patient;

(f) Attempt external transcutaneous pacing of bradycardia that is causing hemodynamic compromise;

(g) Electrocardiographic interpretation.

(h) Initiate needle thoracentesis for tension pneumothorax in a pre-hospital setting;

(i) Initiate placement of a femoral intravenous line when a peripheral line cannot be placed;

(j) Initiate placement of a urinary catheter for trauma patients in a pre-hospital setting who have received diuretics and where the transport time is greater than thirty minutes; and

(k) Initiate or administer any medications or blood products under specific written protocols authorized by the supervising physician, or direct orders from a licensed physician.

(12) The Board has delegated to the Section the following responsibilities for ensuring that these rules are adhered to:

(a) Designing the supervising physician and agent application;

(b) Approving a supervising physician or agent; and

(c) Investigating and disciplining any EMT or First Responder who violates their scope of practice.

(d) The Section shall provide copies of any supervising physician or agent applications and any EMT or First Responder disciplinary action reports to the Board upon their request.

(13) The Section shall immediately notify the Board when questions arise regarding the qualifications or responsibilities of the supervising physician or agent of the supervising physician.

Stat. Auth.: ORS 682.245

Stats. Implemented: ORS 682.245

Hist.: ME 2-1983, f. & ef. 7-21-83; ME 3-1984, f. & ef. 1-20-84; ME 12-1984, f. & ef. 8-2-84; ME 7-1985, f. & ef. 8-5-85; ME 12-1987, f. & ef. 4-28-87; ME 27-1987(Temp), f. & ef. 11-5-87; ME 5-1988, f. & cert. ef. 1-29-88; ME 12-1988, f. & cert. ef. 8-5-88; ME 15-1988, f. & cert. ef. 10-20-88; ME 2-1989, f. & cert. ef. 1-25-89; ME 15-1989, f. & cert. ef. 9-5-89, & corrected 9-22-89; ME 6-1991, f. & cert. ef. 7-24-91; ME 10-1993, f. & cert. ef. 7-27-93; ME 3-1995, f. & cert. ef. 2-1-95; ME 1-1996, f. & cert. ef. 2-15-96; ME 3-1996, f. & cert. ef. 7-25-96; BME 6-1998, f. & cert. ef. 4-27-98; BME 13-1998(Temp), f. & cert. ef. 8-6-98 thru 2-2-99; BME 14-1998, f. & cert. ef. 10-26-98; BME 16-1998, f. & cert. ef. 11-24-98; BME 13-1999, f. & cert. ef. 7-23-99; BME 14-2000, f. & cert. ef. 10-30-00; BME 11-2001, f. & cert. ef. 10-30-01; BME 9-2002, f. & cert. ef. 7-17-02; BME 10-2002, f. & cert. ef. 7-22-02; BME 1-2003, f. & cert. ef. 1-27-03; BME 12-2003, f. & cert. ef. 7-15-03; BME 4-2004, f. & cert. ef. 1-27-04; BME 11-2004(Temp), f. & cert. ef. 4-22-04 thru 10-15-04; BME 12-2004(Temp), f. & cert. ef. 6-11-04 thru 12-8-04; BME 21-2004(Temp), f. & cert. ef. 11-15-04 thru 4-15-05; BME 2-2005, f. & cert. ef. 1-27-05; BME 5-2005, f. & cert. ef. 4-21-05; BME 9-2005, f. & cert. ef. 7-20-05; BME 18-2006, f. & cert. ef. 7-25-06; BME 22-2006, f. & cert. ef. 10-23-06; BME 7-2007, f. & cert. ef. 1-24-07; BME 11-2007, f. & cert. ef. 4-26-07; BME 24-2007, f. & cert. ef. 10-24-07; BME 11-2008, f. & cert. ef. 4-24-08; BME 19-2008, f. & cert. ef. 7-21-08; BME 10-2009, f. & cert. ef. 5-1-09; BME 13-2009, f. & cert. ef. 7-20-09; BME 18-2009, f. & cert. ef. 10-23-09; BME 22-2009(Temp), f. & cert. ef. 10-23-09 thru 4-15-10; BME 5-2010, f. & cert. ef. 1-26-10; BME 8-2010(Temp), f. & cert. ef. 4-26-10 thru 10-15-10; BME 12-2010, f. & cert. ef. 7-26-10; BME 18-2010, f. & cert. ef. 10-25-10

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**Rule Caption:** Defines Supervising Physician Organization (SPO); prior to licensure, supervising physicians are not required for PA's in Military/Public Health.

**Adm. Order No.:** BME 19-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 847-050-0010, 847-050-0015

**Subject:** The adopted rule amendments define Supervising Physician Organization (SPO) and allows physician assistants in Military/Public Health service to not have a supervising physician prior to licensure.

**Rules Coordinator:** Malar Ratnathicam—(971) 673-2713

**847-050-0010**

**Definitions**

As used in OAR 847-050-0005 to 847-050-0065:

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(1) "Agent" means a physician designated by the supervising physician who provides supervision of the medical services of a physician assistant for a predetermined period of time.

(2) "Board" means the Oregon Medical Board for the State of Oregon.

(3) "Committee" means Physician Assistant Committee.

(4) "Grandfathered physician assistant" means the physician assistant registered prior to July 12, 1984 who does not possess the qualifications of OAR 847-050-0020. Grandfathered physician assistants may retain all practice privileges which have been granted prior to July 12, 1984. All changes in practice descriptions after July 12, 1984 by grandfathered physician assistants must be pre-approved by the Board.

(5) "Physician assistant" means a person who is licensed as such in accordance with ORS 677.265, 677.495, 677.0505, 677.510, 677.515, 677.520, and 677.525.

(6) "Practice description" means a written description submitted by the supervising physician and the physician assistant to the Board of the duties and functions of the physician assistant in relation to the physician's practice.

(7) "Supervising physician organization" means a group of supervising physicians who collectively supervises a physician assistant. One physician within the supervising physician organization must be designated as the primary supervising physician of the physician assistant.

(8) "Supervising physician" means a physician licensed under ORS Chapter 677, actively registered and in good standing with the Board as a Medical Doctor or Doctor of Osteopathic Medicine, who provides direction and regular review of the medical services provided by the physician assistant as determined to be appropriate by the Board.

(9) "Supervision" means the routine review by the supervising physician or designated agent, as described in the practice description and as determined to be appropriate by the Board, of the medical services provided by the physician assistant. The supervising physician or designated agent and the physician assistant shall maintain direct communication, either in person or by telephone, radio, radiotelephone, television or similar means. There are three categories of supervision

(a) "Direct Supervision" means the supervising physician or designated agent must be in the facility when the physician assistant is practicing.

(b) "General Supervision" means the supervising physician or designated agent is not on-site with the physician assistant, but is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means.

(c) "Personal Supervision" means the supervising physician or designated agent must be at the side of the physician assistant at all times, personally directing the action of the physician assistant.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.495

Hist.: ME 23(Temp), f. & ef. 10-12-71; ME 25, f. 1-20-72, ef. 2-1-72; ME 1-1979, f. & ef. 1-29-79; ME 5-1979, f. & ef. 11-30-79; ME 4-1980(Temp), f. 8-5-80, ef. 8-6-80; ME 7-1980, f. & ef. 11-3-80; ME 4-1981(Temp), f. & ef. 10-20-81; ME 2-1982, f. & ef. 1-28-82; ME 2-1990, f. & cert. ef. 1-29-90; ME 10-1992, f. & cert. ef. 7-17-92; BME 4-2002, f. & cert. ef. 4-23-02; BME 13-2003, f. & cert. ef. 7-15-03; BME 12-2006, f. & cert. ef. 5-8-06; BME 19-2010, f. & cert. ef. 10-25-10

## 847-050-0015

### Application

To be licensed by the Board, a physician assistant must have a supervising physician. The supervising physician must be actively licensed in Oregon and in good standing with the Board:

(1) Each application for the licensure of a physician assistant must be signed by the physician assistant and include the following information:

(a) Specific detailed information relating to the type of supervision to be provided by the supervising physician is to be set forth in the practice description submitted for the applicant by the physician who shall supervise. The practice description must be signed by the supervising physician. All such practice descriptions are subject to Board approval;

(b) The specialty, type of degree, professional address, and type of practice of the supervising physician;

(c) All information required by ORS 677.510(1);

(d) The applicant must provide the Board with sufficient evidence of good moral character.

(2) No applicant shall be entitled to licensure who:

(a) Has failed an examination for licensure in the State of Oregon;

(b) Has had his license or certificate revoked or suspended in this or any other state unless the said license or certificate has been restored or reinstated and the applicant's license or certificate is in good standing in the state which had revoked the same;

(c) Has been refused a license or certificate in any other state on any grounds other than failure in a medical licensure examination; or

(d) Has been guilty of conduct similar to that which would be prohibited by or to which ORS 677.190 would apply.

(3) A person applying for licensure under these rules who has not completed the licensure process within a 12 month consecutive period from date of receipt of the application shall file a new application, documents, letters and pay a full filing fee as if filing for the first time.

(4) An applicant requesting to be licensed at Military/Public Health Active status is not required to have a supervising physician prior to licensure.

(a) Prior to practicing in Oregon at a non-Military/Public Health Active status, licensees at Military/Public Health Active status must apply for the reactivation of their license to Active status and obtain an Oregon licensed supervising physician.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.265

Hist.: ME 23(Temp), f. & ef. 10-12-71; ME 25, f. 1-20-72, ef. 2-1-72; ME 1-1979, f. & ef. 1-29-79; ME 5-1979, f. & ef. 11-30-79; ME 4-1980(Temp), f. 8-5-80, ef. 8-6-80; ME 7-1980, f. & ef. 11-3-80; ME 4-1981(Temp), f. & ef. 10-20-81; ME 2-1982, f. & ef. 1-28-82; ME 2-1990, f. & cert. ef. 1-29-90; ME 10-1992, f. & cert. ef. 7-17-92; BME 4-2002, f. & cert. ef. 4-23-02; BME 13-2010(Temp), f. & cert. ef. 7-26-10 thru 1-10-11; BME 19-2010, f. & cert. ef. 10-25-10

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**Rule Caption:** House Bill 2345 (2009) establishment of Health Professionals Services Program (HPSP).

**Adm. Order No.:** BME 20-2010

**Filed with Sec. of State:** 10-25-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Adopted:** 847-065-0010, 847-065-0015, 847-065-0020, 847-065-0025, 847-065-0030, 847-065-0035, 847-065-0040, 847-065-0045, 847-065-0050, 847-065-0055, 847-065-0060, 847-065-0065

**Rules Repealed:** 847-065-0000

**Subject:** The adopted rules establish a Health Professionals Services Program (HPSP) per House Bill 2345 (2009) to provide diagnosis and treatment options to impaired health professionals, effective July 1, 2010.

**Rules Coordinator:** Malar Ratnathicam—(971) 673-2713

## 847-065-0010

### Purpose, Intent and Scope

The Oregon Medical Board recognizes that substance use disorders, mental health disorders, or both disorders are primary, progressive, chronic diseases. The Board believes that physicians, podiatric physicians, physician assistants and acupuncturists who develop these diseases can, with appropriate treatment, be assisted with recovery and return to the practice of medicine and acupuncture. It is the intent of the Board that a licensee with a substance use disorder, a mental health disorder or both types of disorders may have the opportunity to enter the Health Professionals Services Program (HPSP). Participation in the Health Professionals Services Program does not shield a licensee from possible disciplinary action.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0015

### Definitions

The following definitions apply to OAR chapter 847, division 065, except as otherwise stated in the definition:

(1) "Assessment or evaluation" means the process an independent third-party evaluator uses to diagnose the licensee and to recommend treatment options for the licensee.

(2) "Board" means the Oregon Medical Board.

(3) "Business day" means Monday through Friday, except legal holidays as defined in ORS 187.010 (or ORS 187.020).

(4) "Diagnosis" means the principal mental health or substance use diagnosis listed in the Diagnostic Statistical Manual (DSM). The diagnosis is determined through the assessment and any examinations, tests or consultations suggested by the assessment and is the medically appropriate reason for services.

(5) "Division" means the Department of Human Services, Addictions and Mental Health Division.

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(6) “DSM” means the Diagnostic and Statistical Manual of Mental Disorders, commonly referred to as DSM-IV-TR, published by the American Psychiatric Association.

(7) “Federal regulations” means:

(a) As used in ORS 676.190(1)(f)(D), a “positive toxicology test result as determined by federal regulations pertaining to drug testing” means test results meet or exceed the cutoff concentrations shown in 49 CFR § 40.87 (2009) must be reported as substantial non-compliance, but positive toxicology results for other drugs and for alcohol may also constitute and may be reported as substantial non-compliance.

(b) As used in ORS 676.190(4)(i), requiring a “licensee to submit to random drug or alcohol testing in accordance with federal regulations” means licensees are selected for random testing by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with licensees’ unique identification numbers or other comparable identifying numbers. Under the selection process used, each covered licensee shall have an equal chance of being tested each time selections are made, as described in 40 CFR § 199.105(c)(5) (2009). Random drug tests must be unannounced and the dates for administering random tests must be spread reasonably throughout the calendar year, as described in 40 CFR § 199.105(c)(7) (2009).

(8) “Fitness to practice evaluation” means the process a qualified, independent third-party evaluator uses to determine if the licensee can safely perform the essential functions of the licensee’s health practice.

(9) “Final enrollment” means a self-referred licensee has provided all documentation required by OAR 847-065-0035 and has met all eligibility requirements to participate in the HPSP.

(10) “Independent third-party evaluator” means an individual or center who is approved by a licensee’s Board to evaluate, diagnose, and offer treatment options for substance use disorders, mental health disorders or co-occurring disorders.

(11) “Individual service record” means the official permanent HPSP documentation, written or electronic, for each licensee, which contains all information required by these rules and maintained by the HPSP to demonstrate compliance with these rules.

(12) “Licensee” means a licensed physician, podiatric physician, physician assistant or acupuncturist who is licensed or certified by the Oregon Medical Board.

(13) “Mental health disorder” means a clinically significant behavioral or psychological syndrome or pattern that occurs in an individual and that is associated with present distress or disability or with a significantly increased risk of suffering death, pain, disability, or an important loss of freedom that is identified in the DSM.

(14) “Monitoring agreement” means an individualized agreement between a licensee and the vendor that meets the requirements for a diversion agreement set by ORS 676.190.

(15) “Monitoring Entity” means an independent third party that monitors licensees HPSP enrollment status and monitoring agreement compliance.

(16) “Non-treatment compliance monitoring” means the non-medical, non-therapeutic services employed by the vendor to track and report the licensee’s compliance with the monitoring agreement.

(17) “Peer” means another licensee currently enrolled in the program.

(18) “Provisional enrollment” means temporary enrollment, pending verification that a licensee meets all program eligibility criteria.

(19) “Self-referred licensee” means a licensee who seeks to participate in the program without a referral from the board.

(20) “Substance use disorder” means a disorder related to the taking of a drug of abuse (including alcohol); to the side effects of a medication; and to a toxin exposure, including: substance use disorders (substance dependence and substance abuse) and substance-induced disorders (including but not limited to substance intoxication, withdrawal, delirium, and dementia, as well as substance induced psychotic disorders and mood disorders), as defined in DSM criteria.

(21) “Substantial non-compliance” means that a licensee is in violation of the terms of his or her monitoring agreement in a way that gives rise to concerns about the licensee’s ability or willingness to participate in the HPSP. Substantial non-compliance and non-compliance include, but are not limited to, the factors listed in ORS 676.190(1)(f). Conduct that occurred before a licensee entered into a monitoring agreement does not violate the terms of that monitoring agreement.

(22) “Successful completion” means that for the period of service deemed necessary by the vendor or the Board, the licensee has complied with the licensee’s monitoring agreement to the satisfaction of the HPSP and/or the Board.

(23) “Toxicology testing” means urine testing or alternative chemical monitoring including blood, saliva, breath or hair as conducted by a laboratory certified, accredited or licensed and approved for toxicology testing.

(24) “Treatment” means the planned, specific, individualized health and behavioral-health procedures, activities, services and supports that a treatment provider uses to remediate symptoms of a substance use disorder, mental health disorder or both types of disorders.

(25) “Vendor” means the entity that has contracted with the Division to conduct the HPSP.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0020

### Participation in Health Professionals Services Program

Effective July 1, 2010, the Board shall participate in the Health Professionals Services Program and may refer eligible licensees to the HPSP in lieu of or in addition to discipline. Only licensees who meet the eligibility criteria may be referred by the Board to the Health Professionals Services Program.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0025

### Eligibility for Participation in Health Professionals Services Program

(1) Licensee must be evaluated by an independent, third-party evaluator approved by the Board. The evaluation must include a diagnosis of a substance use disorder, mental health disorder, or both types of disorders with the appropriate diagnostic code from the DSM, and treatment options.

(2) Licensee must provide a written statement agreeing to enter the HPSP in lieu of or in addition to discipline and agreeing to abide by all terms and conditions established by the Board.

(3) Licensee must enter into the “HPSP Monitoring Agreement.”

(4) The OMB will perform a “Safe to Practice” Investigation upon licensee’s enrollment.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0030

### Procedure for Board Referrals

(1) When the Board receives information involving a licensee who may have a substance use disorder, a mental disorder, or both types of disorders, the Board staff will investigate and complete a report to be presented at a Board meeting.

(2) The Board will review the report and determine if the licensee meets the eligibility criteria for the HPSP.

(3) If licensee meets eligibility criteria and the board approves entry into the HPSP, the Board will provide a written referral. The referral must include:

(a) A copy of the report from the independent, third-party evaluator who diagnosed the Licensee;

(b) The treatment options developed by the independent third-party evaluator;

(c) A statement that the Board has investigated the licensee’s professional practice and conduct;

(d) A description of any restrictions imposed by the Board or recommended by the Board on the licensee’s professional practice;

(e) A written statement from the licensee agreeing to enter the HPSP in lieu of or in addition to discipline and agreeing to abide by all terms and conditions established by the vendor; and

(f) A statement that the licensee has agreed to report any arrest for or conviction of a misdemeanor or felony crime to the board within three business days after the licensee is arrested or convicted.

(4) A board-referred licensee is enrolled in the program effective on the date the licensee signs the consents and the monitoring agreement required by ORS 676.190.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

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## 847-065-0035

### Procedure for Self- Referred Licensees

Self-referred licensees may participate in the HPSP as permitted by ORS 676.190(5).

(1) Provisional Enrollment. To be provisionally enrolled in the program, a self-referred licensee must:

(a) Sign a written consent allowing disclosure and exchange of information between the vendor, the monitoring entity, the licensee's employer, independent third-party evaluators, and treatment providers;

(b) Sign a written consent allowing disclosure and exchange of information between the vendor, the Board, the monitoring entity, the licensee's employer, independent third-party evaluators and treatment providers in the event the vendor determines the licensee to be in substantial non-compliance with his or her monitoring agreement as defined in OAR 847-065-0065. The purpose of the disclosure is to permit the vendor and the monitoring entity to notify the Board if the vendor determines the licensee to be in substantial non-compliance with his or her monitoring agreement;

(c) Attest that the licensee is not, to the best of the licensee's knowledge, under investigation by his or her Board; and

(d) Agree to and sign a monitoring agreement.

(2) Upon provisional enrollment, the vendor shall send to the monitoring entity copies of the signed consents and the monitoring agreement, described in section one of this rule.

(3) Final Enrollment: To move from provisional enrollment to final enrollment in the program, a self-referred licensee must:

(a) Obtain at the licensee's own expense and provide to the vendor, an independent third-party evaluator's written evaluation containing a DSM diagnosis and diagnostic code and treatment recommendations;

(b) Agree to cooperate with the vendor's investigation to determine whether the licensee's practice while impaired presents or has presented a danger to the public; and

(c) Enter into an amended monitoring agreement, if required by the vendor.

(4) Once a self-referred licensee seeks enrollment in the HPSP, failure to complete final enrollment may constitute substantial non-compliance and may be reported to the Board.

(5) Upon final enrollment of a self-referred licensee, the vendor shall send to the monitoring entity a copy of the written evaluation by the independent third-party evaluator and a copy of the amended monitoring agreement, if any.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0040

### Disqualification Criteria

Licensees, either Board-referred or self-referred, may be disqualified from entering the HPSP for factors including, but not limited to:

(1) Licensee's disciplinary history;

(2) Severity and duration of the licensee's impairment;

(3) Extent to which licensee's practice can be limited or managed to eliminate danger to the public;

(4) Likelihood that licensee's impairment can be managed with treatment and monitoring;

(5) Evidence of criminal history that involves injury or endangerment to others;

(6) A diagnosis requiring treatment because of sexual offenses or sexual misconduct;

(7) Evidence of non-compliance with a monitoring program from another state;

(8) Pending investigations with the Board or boards from other states;

(9) Previous Board investigations with findings of substantiated abuse or dependence; and

(10) Prior enrollment in, but failure to successfully complete, the Board of Medical Examiners/Oregon Medical Board, Health Professionals Program.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0045

### Approval of Independent Third-Party Evaluators

(1) To be approved by the Board as an independent third-party evaluator, an evaluator must be:

(a) Licensed as required by the jurisdiction in which the evaluator works;

(b) Able to provide a comprehensive assessment of and written report describing a licensee's diagnosis, degree of impairment, and treatment options; and

(c) Able to facilitate a urinalysis of the licensee at intake.

(2) The Board will not accept an evaluator as independent in a particular case if, in the Board's judgment, the evaluator's judgment is likely to be influenced by a personal or professional relationship with a licensee.

(3) The Board will maintain a list of independent third-party evaluators available to licensees upon request.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0050

### Approval of Treatment Providers

(1) To be approved by the Board as a treatment provider, a provider must be:

(a) Licensed as required by the jurisdiction in which the provider works;

(b) Able to provide appropriate treatment considering licensee's diagnosis, degree of impairment, and treatment options proposed by the independent third-party evaluator; and

(c) Able to facilitate a urinalysis of the licensee at intake.

(2) The Board will not accept a provider as a treatment provider in a particular case if, in the Board's judgment, the provider's judgment is likely to be influenced by a personal or professional relationship with a licensee.

(3) The Board will maintain a list of treatment providers available to licensees upon request.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0055

### Licensee Responsibilities

(1) All licensees must:

(a) Agree to report any arrest for or conviction of a misdemeanor or felony crime to the vendor and the Board within three business days after the licensee is arrested or convicted of the crime; and

(b) Comply continuously with his or her monitoring agreement, including any restrictions on his or her practice, for at least two years or longer, as specified in the monitoring agreement.

(c) Abstain from mind-altering or intoxicating substances or potentially addictive drugs, unless the drug is approved by the HPSP and prescribed for a documented medical condition by a person authorized by law to prescribe the drug to the licensee;

(d) Report use of mind-altering or intoxicating substances or potentially addictive drugs within 24 hours;

(e) Participate in a treatment plan approved by a third party;

(f) Limit practice as required by the HPSP or the Board;

(g) Cooperate with supervised monitoring of practice;

(h) Participate in a follow-up evaluation, when necessary, of licensee's fitness to practice;

(i) Submit to random drug or alcohol testing;

(j) Report to at least weekly to the HPSP regarding the licensee's compliance with the monitoring agreement;

(k) Report applications for licensure in other states, changes in employment and changes in practice setting;

(l) Agree to be responsible for the cost of evaluations, toxicology testing, treatment and monitoring.

(m) Report to the HPSP any investigations or disciplinary action by any state, or state or federal agency, including Oregon.

(n) Participate in required meetings according to the treatment plan.

(o) Maintain current license status.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0060

### Completion Requirements

(1) The time spent working in a monitored practice before transferring from the Health Professionals Program to the Health Professionals Services

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Program effective July 1, 2010, will be counted toward the required term of monitored practice.

(2) The licensee will remain enrolled in the program for a minimum of two consecutive years.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

## 847-065-0065

### Substantial Non-Compliance Criteria

(1) The HPSP or the monitoring entity will report substantial non-compliance with the diversion agreement within one business day after the HPSP learns of non-compliance, including but not limited to information that a licensee:

(a) Engaged in criminal behavior;

(b) Engaged in conduct that caused injury, death or harm to the public, including engaging in sexual impropriety with a patient;

(c) Was impaired in a health care setting in the course of the licensee's employment;

(d) Received a positive toxicology test result as determined by federal regulations pertaining to drug testing;

(e) Violated a restriction on the licensee's practice imposed by the HPSP or the licensee's Board;

(f) Was admitted to the hospital for mental illness or adjudged to be mentally incompetent;

(g) Entered into a diversion agreement, but failed to participate in the HPSP;

(h) Was referred to the HPSP, but failed to enroll in the HPSP;

(i) Forged, tampered, or modified a prescription;

(j) Violated any rules of prescriptive authority;

(k) Violated any provisions of OAR 847-065-0055; or

(l) Violated any terms of the diversion agreement.

(m) Failed to complete the monitored practice requirements as stated in OAR 847-065-0060.

(2) The Board, upon being notified of a licensee's substantial non-compliance will investigate and determine the appropriate sanction.

Stat. Auth.: ORS 676.185-200 & 677.265

Stats. Implemented: ORS 677.185 & 677.265

Hist.: BME 15-2010(Temp), f. & cert. ef. 8-3-10 thru 1-18-11; BME 20-2010, f. & cert. ef. 10-25-10

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**Oregon Military Department,  
Office of Emergency Management  
Chapter 104**

**Rule Caption:** Adopt amended rules for the Seismic Rehabilitation Grant Program for consistency with Oregon Constitution and ORS 401.300.

**Adm. Order No.:** OEM 3-2010

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 10-1-2010

**Rules Adopted:** 104-050-0055

**Rules Amended:** 104-050-0000, 104-050-0010, 104-050-0020, 104-050-0030, 104-050-0040, 104-050-0050, 104-050-0060, 104-050-0070, 104-050-0080, 104-050-0090, 104-050-0100

**Subject:** 104-050-0000, Purpose: Statutory citation corrected; 104-050-0010, Definitions: Additional definitions were included to provide further clarity on terms used in the Seismic Rehabilitation Grant Program documents; 104-050-0020, Eligible Applicants: Revises the definition of eligible applicants to be consistent to Constitutional language in Articles XI-M and XI-N;

104-050-0030, Program Information: Amends statutory references; 104-050-0040, Program Sanctions: Amends reference to subgrantee to grantee; 104-050-0050, Project Eligible Activities: Amends title that reflects more clearly the context of this rule and clarifies the seismic safety level requirements; 104-050-0055, Project Ineligible Activities: Addition of this rule clarifies ineligible activities; 104-050-0060, Application Submittal, Review and Approval: clarifies materials Grant Selection Committee will receive; 104-050-0070, Project Administration: Statutory citations corrected; 104-050-0080, Grant Awards and Match: Revises wording that Committee may provide points for match funds; 104-050-0090, Grant Agree-

ment Conditions: Decreased the amount of time required to execute contract; 104-050-0100, Waivers, Exceptions and Appeals: Statutory citations corrected.

**Rules Coordinator:** Cherie Cline—(503) 378-2911, ext. 22221

## 104-050-0000

### Purpose

(1) The Director of the Office of Emergency Management (OEM), pursuant to Oregon Revised Statutes (ORS) 401.300, shall develop and administer grant programs for the seismic rehabilitation of critical public buildings.

(2) The funds for the seismic rehabilitation of critical public buildings under the grant program are provided from the issuance of bonds pursuant to the authority provided in Articles XI-M and XI-N of the Oregon Constitution.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

## 104-050-0010

### Definitions

(1) "OEM": Office of Emergency Management, Oregon Military Department.

(2) "Acute inpatient care facility": Means a licensed hospital with an organized medical staff, with permanent facilities that include inpatient beds, with comprehensive medical services, including physician services and continuous nursing services under the supervision of registered nurses, to provide diagnosis and medical or surgical treatment primarily for, but not limited to acutely ill patients and accident victims. "Acute inpatient care facility" includes the Oregon Health and Science University.

(3) "Applicant": A school district, community college, education service district, higher education institution, police, sheriff, fire, hospital which is applying for a grant from the Seismic Rehabilitation program.

(4) "Collapse Prevention": Means a building at this performance level is capable of maintaining gravity loads though structural damage is severe and risk of falling hazard is high as set forth in the American Society of Civil Engineers Standard for Seismic Rehabilitation of Existing Buildings newest edition.

(5) "Critical Public Buildings": Includes hospital buildings with acute inpatient care facilities, fire stations, police stations, sheriffs' offices, other facilities used by state, county, district, or municipal law enforcement agencies and buildings with a capacity of 250 or more persons that are routinely used for student activities by kindergarten through grade 12 public schools, community colleges, education service districts and institutions of higher education.

(6) "Director": The Director of the Office of Emergency Management.

(7) "Distressed or Impoverished": All Oregon cities and counties designated by Oregon Business Development Department as distressed or impoverished by established methodology.

(8) "Division": Office of Emergency Management.

(9) "Education Service District (ESD)": Means a district created under ORS 334.010 that provides regional educational services to component school districts.

(10) "Grant Program": The Seismic Rehabilitation Grant Program.

(11) "Grant Selection Committee": The committee that is charged with evaluating grant applications for the purpose of determining which projects receive funding. The grant selection committee membership shall include representatives of Oregon Department of Education, The Department of Human Services, The State Department of Geology and Mineral Industries, Oregon Seismic Safety Policy Advisory Commission, The Oregon Department of Administrative Services, The Oregon Fire Chiefs' Association, The Oregon Association of Chiefs of Police, Community Colleges and Workforce Development, Oregon University System, The Oregon Association of Hospitals and Health Systems, and others who possess expertise in construction, construction grants and structural design as determined by the Director.

(12) "Grantee": Means applicant awarded grant funds for seismic rehabilitation project.

(13) "Holistic Project": Means a project emphasizing the whole building instead of the separation of its parts.

(14) "Immediate Occupancy": Means a building at this performance level is expected of being sufficiently functional for occupancy as set forth in the American Society of Civil Engineers Standard for Seismic Rehabilitation of Existing Buildings newest edition.

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(15) "Life Safety": Means a building at this performance level is expected to present low risk of life threatening injury to building inhabitants as set forth in the American Society of Civil Engineers Standard for Seismic Evaluation of Existing Buildings newest edition.

(16) "Match": is any contribution to a project that is non-seismic grant funds. Match may include:

(a) Cash on hand or cash that is pledged to be on hand prior to commencement of the project; and,

(b) Secured funding commitments from other sources.

(17) "Project": Seismic rehabilitation activity (or activities) to a building that is eligible for assistance from the Seismic Rehabilitation Grant Program.

(18) "Seismic Rehabilitation": Means construction of structural improvements to a building that results in the increased capability of the building to resist earthquake forces and that are based on standards adopted by the State of Oregon or by local governments.

(19) "Small Impoverished Community": As defined in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5133, means a community of 3,000 or fewer individuals that is economically disadvantaged, as determined by the State in which the community is located and based on criteria established by the President. Small and impoverished community must meet all of the following criteria:

(a) Must be a community of 3,000 or fewer individuals that is identified by the State as a rural community, and is not a remote area within the corporate boundaries of a larger city;

(b) Must be economically disadvantaged, with residents having an average per capita annual income not exceeding 80% of the national per capita income, based on best available data. (The Department of Commerce Bureau of Economic Analysis (BEA) website states that the per capita personal income for the United States in 2006 was \$31,794.) More up-to-date information may be used. Please see the BEA website at: <http://www.bea.gov>;

(c) Must have a local unemployment rate that exceeds by one-percentage point or more the most recently reported, average yearly national unemployment rate. (According to the US Bureau of Labor Statistics (USBL), the current average unemployment rate for 2006 is 4.6%.) For up-to-date information, please see the USBL website located at: <http://stats.bls.gov/>; and

(d) Must meet any other factors as determined by the State in which the community is located.

(20) "Structural": Means components of a building that support or resist loads. Parts of a building that bear weight.

(21) "Tsunami Inundation Zone": Means for purposes of the SRGP, the area depicted as the tsunami inundation zone in Oregon Department of Geology and Mineral Industries Open-File Reports O-95-09 through O-95-38, O-95-43 through O-95-66 and O-97-31 through O-97-32.

(22) "Useful Life": Means the length of time that the building or structure is expected to be used, or 30 years, whichever is greater.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

## 104-050-0020

### Eligible Applicants

The following are eligible to apply for a Seismic Rehabilitation Grant, except those determined to be ineligible by the Department because of non-performance under a prior Seismic Rehabilitation Grant contract:

(1) All hospital buildings with acute inpatient care facilities, fire stations, police stations, sheriffs' offices, other facilities used by state, county, district or municipal law enforcement agencies.

(2) Kindergarten through grade 12 public schools, community colleges, education service districts and institutions of higher education buildings with a capacity of 250 or more persons that are routinely used for student activities and are owned by the State Board of Higher Education, a school district, an education service district, a community college district or a community college service district.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

## 104-050-0030

### Program Information

(1) OEM shall prepare a Grant Application Package. The application package may contain a guidance document, application forms, and other supplementary information that may help eligible applicants prepare grant applications.

(2) The guidance document will include a description of eligibility criteria, and ranking factors used to evaluate and select applications for funding.

(3) The Grant Application Package on file with OEM is incorporated as part of these rules by reference.

(4) OEM will provide to Seismic Rehabilitation grantee a Grant Contract which specifies legal requirements for grant management, reporting, and record keeping, and OEM's monitoring and grant closeout procedures.

(5) OEM shall administer Seismic Rehabilitation Grants in compliance with the requirements of applicable statutes, rules, and the Grant Guidance Document.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

## 104-050-0040

### Program Sanctions

The grantee shall be responsible for taking all actions necessary to enforce the terms of the grant contract against any private or public participant who fails to comply with applicable provisions of the grant contract, and to recover on behalf of the state any liabilities that may arise as the result of the breach of the grant contract by any participant. Nothing in this paragraph shall restrict the state's rights to enforce independently the terms of any grant contract or to recover any sums that may become due as the result of a breach of such a contract.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

## 104-050-0050

### Project Eligible Activities

Projects must meet the following criteria to be eligible for this program:

(1) Education buildings rehabilitated to life safety seismic safety performance level as defined in OAR 104-050-0010.

(2) Emergency services buildings rehabilitated to immediate occupancy seismic safety performance level as defined in OAR 104-050-0010.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

## 104-050-0055

### Project Ineligible Activities

Project ineligible activities include, but are not limited to:

(1) The demolition and rebuild of an existing critical public building.

(2) Rehabilitation to a building located in the Tsunami Inundation Zone as defined in OAR 104-050-0010.

(3) Rehabilitation of a building located in the flood zone, with no previous mitigation activities completed.

(4) Partial rehabilitation of a building that does not holistically address all known seismic deficiencies, as defined in OAR 104-050-0010.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 3-2010, f. & cert. ef. 11-1-10

## 104-050-0060

### Application Submittal, Review and Approval

(1) OEM shall announce deadlines for submitting applications, how to obtain an application form, and required supplemental documents.

(2) An eligible critical public building may submit an application after consulting with OEM on a preliminary determination of eligibility and otherwise follow OEM's procedures for submitting applications. The application must be in the form provided by OEM and must contain or be accompanied by such information as OEM may require. OEM will process only completed applications.

(3) Upon receipt of signed application, OEM will notify the applicant within 30 days as to the receipt of the application.

(4) Upon receipt of a completed application, OEM will provide the Grant Selection Committee with copies of the application materials to evaluate the application using ranking factors and point values to determine the project's prioritization ranking during a public meeting.

(5) Once a completed application is evaluated for a grant award, the Grant Selection Committee will, within 90 days, notify applicants of the status of their grant application.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

# ADMINISTRATIVE RULES

## Oregon State Library Chapter 543

### 104-050-0070

#### Project Administration

(1) OEM and the applicant must execute a grant contract prior to disbursement of grant funds.

(2) Documentation of project costs incurred by entity must be submitted to OEM prior to disbursement of funds.

(3) Disbursement of grant funds to entity will be made on the schedule determined by OEM.

(4) Prior to final disbursement, OEM will review and evaluate all documents produced as a result of the project, perform a final on-site inspection of the completed project and determine how closely the project delivered the outcome anticipated in the application.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

### 104-050-0080

#### Grant Awards and Match

(1) Grants will be awarded only when there are sufficient funds available in the Seismic Rehabilitation Grants program.

(2) Grant funds shall be distributed proportionately between public education facilities and emergency services facilities as allocated by the Legislative Assembly.

(3) The maximum grant award is \$1.5 million.

(4) There is no required match for this program. Additional application points may be considered for applicants that provide matching funds.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

### 104-050-0090

#### Grant Agreement Conditions

(1) OEM will only enter into new agreements or amendments to existing agreements, with prior Grantees, if all reporting obligations under earlier agreements have been met.

(2) If the grant agreement has not been fully executed by all the parties within 60 days of grantee receiving contract document, funding shall be terminated. The money allocated to the grant shall be available for reallocation by the grant committee.

(3) The Director or designee shall establish grant agreement conditions. Grantees shall comply with all grant agreement conditions.

(4) The Grantee shall comply with all federal, state and local laws and ordinances applicable to the work to be done under the agreement.

(5) Upon notice to the Grantee in writing, the Director may terminate funding for projects not completed in the prescribed time and manner. The money allocated to the project but not used will be available for reallocation by the grant committee.

(6) The Grantee will account for funds distributed by the grant committee, using project expense forms provided by OEM.

(7) The Grantee will obtain the necessary permits and licenses from local, state or federal agencies or governing bodies and provide a copy to OEM.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

### 104-050-0100

#### Waivers, Exceptions and Appeals

(1) The Director may provide authority to the grant committee to waive non-statutory requirements of the grant program based on special circumstances, such as:

- (a) Proximity to fault hazards;
- (b) The community value of the structure;
- (c) Emergency functions provided by the structure; and,
- (d) Storage of hazardous materials.

(2) The Director may consider appeals of the grant committee's funding decisions. Only the applicant may appeal. Appeals must be submitted in writing to the Director within 30 days of the event or action that is being appealed. The Director's decision is final.

(3) The Director may waive non-statutory requirements of this program if it is demonstrated such a waiver would serve to further the goals or objectives of the program.

Stat. Auth.: ORS 401.300

Stats. Implemented: ORS 401.300

Hist.: OEM 1-2009, f. & cert. ef. 4-22-09; OEM 3-2010, f. & cert. ef. 11-1-10

**Rule Caption:** Oregon Statewide Reference Assistance Program.

**Adm. Order No.:** OSL 1-2010

**Filed with Sec. of State:** 10-19-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 543-060-0020, 543-060-0030, 543-060-0070

**Subject:** This rule provides the framework for the Statewide Reference Assistance Program. This amendment will:

(1) Change the payment exemption from a dollar amount to a service population size.

(2) Replace outdated wording.

(3) Delete references to the newspaper database that is no longer included in the program.

**Rules Coordinator:** James B. Scheppke—(503) 378-4367

### 543-060-0020

#### Authorized Activities

(1) Oregon State Library is authorized to negotiate and contract with commercial database providers on behalf of public, school, academic, and tribal libraries to provide access to electronic databases. The statewide database subsidy program is established under the provisions of this division to assist eligible public, academic, school and tribal libraries to participate in the statewide electronic database program. The Oregon State Library is authorized to collect and administer funds from public and academic libraries in payment for such databases.

(2) Oregon State Library is authorized to provide a statewide cooperative reference service that enables all Oregonians to obtain information from library staff at cooperating libraries using advanced Internet technologies. The statewide cooperative reference service program is established under the provisions of this division to provide this cooperative service and to provide other assistance to public, academic, school and tribal libraries to improve their reference services using advanced Internet technologies. The Oregon State Library is authorized to collect and administer funds from public and academic libraries to provide partial support for the statewide cooperative reference service program in an amount to be determined annually by the Trustees of the State Library. The Oregon State Library is authorized to provide a statewide cooperative reference service directly or by contracting with one or more libraries to provide the service.

Stat. Auth.: ORS 357.015(2)

Stats. Implemented: ORS 357.206, 357.209 & 357.212

Hist.: OSL 1-2003(Temp), f. 8-22-03, cert. ef. 9-1-03 thru 1-30-04; OSL 2-2003, f. 12-15-03 cert. ef. 1-1-04; OSL 3-2006, f. & cert. ef. 2-14-06; OSL 1-2009, f. 2-25-09, cert. ef. 3-2-09; OSL 1-2010, f. 10-19-10, cert. ef. 10-25-10

### 543-060-0030

#### Statewide Database Licensing Program

(1) Eligibility: Any public, school, academic, tribal library or resource sharing system as defined above is eligible to participate in the program if the following criteria are met:

(a) The library or resource sharing system provides interlibrary loans without charge to requesting in-state public, academic, school, and tribal libraries and resource sharing systems.

(b) The public, academic library or resource sharing system is a signatory to and abides by the "Interlibrary Loan Code for Oregon Libraries."

(c) The library or resource sharing system certifies the above criteria are met and agrees to participate in the Statewide Database Licensing Program and the Statewide Cooperative Reference Service Program.

(2) The Statewide Database Licensing Advisory Committee shall be appointed by the Library Services and Technology Act (LSTA) Advisory Council.

(a) Role: The Statewide Database Licensing Advisory Committee shall advise the LSTA Advisory Council and the Oregon State Library staff in request for proposal development and database product evaluation, and provide ongoing database product assessment and customer feedback. The Statewide Database Licensing Advisory Committee shall also advise the LSTA Advisory Council on the appropriate percentage allocation of electronic database costs to public, academic and school libraries.

(b) Membership of the Statewide Database Licensing Advisory Committee: One representative from the LSTA Advisory Council; three public library representatives, one each from libraries serving populations over 100,000, between 25,000–100,000, and 25,000 or less; three academic library representatives, one each from a community college, Oregon University System, and private academic institution; one representative



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from a resource sharing system; one tribal library representative, and, two school library representatives. Orbis Cascade Alliance and the Organization for Educational Technology and Curriculum (OETC) will each have one representative serving in a non-voting, ex officio capacity. In making appointments the LSTA Advisory Council will seek representatives with experience in database licensing and the use of databases.

(c) Terms of appointment: Terms shall be for three years, except initial terms shall be staggered. The LSTA Advisory Council representative shall serve a two year term.

(d) Meetings: The Statewide Database Licensing Advisory Committee shall meet at least twice each calendar year, and may meet more often as needed.

(3) Request for proposal process: The Oregon State Library shall be the fiscal agent for the program and shall use Federal funds under the Library Services and Technology Act to subsidize the program. Oregon State Library shall work with the Department of Administrative Services to procure electronic databases.

(4) Database subsidy process:

(a) The Oregon State Library administers the database subsidy process.

(b) Participating public and academic libraries and resource sharing systems shall be billed annually, in July, for electronic database charges for the upcoming service year. Invoices to participants represent the difference in the subsidized annual costs paid by the State Library and the cost to the participants.

(5) Formula for electronic database subsidy to public, academic libraries or resource sharing systems: Once a determination has been made of the percentage allocation of electronic database cost among school, public and academic libraries, the costs will be further allocated to participants in the following manner:

(a) The public library or resource sharing system cost is based on the population served during the previous year, as determined by the State Library.

(b) The academic library cost is based on the student enrollment during the previous academic year, as determined by official sources, such as the Integrated Postsecondary Education Data System (IPEDS), and the Oregon Community College Unified Reporting System (OCCURS). Community college FTE will be adjusted for terms to arrive at an average annual full time enrollment.

(c) Any public library with a service population of less than 20,000 and any academic library with an enrollment of less than 1,000 will be subsidized in full by the State Library.

(d) Electronic database costs per year of any public library with a service population of more than 20,000 and any academic library with an enrollment of more than 1,000 will be subsidized at 50% of the total annual electronic database costs. Participants will be billed for the 50% unsubsidized portion of total annual electronic database costs.

(6) Formula for electronic database costs to school libraries: The annual database contract costs to school libraries will be supported with LSTA funds as determined by the State Library Board of Trustees, with a recommendation from the LSTA Advisory Council.

(7) Formula for electronic database costs to tribal libraries: The annual database contract costs to tribal libraries will be supported with LSTA funds as determined by the State Library Board of Trustees, with a recommendation from the LSTA Advisory Council.

(8) Statewide database expenditure plan: An annual budget for the Statewide Database Licensing Program shall be recommended by the Library Services and Technology Act Advisory Council to the State Library Board of Trustees and shall be adopted by the State Library Board of Trustees.

Stat. Auth.: ORS 357.209

Stats. Implemented: ORS 357.206

Hist.: OSL 1-2003(Temp), f. 8-22-03, cert. ef. 9-1-03 thru 1-30-04; OSL 2-2003, f. 12-15-03 cert. ef. 1-1-04; OSL 1-2004, f. 8-17-04 cert. ef. 9-1-04; OSL 3-2006, f. & cert. ef. 2-14-06; OSL 1-2009, f. 2-25-09, cert. ef. 3-2-09; OSL 1-2010, f. 10-19-10, cert. ef. 10-25-10

## 543-060-0070

### Statewide Cooperative Reference Service Program

(1) Eligibility: Any public, school, academic, tribal library or resource sharing system as defined above is eligible to participate in the program.

(2) Partial Support by Public and Academic Libraries:

(a) The Trustees of the State Library shall, in the last quarter of every calendar year, determine the total amount of partial support that will be billed to public and academic libraries in the following calendar year. They shall also determine the proportion of the total amount that will be billed to public libraries and to academic libraries.

(b) Participating public and academic libraries and resource sharing systems shall be billed annually, in July, for partial support for the upcoming service year.

(3) Formula for allocating partial support to public and academic libraries: Once the Trustees of the State Library have determined the proportional allocation of partial support among public and academic libraries, the costs will be further allocated to participants in the following manner:

(a) The public library or resource sharing system cost is based on the population served during the previous year, as determined by the State Library.

(b) The academic library cost is based on the student enrollment during the previous academic year, as determined by official sources, such as the Integrated Postsecondary Education Data System (IPEDS), and the Oregon Community College Unified Reporting System (OCCURS). Community college FTE will be adjusted for terms to arrive at an average annual full time enrollment.

(c) Any public library with a service population of less than 20,000 and any academic library with an enrollment of less than 1,000 will be exempt from partial support payments for the Statewide Cooperative Reference Services Program.

(4) Statewide Cooperative Reference Services expenditure plan: An annual budget for the Statewide Cooperative Reference Services Program shall be recommended by the Library Services and Technology Act Advisory Council to the State Library Board of Trustees and shall be adopted by the State Library Board of Trustees.

Stat. Auth.: ORS 357.209

Stats. Implemented: ORS 357.206

Hist.: OSL 1-2009, f. 2-25-09, cert. ef. 3-2-09; OSL 1-2010, f. 10-19-10, cert. ef. 10-25-10

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**Rule Caption:** State Documents Depository Program.

**Adm. Order No.:** OSL 2-2010

**Filed with Sec. of State:** 10-19-2010

**Certified to be Effective:** 10-25-10

**Notice Publication Date:** 9-1-2010

**Rules Amended:** 543-070-0000

**Subject:** This rule establishes the framework for the state publication depository program. This amendment accomplishes three things:

(1) Eliminates one depository library (Western Oregon University).

(2) Clarifies obligations of depository libraries.

(3) Clarifies publications which are and are not included in the depository program.

**Rules Coordinator:** James B. Scheppke—(503) 378-4367

## 543-070-0000

### Public Documents Depository Libraries

(1) The following libraries are designated as depository libraries and are hereby entitled to receive copies of all public documents deposited with the State Library for distribution under the public documents depository program:

(a) Eastern Oregon University Library;

(b) Oregon Institute of Technology Library (Klamath Falls);

(c) Multnomah County Library;

(d) Oregon State Library (2);

(e) Oregon State University Library;

(f) Portland State University Library;

(g) Southern Oregon University Library;

(h) University of Oregon Library;

(2) Libraries designated as depository libraries shall agree to the following terms for participation in the public documents depository program:

(a) To make all tangible materials received under the program accessible to the public without charge.

(b) To provide free public access to their patrons to all electronic documents identified by the depository program.

(c) To include records for all depository items, tangible and otherwise, in a database or other finding aid (such as a public catalog) for at least five years; records for superseded publications may be replaced with the records for the replacement publications.

(d) To retain all tangible materials and to maintain catalog links to electronic publications received under the program for a minimum of five years; superseded publications may be replaced with the new version.

(e) As the official archive for Oregon public documents, the State Library will retain all tangible materials permanently and will maintain a permanent, accessible archive for electronic publications.

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(3) In the interest of public access to state documents, the State Library will make bibliographic records for electronic publications available to any Oregon library.

(4) An issuing agency must provide to the State Library electronic versions of any public document produced by the issuing agency if the public document:

(a) Is required by law as a public report;

(b) Is required by law to be sent to the Governor, President of the Senate, or Speaker of the House;

(c) Contains substantial information that is intended to educate the public about the work of the issuing agency or describe the issuing agency's programs, overall activities, or policies;

(d) Is an annual report of the issuing agency's activities; or

(e) Reports the results of a formal study or investigation conducted by or on behalf of the issuing agency.

(5) An issuing agency need not provide the Library with copies, including electronic versions, of the following types of documents:

(a) Those public documents specifically exempted by statute;

(b) The text of speeches, press releases, or written testimony, including testimony to Legislative committees;

(c) Documents produced under contract that includes a limited duration distribution clause;

(d) Documents that describe only the internal operations of the issuing agency, the internal policies of the issuing agency, or both;

(e) Documents produced for rulemaking, such as those described in ORS 183.335 or 183.355;

(f) Documents created for and filed with a court in a matter pending before the court, including motions and briefs; and

(g) Materials of a dynamic nature offered as part of an online service or website.

(h) Items with specific time limits, such as class schedules, notices of meetings, etc.

(6) Questions regarding the need to deposit specific documents not clearly addressed by this policy will be resolved by a joint decision of the State Library and the issuing agency.

(7) Terms defined in ORS 357.004 have the same meaning when used in this rule.

Stat. Auth.: ORS 357.090

Stats. Implemented: ORS 357.005(2)(j) & 357.090

Hist.: OSL 1-1995, f. & cert. ef. 10-27-95; OSL 1-2000, f. & cert. ef. 4-13-00; OSL 4-2006, f. & cert. ef. 2-14-06; OSL 2-2010, f. 10-19-10, cert. ef. 10-25-10

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## Oregon State Marine Board Chapter 250

**Rule Caption:** Establish a speed restriction in the Miller Arm area of Siltcoos Lake.

**Adm. Order No.:** OSMB 13-2010

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 6-1-2010

**Rules Amended:** 250-020-0221

**Subject:** This rule establishes a 5 mph "Slow No Wake" zone in the Miller Arm area of Siltcoos Lake north of the buoy line located near Nightingales' Fishing Camp.

**Rules Coordinator:** June LeTarte—(503) 378-2617

### 250-020-0221

#### Boat Operations on Certain Waters in Lane County

(1) No person shall operate a motorboat in excess of 5 MPH ("Slow No Wake") in the following areas:

(a) Triangle Lake: Within 200 feet of a marked swimming area or a designated public launching ramp;

(b) Fern Ridge Lake:

(A) Within 200 feet of a marked swimming area or a designated public launching ramp;

(B) In the Coyote Creek Channel;

(C) Between shore and buoy line which extends southerly from the north shore to a point approximately 200 feet of the northern most Eugene Yacht Club mooring dock thence generally south and west approximately 200 feet of the docks to a point approximately 200 feet south of the Tri Pass Club mooring dock thence generally west to the southern tip of the Tri Pass Club dock as buoyed except for the buoyed corridor immediately south of the Eugene Yacht Club southernmost dock;

(D) South of the buoy line which extends easterly from a point approximately 100 yards north of the Perkins Boat Ramp to the adjacent shoreline;

(E) In the Main Long Tom River Channel.

(c) Dexter Dam Reservoir:

(A) Within 200 feet of a marked swimming area or a designated public launching ramp;

(B) Within 50 feet of the causeway crossing the reservoir.

(d) Lookout Point Reservoir:

(A) Within 200 feet of a marked swimming area or a designated public launching ramp;

(B) East of the Southern Pacific Railroad bridge.

(e) Dorena Dam Reservoir:

(A) Within 200 feet of a marked swimming area or a designated public launching ramp.

(B) Southeast of a line between markers on Humphrey Point and the northeast shore.

(f) Cottage Grove Reservoir:

(A) Within 200 feet of a marked swimming area or a designated public launching ramp;

(B) South of a line between a marker on the east shore, near the Wilson Creek area, and on the west shore near Cedar Creek.

(g) Hills Creek Reservoir:

(A) Within 200 feet of a marked swimming area or a designated public launching ramp;

(B) On Packard Creek arm west of Rigdon Road (USFS Road #21);

(C) On Hills Creek south of the Hills Creek Crossing Bridge;

(D) On the Middle Fork, Willamette River south of the Rigdon Road (USFS #21) (Upper Crossing) Bridge;

(E) No person shall operate a motorboat for any purpose on Larison Creek arm west of Rigdon Road (USFS Road #21).

(h) Collard Lakes;

(i) Picket Lake;

(j) Munsel Lake — west of the line of marker buoys;

(k) Fall Creek Lake:

(A) Within 200 feet of a designated public launching ramp or marked swimming area;

(B) On Fall Creek upriver from the buoys located approximately 200 feet downstream of the Big Fall Creek Road;

(C) On Winberry Creek upriver from the buoys located approximately 1800 feet downstream of the Winberry Creek Road Bridge.

(l) Siltcoos Lake:

(A) Within 200 feet of a designated public launching ramp or marked swimming area;

(B) Between shore and buoy line at the mouth of Kiechle Arm beginning at a point at the east shoreline of Arrowhead Point and extending northerly approximately 900 yards to a point approximately 100 yards off shore of Camp Baker during the period of June 1 through September 30.

(C) In Miller Arm north of the buoy line, located at the entrance near Nightingales' Fishing Camp, during the period of May 1 through September 31.

(2) No person shall operate a motorboat in excess of 5 MPH on Leaburg Reservoir and the McKenzie River from the dam upstream to Good Pasture Bridge.

(3) No person shall operate a motorboat in excess of a "Slow-No Wake" speed within 300 feet of a boat launching ramp or a boat moorage on the following bodies of water (for purpose of this regulation, "Slow-No Wake" speed means the speed of a boat shall not exceed 5 MPH):

(a) Cougar Reservoir;

(b) Blue River Reservoir;

(c) Siuslaw River — between the river entrance and the highway bridge at Mapleton.

(4) No person shall operate a motorboat for any purpose on the following lakes: Scott, Melakwa, Hidden, Blair, Upper Erma Bell, Middle Erma Bell, Lower Erma Bell, Torrey, Whig, Wahanna, Rigdon, Lower Rigdon, Kiwa, Upper Eddeleo, Round, Betty, and Alameda.

(5) No person shall operate a motorboat for any purpose in excess of 10 MPH on Munsel Lake east of the line of marker buoys, except from June 1 through September 30, between the hours of 10 a.m. and 5 p.m.

(6) No person shall operate a motorboat on the McKenzie River above Good Pasture Bridge, except a representative of the Oregon State Police or the County Sheriff's Office pursuant to a criminal investigation or search and rescue operation.

(7) No person shall operate a motorboat, except with an electric motor:

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- (a) In the Old Long Tom River Channel;
- (b) On Fern Ridge Reservoir south of State Highway 126;
- (c) On Hult Reservoir.
- (8) No person shall operate a propeller-driven airboat or non-displacement hull type hovercraft in the following areas on Fern Ridge Reservoir where there is emergent vegetation present:

(a) Coyote Creek area — east of a line beginning at the West Coyote Creek bridge at Highway 126 extending north approximately one mile to a point near the mouth of Coyote Creek, then extending north approximately 1.4 miles to a point located approximately 100 yards off shore of the northwest corner of Gibson Island;

(b) Amazon Bay area — east of a line beginning at a point located approximately 100 yards off shore of the northwest corner of Gibson Island extending northeast approximately one mile to the Shore Lane access;

(c) South Marsh area — west of a line extending from a point on the shoreline at the southern boundary of Zumwalt Park near the end of Vista Drive extending southeast approximately one mile to a point on the shoreline at the tip of Perkins Peninsula;

(d) Long Tom Area — southwest of a line beginning at a point on the shore line at the end of Moyer Lane extending southeast approximately 0.9 miles to a point on the west shoreline of the Jeans Peninsula at the north end of Winter Lane.

(9) No person shall operate a motorboat north and east of a line across the entrance of Bannister Cove on Lookout Point Reservoir, as marked.

(10) Use of internal combustion motors in boats and floatplanes operating on the surface of Waldo Lake is prohibited year round. "Watercraft" includes boats and floatplanes operating on the surface of Waldo Lake. Official use of internal combustion motors in watercraft operated on the surface of Waldo Lake by local, state or federal governmental officials or agents is allowed for the following activities: search and rescue, law enforcement and fire suppression. Previous approval by the Willamette National Forest Supervisor is required for other activities undertaken by local, state or federal government officials or agents that involve use of internal combustion motors in watercraft operated on the surface of Waldo Lake. Emergency landings of private or governmental floatplanes on Waldo Lake are allowed without previous approval.

Stat. Auth.: ORS 830.110 & 830.175

Stats. Implemented: ORS 830.175

Hist.: MB 21, f. 8-23-63; MB 27, f. 6-3-65; MB 31, f. 6-20-66; MB 42, f. 12-3-68; MB 44, f. 8-21-69; MB 48, f. 6-28-71, ef. 7-25-71; MB 49, f. 8-14-72, ef. 9-1-72; MB 3-1979(Temp), f. & ef. 6-22-79; MB 5-1979, f. 7-31-79, ef. 8-1-79; Renumbered from 250-020-0131; MB 8-1981, f. & ef. 11-16-81; MB 5-1982, f. & ef. 6-1-82; MB 6-1982, f. & ef. 6-1-82; MB 15-1984, f. 11-30-84, ef. 12-1-84; MB 6-1995, f. & cert. ef. 7-14-95; MB 9-1996, f. & cert. ef. 5-29-96; OSMB 2-2000, f. & cert. ef. 7-14-00; OSMB 2-2001, f. & cert. ef. 1-25-01; OSMB 1-2008, f. & cert. ef. 1-15-08; OSMB 3-2010, f. & cert. ef. 1-15-10; OSMB 9-2010(Temp), f. & cert. ef. 5-6-10 thru 9-30-10; Administrative correction 10-26-10; OSMB 13-2010, f. & cert. ef. 11-1-10

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**Rule Caption:** Closure of the North Santiam River.

**Adm. Order No.:** OSMB 14-2010

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 6-1-2010

**Rules Amended:** 250-020-0259

**Subject:** This rule closes the North Santiam from below Niagara Falls to Packsaddle Park effective January 1, 2011. This rule provision will sunset on April 30, 2013.

**Rules Coordinator:** June LeTarte—(503) 378-2617

## 250-020-0259

### Boat Operations in Marion County

(1) No person shall operate a motorboat except those propelled by electric motors on the following lakes: Mission or Goose Lake; Silverton Reservoir; Walter Wirth Lake; and Elk Lake.

(2) No person shall operate a boat on the North Santiam River from Niagara Park to Packsaddle Park, effective January 1, 2011. This rule provision will sunset on April 30, 2013.

Stat. Auth.: ORS 830

Stats. Implemented: ORS 830.110 & 830.175

Hist.: MB 6-1980, f. & ef. 9-15-80; MB 11-1982, f. 10-13-82, ef. 10-15-82; OSMB 7-2002, f. & cert. ef. 10-15-02; OSMB 9-2006, f. & cert. ef. 10-12-06; OSMB 14-2010, f. & cert. ef. 11-1-10

## Public Utility Commission Chapter 860

**Rule Caption:** In the Matter of Public Utility Commission of Oregon Revisions to the Administrative Rules regarding Practice and Procedure.

**Adm. Order No.:** PUC 5-2010

**Filed with Sec. of State:** 10-22-2010

**Certified to be Effective:** 10-22-10

**Notice Publication Date:** 3-1-2010

**Rules Adopted:** 860-001-0000, 860-001-0010, 860-001-0020, 860-001-0030, 860-001-0040, 860-001-0050, 860-001-0060, 860-001-0070, 860-001-0080, 860-001-0090, 860-001-0100, 860-001-0110, 860-001-0120, 860-001-0130, 860-001-0140, 860-001-0150, 860-001-0160, 860-001-0170, 860-001-0180, 860-001-0200, 860-001-0210, 860-001-0220, 860-001-0230, 860-001-0240, 860-001-0250, 860-001-0260, 860-001-0300, 860-001-0310, 860-001-0320, 860-001-0330, 860-001-0340, 860-001-0350, 860-001-0400, 860-001-0410, 860-001-0420, 860-001-0430, 860-001-0450, 860-001-0460, 860-001-0470, 860-001-0480, 860-001-0490, 860-001-0500, 860-001-0510, 860-001-0520, 860-001-0530, 860-001-0540, 860-001-0550, 860-001-0560, 860-001-0570, 860-001-0580, 860-001-0590, 860-001-0600, 860-001-0610, 860-001-0650, 860-001-0660, 860-001-0700, 860-001-0710, 860-001-0720

**Rules Repealed:** 860-011-0000, 860-011-0001, 860-011-0010, 860-011-0011, 860-011-0012, 860-011-0015, 860-011-0035, 860-011-0080, 860-011-0090, 860-011-0100, 860-011-0110, 860-012-0001, 860-012-0005, 860-012-0007, 860-012-0010, 860-012-0015, 860-012-0020, 860-012-0025, 860-012-0035, 860-012-0040, 860-012-0100, 860-012-0190, 860-013-0005, 860-013-0010, 860-013-0015, 860-013-0020, 860-013-0025, 860-013-0030, 860-013-0031, 860-013-0035, 860-013-0036, 860-013-0037, 860-013-0050, 860-013-0055, 860-013-0060, 860-013-0065, 860-013-0070, 860-013-0071, 860-014-0005, 860-014-0010, 860-014-0020, 860-014-0023, 860-014-0025, 860-014-0030, 860-014-0032, 860-014-0035, 860-014-0040, 860-014-0045, 860-014-0050, 860-014-0055, 860-014-0060, 860-014-0065, 860-014-0070, 860-014-0080, 860-014-0085, 860-014-0090, 860-014-0091, 860-014-0092, 860-014-0093, 860-014-0094, 860-014-0095

**Rules Ren. & Amend:** 860-013-0075 to 860-022-0019

**Subject:** These newly adopted practice and procedure rules extensively amend and update the rules previously found in Chapter 860, Divisions 011 through 014. These newly adopted rules improve the organization and clarity of the procedural rules, add rules to govern rulemaking and declaratory ruling proceedings, and update and clarify rules governing discovery, electronic filing, and pleading requirements.

**Rules Coordinator:** Diane Davis—(503) 378-4372

## 860-001-0000

### Applicability and Waiver

(1) These rules govern practice and procedure before the Public Utility Commission of Oregon (Commission). The Commission will liberally construe these rules to ensure just, speedy, and inexpensive resolution of the issues presented. The Oregon Rules of Civil Procedure (ORCP) also apply in contested case and declaratory ruling proceedings unless inconsistent with these rules, a Commission order, or an Administrative Law Judge (ALJ) ruling.

(2) For limited purposes in specific proceedings, the Commission or ALJ may modify or waive any of the rules in this division for good cause shown. A request for exemption must be made in writing, unless otherwise allowed by the Commission or ALJ.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0010

### Definitions

As used in this division:

(1) "Applicant" means a person requesting or applying for a right, privilege, power, or other authority, or seeking permission to exercise a right or privilege under a statute requiring the filing of an application.

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(2) "Authorized representative" means a member of a partnership; an authorized officer or regular employee of a corporation, association, or organized group; an officer or regular employee of an organization affiliated with the party if the officer or employee is authorized to represent the party; or an authorized officer or employee of a governmental authority.

(3) "Complainant" means a person, including the Commission, who files a complaint under a statute providing for the filing of complaints before the Commission.

(4) "Contested case" has the meaning provided in ORS 183.310(2) and does not include rulemaking proceedings.

(5) "Days" means calendar days unless otherwise noted.

(6) "Intervenor" means a person who has intervened in the proceedings under OAR 860-001-0300.

(7) "Party" means a person entitled as a matter of right to a hearing before the Commission, an intervenor, or Commission Staff.

(8) "Person" has the meaning provided in ORS 756.010(5) as supplemented to include governmental entities.

(9) "Petitioner" means a person applying for permission to exercise a right, privilege, power, or other authority, or requesting a declaratory ruling under ORS 756.450.

(10) "Rulemaking" means proceedings to adopt, amend, or repeal a rule as set forth in ORS 183.335.

(11) "Staff" means an employee of the Commission except a Commissioner or an ALJ.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0020

### Location, Contact Information, Hours of Operation

(1) The Commission's location and contact information is:

(a) Physical Location:

Public Utility Commission of Oregon  
550 Capitol St N.E. Suite 215  
Salem OR 97301-2567

(b) Consumer Services Section/Consumer Complaints:

Salem: (503) 378-6600  
Oregon outside Salem: (800) 522-2404  
Fax: (503) 378-5743

Consumer Complaint Procedure on the website: <http://www.puc.state.or.us/PUC/consumer/compmpo.shtml>

(c) Telephone/Fax (for other than consumer issues):

Commission Reception: (503) 373-7394  
Administrative Hearings Division: (503) 378-4372 or (503) 378-2849  
Fax: (503) 378-6163 TTY (Oregon Relay Service): (800) 735-2900  
TTY RSPF Programs (OTAP, TDAP, OTRS): (800) 648-3458

(d) Website homepage: <http://www.puc.state.or.us/>

(e) Filing Center: Electronic mail:

PUC.FilingCenter@state.or.us Phone: (503) 373-0886 Fax: (503) 378-5505

(f) Mailing Address:

Public Utility Commission of Oregon Attn: Filing Center PO Box 2148 Salem OR 97308-2148

(g) Delivery Address:

Public Utility Commission of Oregon Attn: Filing Center 550 Capitol St NE Suite 215 Salem OR 97301-2567

(2) Office Hours: Commission offices are open to the public between 8:00 a.m. and 5:00 p.m., Monday through Friday, except on legal holidays as defined in ORS 187.010 or when the Commission's office is closed by a Department of Administrative Services directive.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0030

### Notice of Commission Proceedings

(1) A person may request to receive electronic notice of:

(a) Commission public meetings;

(b) Permanent rulemaking proceedings that involve electric, natural gas, telecommunications, water, wastewater, or procedural matters; and

(c) Contested case proceedings that concern particular regulated industries.

(2) A person without access to electronic mail may request that the Commission provide notice by first-class mail. The Commission may establish a fee for providing notice by mail.

(3) The Commission will not delete a name from a notice list without prior notification.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.335, 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0040

### Commission Publications

The Commission will charge fees reasonably calculated to reimburse the agency for the costs of annual subscriptions, agency publications, and materials related to agency proceedings. These fees, which include mailing costs, are:

(1) Subscriptions to Commission orders: \$100 (annually).

(2) Subscription to notices of hearings: \$50 (annually).

(3) Administrative rules update service: \$75 (annually).

(4) Bound volume of Oregon laws relating to the Commission: At cost.

(5) Maps of specific area boundaries: \$20.

(6) Statistical reports: \$15.

(7) Hearing transcripts: At cost. A copy of a public hearing transcript must be supplied to a party without cost if the party files with the Commission a satisfactory affidavit of indigency under ORS 756.521.

(8) Notice by mail of Commission proceedings under OAR 860-001-0030(2): \$25 annually.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 192.420-192.505, 756.040 & 756.325

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0050

### Late Fees and Penalties

(1) The Commission will impose the following late fees and penalties when applicable:

(a) Check returned for non-sufficient funds: \$25.

(b) Costs incurred by the Commission to collect past-due amounts: At cost.

(2) The Commission will impose the following interest and penalties for the untimely payment of fees required by statute or rule:

(a) Annual Fees: No interest; 2 percent of fee as penalty per month.

(b) Residential Service Protection Fund (RSPF) payments: 9 percent interest per annum; 9 percent penalty of unpaid fee up to \$500 maximum per reporting period.

(3) The Commission will impose the following fees for late-filed statements and reports:

(a) Electric company Annual Fee Statement: \$100.

(b) Gas utility Annual Fee Statement: \$100.

(c) Telecommunications providers Annual Fee Statement: \$100.

(d) Water utility Annual Fee Statement: \$40.

(e) RSPF Remittance Report: \$100.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.305 – 756.320

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0060

### Public Records Requests

(1) This rule governs requests for access to the Commission's public records under the Public Records Law, ORS 192.410 through 192.505.

(2) A person may request access to the Commission's public records. After receiving a request, the Commission will make public records available for inspection during regular business hours unless the records are exempt from disclosure by law.

(a) The Commission may condition the time and manner of inspection of public records as necessary to protect the records and to prevent interference with the regular discharge of the duties of the Commission and its employees.

(b) The request must be sufficiently specific to allow the Commission to readily identify the document or other material that contains the requested information. The Commission may require that a request for public records be made in writing.

(c) The request must specify the format requested for copies and the date, if any, by which the records are needed. The Commission may provide the information in a format different than requested or provide the information after the requested date if it is impractical to comply with the requests.

(3) The Commission will charge the following fees reasonably calculated to recover the costs of providing access to and copying public records:

(a) Employee time: The Commission will charge for employee time over 15 minutes spent preparing documents for inspection or supervising the inspection. Employee time will be charged in 15-minute increments at the following rates:

(A) Assistant Attorney General: \$137 per hour, excluding time spent determining the application of ORS 192.410 through 192.505.

(B) Administrative Law Judge: \$53 per hour.

(C) Manager: \$43 per hour.

# ADMINISTRATIVE RULES

- (D) Utility Analyst: \$41 per hour.
- (E) Information Services: \$43 per hour.
- (F) Law Clerk: \$15 per hour.
- (G) General Clerical: \$24 per hour.

(b) Photocopies: The Commission will charge \$0.15 per page to recover the costs of photocopying requested documents. Page refers to one side of a piece of paper. A double-sided copy is two pages. The Commission may waive fees for photocopies provided in response to routine requests for a single copy of a Commission order or other public document.

(c) Certification of true copies of public documents must be specifically requested, and the Commission charges \$10 per document certification.

(d) Facsimile: The Commission charges \$0.75 per page for faxing records. The Commission will not fax more than 30 pages.

(e) Electronic Media: If the request seeks electronic reproduction of public records, then the Commission will provide reproduction media at the following rates:

- (A) CD or DVD: \$1.50 each.
- (B) Audio Cassettes: \$2.50 each.

(f) Mailing: When sending voluminous records, the Commission will charge the actual costs of sending the public records.

(4) Upon request, the Commission will provide notice of the estimated costs of making records available for inspection or providing copies of records. If the estimated costs exceed \$25, then the Commission will provide written notice and not act further to respond to the request until it receives written authorization to proceed. The Commission may require that all estimated fees and charges be paid before public records are made available for inspection or copies provided.

(5) If a public records request seeks the disclosure of information that has been designated as confidential under a protective order or under the Public Records Law, then prior to the release of the information the Commission will provide written notice to the person asserting confidentiality and allow an opportunity for the person to provide a written response to the request.

(a) The person asserting confidentiality must demonstrate that the information is exempt from disclosure.

(b) If the Commission concludes that the information designated as confidential is not protected from disclosure, then the Commission will provide notice of the decision and delay the release of the information to permit the person asserting confidentiality to seek a court order to protect the records from disclosure.

(c) If the person asserting confidentiality consents in writing to the release of the information or does not commence court proceedings to limit disclosure within 10 days following notice of the decision, then the Commission will remove the confidential designation from the requested information and release the information to the requester.

(6) A person denied the right to inspect or to receive a copy of a public record may appeal the Commission's decision to the Attorney General under ORS 192.450.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 192.420-192.505  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0070

### Confidential Information

(1) This rule applies to information submitted under a claim of confidentiality under the Public Records Law, but does not apply to information designated as confidential under a protective order in a contested case proceeding.

(2) At the time of submission, a person may designate a document or portion of a document as containing confidential information. A designation must be made in good faith and be limited to information that qualifies for protection. The person asserting confidentiality must state the legal basis for the claim of confidentiality.

(3) Unless otherwise provided by Commission order, confidential information submitted under this rule must be printed on yellow paper, separately bound, and placed in a sealed container. To the extent practicable, the provider must place only the portions of the document that contain confidential information in the container. The confidential information on each page must be clearly marked by inserting [Confidential] before and after the portion of information that is confidential. The container must be marked "CONFIDENTIAL." Multiple sealed containers may be mailed in one package.

(4) Confidential information submitted to the Commission is exempt from public disclosure to the extent provided under the Public Records Law, ORS 192.410 through 192.505.

(5) Any failure to comply with the requirements in this rule may result in the submission not being treated as including confidential information or being returned to the provider for correction and resubmission.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 192.420-192.505, & 756.040  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0080

### Protective Orders

(1) Upon request by a party and for good cause shown, an ALJ may issue protective orders to limit disclosure of confidential information in specific Commission proceedings. Decisions by the ALJ regarding protective orders may be appealed to the Commission under OAR 860-001-0720.

(2) The Commission's general protective order adopts a process for parties to resolve discovery disputes that include confidential information. The order allows the broadest possible discovery consistent with the need to protect confidential information; it does not determine whether a particular document is exempt from disclosure.

(3) Under the terms of a general protective order, a party may designate information that it reasonably believes falls within the scope of ORCP 36(C)(7) or is exempt from public disclosure under the Public Records Law. Information designated as confidential may be disclosed only to a "qualified person" as defined in the general protective order.

(a) A confidential designation must be made in good faith and be limited to the portions of the document that qualify as a protected trade secret or other confidential research, development, or commercial information.

(b) Except for Commission Staff, a party must sign the "consent to be bound" section of the protective order to receive confidential information. By signing the "consent to be bound," the party certifies that it has an interest in the proceedings that is not adequately represented by other parties to the proceedings, that the party will not use or disclose the information for any purpose other than to participate in the proceedings unless the designating party gives written consent, and that the party will take all reasonable precautions to keep the confidential information secure.

(c) A party may challenge the designation of information as confidential by notifying the designating party. Once notified, the designating party must show that the challenged information is covered by ORCP 36(C)(7) or exempt from disclosure under the Public Records Law.

(d) If the parties are unable to resolve a dispute about a confidential designation informally, then any party may request that the ALJ conduct a conference to facilitate the resolution of discovery disputes. A challenging party may also file an objection to the confidential designation. The objection must identify the information in dispute and include a certification that the parties have made reasonable efforts to achieve a resolution, but have been unable to resolve the controversy without the ALJ's assistance. Within 7 days of the objection, the designating party must either remove the confidential designation or file a written response identifying the legal basis for the claim of confidentiality. The challenging party may file a written reply to the response within 7 days.

(4) A party may request that the ALJ issue a protective order that provides additional protection under ORCP 36(C).

(a) A motion for additional protection must include:

- (A) The parties involved;
- (B) The exact nature of the information involved;
- (C) The legal basis for the claim that the information is protected under the ORCP 36(C)(7) or the Public Records Law;
- (D) The exact nature of the relief requested;
- (E) The specific reasons the requested relief is necessary; and
- (F) A detailed description of the intermediate measures, including selected redaction, explored by the parties and why these measures are insufficient.

(b) To receive access to confidential information that has been given additional protection, a party may be required to certify that they intend to fully participate in the proceedings by filing testimony; participating in settlement negotiations, workshops, conferences, and hearings; and filing other pleadings as required.

(5) The Commission may expel from the subject proceedings any person who fails to comply with the terms of the protective order, prohibit the person from appearing in future proceedings, and impose penalties under ORS 756.990(2)(c). If an attorney violates a protective order, the Commission will report the violation to the bar associations in all states where the attorney is admitted to practice law.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORCP(36), ORS 756.040, 756.055 & 756.990  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

# ADMINISTRATIVE RULES

## 860-001-0090

### Delegation of Authority to Administrative Law Judge

- (1) The Commission delegates to the ALJ authority to:
  - (a) Regulate the course of rulemaking, contested case, and declaratory ruling proceedings, including scheduling, recessing, reconvening, and adjourning hearings;
  - (b) Administer oaths;
  - (c) Issue subpoenas;
  - (d) Make evidentiary rulings;
  - (e) Supervise and control discovery;
  - (f) Hold appropriate conferences before, during, or after hearings;
  - (g) Decide procedural matters, but not to grant contested motions to dismiss or other contested motions that involve final determination of the proceedings;
  - (h) Change filing deadlines;
  - (i) Grant waivers of rules;
  - (j) Certify a question to the Commission for consideration and disposition;
  - (k) Determine the order in which evidence will be presented;
  - (l) Issue a protective order to limit disclosure of confidential information; and
  - (m) Take any other action consistent with the duties of an ALJ.
- (2) The ALJ must conduct proceedings in a fair and impartial manner and maintain order. If a person engages in conduct that interferes with this duty, then the ALJ may suspend the proceeding or exclude the person from the proceeding.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040, 756.055 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0100

### Impartiality

- (1) An ALJ may be disqualified from presiding over specific proceedings for the same reasons and under the same circumstances as specified in JR 2-106 of the Oregon Code of Judicial Conduct.
- (2) A party may move for disqualification of an ALJ if the ALJ's impartiality may reasonably be questioned. The motion must be filed within 15 days after the party learns of the facts supporting the disqualification and contain grounds for supporting the motion. Written responses to the motion for disqualification must be filed within 7 days of receipt of the motion. An ALJ other than the presiding ALJ will rule on the motion.
- (3) The parties may waive any ground for disqualification after it is fully disclosed on the record, either expressly in writing or orally on the record, or by failing to move for disqualification within the time limits in section (2) of this rule.
- (4) An ALJ's disqualification does not automatically affect the validity of rulings or orders issued prior to the filing of the motion for disqualification.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040, 756.055 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0110

### Appeal to the Commission from Ruling of Administrative Law Judge

- (1) A party may request that the ALJ certify an ALJ's written or oral ruling for the Commission's consideration. A party must request certification of a ruling within 15 days of the date of service of the ruling or date of the oral ruling.
- (2) The ALJ must certify the ruling to the Commission under OAR 860-001-0090 if the ALJ finds that:
  - (a) The ruling may result in substantial detriment to the public interest or undue prejudice to a party;
  - (b) The ruling denies or terminates a person's participation; or
  - (c) Good cause exists for certification.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0120

### Grant Eligibility (Precertification and Case Certification)

- (1) Under ORS 757.072, a utility providing electricity or natural gas may enter into a written agreement to provide financial assistance to an organization that represents broad customer interests in Commission proceedings.
- (2) Upon Commission approval of an agreement, the Commission will apply the qualifications in this rule to determine whether an organization is eligible for a grant of financial assistance. Only parties that are precertified or parties that become case certified for particular proceedings are

eligible to receive grants under an agreement. The terms of an agreement are binding on all organizations seeking a grant under that agreement and will be followed by the Commission in administering the agreement. Once precertified, an organization remains precertified unless the Commission decertifies the organization under OAR 860-001-0130.

(3) An agreement may allow organizations to seek precertification as eligible to receive grants. The Commission will precertify only organizations meeting the following criteria:

(a) The Citizens' Utility Board of Oregon (CUB), as a representative of residential customers; or

(b) Nonprofit organizations that meet the following criteria:

(A) A primary purpose of the organization is to represent utility customers' interests on an ongoing basis;

(B) The organization represents the interests of a broad class of customers and those interests are primarily directed at public utility rates or terms and conditions of service affecting those customers, and not narrow interests or issues that are ancillary to the representation of those customers as consumers of utility services;

(C) The organization demonstrates that it is able to effectively represent the particular class of customers it seeks to represent;

(D) The organization's members are customers of one or more of the utilities that are parties to the applicable agreement and contribute a significant portion of the overall support and funding of the organization's activities in the state; and

(E) The organization has demonstrated in past Commission proceedings the ability to substantively contribute to the record on behalf of customer interests.

(4) An agreement may allow organizations to seek certification on a case-by-case basis as eligible to receive a grant. The Commission will case certify only those organizations meeting the following criteria:

(a) The organization is a nonprofit organization, demonstrates that it is in the process of becoming a nonprofit organization, or is comprised of multiple customers of one or more of the utilities that are parties to the agreement and demonstrates that a primary purpose of the organization is to represent broad utility customer interests;

(b) The organization represents the interests of a broad class of customers and its participation in the proceedings will be primarily directed at public utility rates or terms and conditions of service affecting those customers, and not narrow interests or issues that are ancillary to the effect of the rates and terms and conditions of service on those customers;

(c) The organization demonstrates that it is able to effectively represent the particular class of customers it seeks to represent;

(d) Those members of the organization who are customers of one or more of the utilities that are affected by the proceedings and are parties to the agreement contribute a significant percentage of the overall support and funding of the organization;

(e) The organization demonstrates or has demonstrated in past Commission proceedings the ability to substantively contribute to the record on behalf of customer interests related to rates and the terms and conditions of service, including in proceedings in which the organization was case certified and received a grant;

(f) The organization demonstrates that:

(A) No precertified intervenor participating in the proceedings adequately represents the specific interests of the class of customers represented by the organization; or

(B) The specific interests of a class of customers will benefit from the organization's participation; and

(g) The organization demonstrates that its request for case certification will not unduly delay the proceedings.

Stat. Auth.: ORS 756.040, 756.060, & 757.072  
Stat. Implemented: ORS 756.040, 756.055 & 757.072  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0130

### Termination of Eligibility; Decertification

(1) Upon the filing of a complaint under ORS 756.500 or upon a Commission investigation or motion under ORS 756.515, the Commission may terminate the precertification or case certification of an organization if it finds that:

(a) The organization has committed fraud, misrepresentation, or misappropriation related to a grant made available under the terms of a Commission-approved agreement;

(b) The organization received a grant in Commission proceedings, but during those proceedings failed to represent the interests of the broad class of customers that the organization purported to represent in its application for precertification or case certification;

# ADMINISTRATIVE RULES

(c) The organization has failed to comply with Commission orders or rules in a material way;

(d) The organization violated the terms and conditions of a protective order governing the use and disclosure of confidential information;

(e) For CUB, there has been a substantial change in or repeal of ORS 774.010 through 774.990; or

(f) A precertified organization other than CUB no longer meets the criteria of OAR 860-001-0120(3).

(2) An intervenor that is decertified under paragraph (1)(d) is ineligible for future precertification or case certification under the agreement.

(3) Termination of the precertification or case certification of an organization is prospective only.

Stat. Auth.: ORS 756.040, 756.060, & 757.072

Stat. Implemented: ORS 756.040, 756.055 & 757.072

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0140

### General

(1) Documents submitted to the Commission must include the name of the person submitting the document, the person's physical and electronic mail addresses, and the person's telephone number. If applicable, the name of the business or organization that person represents must also be included.

(2) If possible, documents should fit on an 8-1/2-by-11-inch page and have at least 1 inch margins when printed.

(3) Documents should be printed on both sides if possible. The Commission encourages the use of recycled paper.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 - 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0150

### Filing Dates

(1) Except as modified by statute or by these rules, a document is filed on the date received by the Commission at Salem, Oregon, between the hours of 8 a.m. and 5 p.m., Pacific Time.

(2) The period of time for doing an act governed by these rules is determined by excluding the first day and including the last day. For example, if a motion is served on September 18, then any response (due 15 days after service of the motion) must be filed by October 3. If the due date falls on a Saturday, Sunday, legal holiday as defined in ORS 187.010, or when the Commission office is closed by a Department of Administrative Services directive, then the filing is due on the next business day.

(3) Filings that are incomplete or not in substantial compliance with these rules, Commission orders, ALJ rulings, or statutes may be declined or conditionally accepted. The Commission must provide the reason for declining or conditionally accepting a filing to the filer.

(4) Documents required to be filed within a specified time but that fail to substantially comply with these rules may be accepted as conditionally received to meet the filing deadline.

(5) Conditionally received filings are not considered officially filed until brought into substantial compliance with these rules, the Commission's orders, ALJ rulings, and statutes. Conditionally received filings may be rejected unless brought into compliance within one business day of notice of the deficiency.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 - 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0160

### Filing Requirements in Rulemaking Proceedings

(1) Written comments on proposed rules and other documents submitted in rulemaking proceedings must be filed with the Commission's Filing Center at the address listed in OAR 860-001-0020.

(a) Documents may be filed by mail, personal delivery, electronic mail, or any other means of delivery.

(b) To be considered by the Commission, a document must be received by the deadline for the submission of written comments specified in the notice of proposed rulemaking.

(c) Documents must include the docket number assigned by the Commission to the rulemaking proceedings.

(2) Written comments on a proposed rule must comply with OAR 860-001-0210(3).

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 - 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0170

### Filing Requirements in Contested Case and Declaratory Ruling Proceedings

(1) Every pleading or other document submitted to the Commission in contested case or declaratory ruling proceedings must be filed electronically with the Commission's Filing Center on or before the date due. The filing must include an electronic copy of the signed certificate of service described in OAR 860-001-0180(5). All filings must be labeled with the applicable docket number, a description of the filing, and the date filed. Electronic copies of non-confidential documents must not be password protected.

(a) Documents may be electronically filed by sending the filing as an attachment to an electronic mail message addressed to the Commission's Filing Center, by personally delivering or mailing a compact disk (CD) or DVD to the Filing Center, or by uploading the filing on the Commission's website. If a CD or DVD is delivered or mailed to the Filing Center, it must be received on or before the date due to be considered timely filed.

(b) Electric copies of documents must be in text-searchable format and provided in either Microsoft Word, Microsoft Excel, or .pdf (Adobe Acrobat) format, unless otherwise permitted by the ALJ. A party must provide a Microsoft Word version of any document, if possible, upon the ALJ's request.

(c) A filing submitted as an attachment to an electronic mail message must be less than 20 megabytes in size and include the docket number, party name, and title of the filing in the subject line of the electronic mail message.

(d) Filings larger than 20 megabytes may be divided into multiple electronic mail messages. Each message must be numbered sequentially, and the subject line of the message must include "E-mail x of y," where x equals the message number and y equals the total number of messages. Filings larger than 20 megabytes must also be provided to the Filing Center on CD or DVD. The CD or DVD must be sent to the Filing Center with the original filing as described in section (2).

(e) If a document relates to multiple dockets that are officially consolidated, then the document should be filed in the lead docket only. If a document relates to multiple dockets that are not officially consolidated, then the document must be filed electronically in each docket, even if all dockets are following the same procedural schedule.

(f) If a document contains confidential information, then a redacted version will be accepted for electronic filing, but only if the original confidential document is personally delivered or sent by first-class mail, postage prepaid, to the Filing Center on the date the redacted document was electronically filed.

(g) If an entire filing is confidential, then a cover letter will be accepted for electronic filing, but only if the original confidential document is personally delivered or sent by first-class mail, postage prepaid, to the Filing Center on the date the cover letter was electronically filed.

(2) The signed original of any pleading or other document filed in contested case or declaratory ruling proceedings must be sent by first-class mail, postage prepaid, or personal delivery to the Commission's Filing Center at the address listed in OAR 860-001-0020.

(a) The original document must be personally delivered or mailed on the date the electronic copy of the document is filed.

(b) The original document must be signed and dated and include the original, signed certificate of service as described in OAR 860-001-0180(5).

(c) The original document and the copies required in section (3) must be sent in the same envelope or container if possible. Simultaneous filings in multiple dockets must be sent in separate envelopes or containers for each docket. Multiple envelopes or containers submitted in the same docket may be enclosed in one mailing or delivery package.

(3) For the following documents, the specified number of copies must be sent with the original document:

(a) Initiating and Responsive Pleadings, including Comments: 5 copies.

(b) General rate revisions filed under OAR 860-022-0019:

(A) Utility initial filing: 30 copies; and

(B) Work papers: 3 paper copies if reasonably capable of being reproduced in written format; if not, 3 copies on CD or DVD.

(c) Motions and Replies: 2 copies.

(d) Testimony filed under OAR 860-001-0480: 5 copies.

(e) Briefs filed under OAR 860-001-0650: 5 copies.

(f) Applications for Allocation of Territory filed under OAR 860-025-0000 through 860 025-0050, 860-034-0440 through 860-034-0495, or 860-036-0900 through 860 036 0925: 3 copies.

# ADMINISTRATIVE RULES

(g) Financing applications filed under OAR 860-027-0020 through 860-027-0035, 860-036-0715 through 860-036-0725, or 860-037-0515 through 860 037 0525: 3 copies.

(h) Affiliated interest applications filed under OAR 860-027-0040 through 860 027 0044, OAR 860 036-0730 through 860-036-0738, or 860-037-0530 through 860-037-0545: 3 copies.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 - 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0180

### Service in Contested Case and Declaratory Ruling Proceedings

(1) The Commission maintains an official service list for each contested case and declaratory ruling proceeding. The service list is posted on the Commission's website or may be obtained by contacting the Commission.

(a) Each party must identify at least one party representative to receive service, and may identify no more than three party representatives to receive service.

(b) Parties may designate party representatives in an initiating pleading, petition to intervene, or separate document. Parties must notify the Commission and all other parties in writing of any change in contact information.

(2) A party must serve by electronic mail copies of all documents filed in contested case or declaratory ruling proceedings on every party representative included on the official service list. A party must also serve physical copies of a document in person, by first-class mail, or by any other reasonable means of delivery if:

(a) The document contains information that has been designated as confidential under a general protective order. Parties must use electronic service to serve a redacted copy of the document and provide physical copies of the confidential portions of the document. Service must conform with the requirements in the applicable general protective order;

(b) The filing is more than 100 pages, unless the party agrees to receive electronic service of voluminous filings; or

(c) A party has requested and received permission from the ALJ to receive physical service of all documents.

(3) Service is considered timely if the electronic mail is sent on the day the document is filed. Service by electronic mail is complete when the electronic mail message leaves the sender's electronic mail server. Parties providing service by electronic mail are encouraged to request electronic return receipts and must take all reasonable steps to ensure successful delivery.

(4) Service of physical copies of a document is considered timely if the copy is delivered in person on the date the document is filed with the Commission, or the copy is mailed by first-class mail, postage pre-paid, on the date the document is filed with the Commission.

(5) A certificate of service must be filed with every pleading or other document filed in contested case or declaratory ruling proceedings. The certificate of service must:

(a) Include a signed certification that the document was served on all party representatives included in the official service list for the proceedings;

(b) List the names of the party representatives served;

(c) State the means of service to each party representative and the electronic or physical address served; and

(d) State the date of service.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 - 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0200

### Public Participation

The Commission may informally seek public input before giving notice of intent to adopt, amend, or repeal a rule. A person may request to be notified of informal opportunities for public input by requesting to be placed on a notification list described in OAR 860-001-0030(1)(b).

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.335 - 183.355 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0210

### Permanent Rulemaking Notice

(1) The Commission will give notice of a proposed permanent rulemaking by:

(a) Publishing notice of the rulemaking in the Secretary of State's Oregon Bulletin; and

(b) Mailing, electronically mailing, or personally delivering a copy of the proposed rule and a copy of the Secretary of State notice to persons on

the Commission's applicable rulemaking notification lists and legislators specified in ORS 183.335(15). Instead of providing a copy of the proposed rule, the Commission may provide a summary of the rule and explain how to obtain a copy by mail, electronic mail, or from a specified website.

(2) The notice of proposed permanent rulemaking must include:

(a) A statement summarizing the subject matter, purpose, and need for the proposed rule;

(b) The last date for comment on the proposed rule;

(c) The date of or ability to request a hearing; and

(d) A statement of fiscal impact quantifying the economic effect of the proposed rule.

(3) Any person may file written comments on the proposed rule by the date identified in the rulemaking notice.

(a) Written comments must be filed as set forth in OAR 860-001-0160.

(b) Written comments must identify:

(A) The name and address of the person;

(B) The name of any business or organization the person represents;

(C) The docket number assigned to the rulemaking; and

(D) The portion of the proposed rule to which the comments are directed. If applicable, the person should also provide alternative language for the proposed rule to address any concern.

(4) An objection to a fiscal impact statement must be filed in writing and must:

(a) Identify the portion of the fiscal impact statement to which objection is made;

(b) Identify the persons likely to be affected by the proposed rule on whose behalf the objection is filed or, if filed by an association, identify the number of members of the association who are likely to be affected by the proposed rule;

(c) Explain how the persons identified are likely to be affected by the proposed rule;

(d) Explain the objection to the fiscal impact statement; and

(e) Be filed as set forth in OAR 860-001-0160.

(5) If the Commission determines that the original fiscal impact statement does not adequately reflect the proposed rule's fiscal impact, then the Commission must file an amended fiscal impact statement, extend the comment period as required by ORS 183.333(5), and give notice of the extended comment period to persons identified in subsection (1)(b).

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.335 - 183.355 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0210

### Permanent Rulemaking Notice

(1) The Commission will give notice of a proposed permanent rulemaking by:

(a) Publishing notice of the rulemaking in the Secretary of State's Oregon Bulletin; and

(b) Mailing, electronically mailing, or personally delivering a copy of the proposed rule and a copy of the Secretary of State notice to persons on the Commission's applicable rulemaking notification lists and legislators specified in ORS 183.335(15). Instead of providing a copy of the proposed rule, the Commission may provide a summary of the rule and explain how to obtain a copy by mail, electronic mail, or from a specified website.

(2) The notice of proposed permanent rulemaking must include:

(a) A statement summarizing the subject matter, purpose, and need for the proposed rule;

(b) The last date for comment on the proposed rule;

(c) The date of or ability to request a hearing; and

(d) A statement of fiscal impact quantifying the economic effect of the proposed rule.

(3) Any person may file written comments on the proposed rule by the date identified in the rulemaking notice.

(a) Written comments must be filed as set forth in OAR 860-001-0160.

(b) Written comments must identify:

(A) The name and address of the person;

(B) The name of any business or organization the person represents;

(C) The docket number assigned to the rulemaking; and

(D) The portion of the proposed rule to which the comments are directed. If applicable, the person should also provide alternative language for the proposed rule to address any concern.

(4) An objection to a fiscal impact statement must be filed in writing and must:



# ADMINISTRATIVE RULES

(a) Identify the portion of the fiscal impact statement to which objection is made;

(b) Identify the persons likely to be affected by the proposed rule on whose behalf the objection is filed or, if filed by an association, identify the number of members of the association who are likely to be affected by the proposed rule;

(c) Explain how the persons identified are likely to be affected by the proposed rule;

(d) Explain the objection to the fiscal impact statement; and

(e) Be filed as set forth in OAR 860-001-0160.

(5) If the Commission determines that the original fiscal impact statement does not adequately reflect the proposed rule's fiscal impact, then the Commission must file an amended fiscal impact statement, extend the comment period as required by ORS 183.333(5), and give notice of the extended comment period to persons identified in subsection (1)(b).

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.335 – 183.355 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0220

### Conduct of Rulemaking Hearing

(1) All persons wanting to comment during a rulemaking hearing must provide their name, address, and affiliation. The ALJ may also require that additional information be provided. Additional persons may be heard at the discretion of the ALJ.

(2) The ALJ may question any person commenting at the hearing. The ALJ may also permit other persons to question the person commenting.

(3) A person may present comments once during the hearing unless otherwise requested or permitted by the ALJ.

(4) The hearing may be continued with recesses as determined by the ALJ until all persons have had an opportunity to offer comments.

(5) The ALJ must, when practicable, receive all physical and documentary information presented by persons offering comments.

(6) The ALJ may set reasonable time limits for oral presentation and may exclude or limit cumulative, repetitious, or immaterial comments.

(7) The ALJ must make a record of the proceeding by audio or video tape recording, stenographic reporting, or minutes.

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.335 – 183.355 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0230

### Rulemaking Record

(1) The Commission must maintain a record of comments it receives in response to a notice of intent to adopt, amend, or repeal a rule filed under OAR 860-001-0210.

(2) The rulemaking record is maintained by the rules coordinator. The Commission must make the rulemaking record available to members of the public upon request.

(3) The rulemaking record must include:

(a) Any written and oral comments received in response to the notice of proposed rulemaking;

(b) The required rulemaking documents filed with the Secretary of State; and

(c) A copy of the proposed rule.

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.335 – 183.355 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0240

### Rulemaking Action

(1) At the conclusion of the hearing or after the last date for submitting comments, the Commission may adopt, amend, or repeal rules covered by the notice of proposed rulemaking. The Commission must fully consider all written and oral comments.

(2) The Commission must file a certified copy of each adopted or amended rule and each order repealing a rule with the Secretary of State.

(3) The rule is effective upon filing with the Secretary of State unless a different effective date is specified in the rule.

(4) Within 10 days of filing with Secretary of State, the Commission must submit a copy of each adopted or amended rule or order appealing a rule to the Legislative Counsel as set forth in ORS 183.715.

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.335 – 183.355 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0250

### Petition to Promulgate, Amend, or Repeal Rule

A person may petition the Commission to promulgate, amend, or repeal a rule. A petition to promulgate, amend, or repeal a rule must comply with OAR 137-001-0070.

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.390 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0260

### Temporary Rulemaking

(1) Under ORS 183.335(5), the Commission may temporarily adopt, amend, or suspend a rule without prior notice of hearing or on abbreviated notice of hearing. If no notice is provided before adoption of a temporary rule, then the Commission must give notice of its temporary rulemaking as specified in ORS 183.335(1) by mailing, electronically mailing, or personally delivering a copy of the rule as adopted and a copy of the statements required under ORS 183.335(5). Instead of providing a copy of the temporary rule, the Commission may provide a summary of the temporary rule and explain how to obtain a copy by mail, electronic mail, or from a specified website.

(2) The agency must file with the Secretary of State a certified copy of the temporary rule and a copy of the statement required by ORS 183.335(5).

(3) A temporary rule is effective for 180 days unless a shorter period is specified in the temporary rule or the certificate of filing for the temporary rule.

Stat. Auth.: ORS 183.341, 756.040, 756.060

Stat. Implemented: ORS 183.335 – 183.355 & 756.040

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0300

### Participation in Contested Case and Declaratory Ruling Proceedings; Intervention

(1) Under ORS 774.180, the Citizens' Utility Board has the right to intervene in any Commission proceedings by filing a notice of intervention that includes the names and addresses of the representatives to be included on the service list.

(2) Any other person may file a petition to intervene in contested case proceedings before the Commission. Sample petition to intervene forms may be found at [http://www.puc.state.or.us/PUC/admin\\_hearings/Petition\\_to\\_Intervene\\_Form.shtml](http://www.puc.state.or.us/PUC/admin_hearings/Petition_to_Intervene_Form.shtml). The petition to intervene must contain the following information:

(a) The petitioner's name and contact information, including telephone number, physical address, and electronic mail address;

(b) The name and contact information of the petitioner's attorney or authorized representative, including telephone number, physical address, and electronic mail address;

(c) If the petitioner is an organization, the number of members in and the purpose of the organization;

(d) The nature and extent of the petitioner's interest in the proceedings;

(e) The issues petitioner intends to raise at the proceedings; and

(f) Any special knowledge or expertise of the petitioner that would assist the Commission in resolving the issues in the proceedings.

(3) Staff and parties named in the pleading initiating Commission action are original parties and need not petition to intervene. All original parties must provide the Commission with the names and contact information, including telephone number, physical address, and electronic mail address, of the party representatives to be included on the service list.

(4) Any person may file a petition to intervene in declaratory ruling proceedings before the Commission. In addition to the requirements in section (2) of this rule, the petition to intervene must also state whether the intervenor accepts:

(a) The statement of facts as set forth in and for the purposes of the petition for declaratory ruling; and

(b) The statement of the questions presented in the petition for declaratory ruling.

(5) The petitioner must serve the petition to intervene on the other parties to the proceedings.

(6) A party may object to a petition to intervene. Objections must be filed within 10 days of service of the petition to intervene unless otherwise directed by an ALJ. The petitioner may file a reply to an objection within 7 days of service of the objection.

(7) If the Commission or ALJ finds the petitioner has sufficient interest in the proceedings and the petitioner's appearance and participation will not unreasonably broaden the issues, burden the record, or delay the pro-

# ADMINISTRATIVE RULES

ceedings, then the Commission or ALJ must grant the petition. The Commission or ALJ may impose appropriate conditions upon any intervenor's participation in the proceedings, such as restricted access to confidential information. The ALJ may rule on a petition to intervene at a pre-hearing conference.

(8) A person may ask to be listed as an "interested person" in particular proceedings. An interested person receives copies of the orders, rulings, notices, or other documents issued by the Commission or ALJ in the proceeding, but does not receive documents filed by Staff or other parties. An interested person is not a party to the proceedings, and is not entitled to file pleadings, present evidence for the record, conduct cross-examination of witnesses, or file briefs.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 183.417, 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0310

### Representation and Ethical Conduct

(1) All persons appearing in proceedings in a representative capacity must conform to the standards of ethical conduct required of attorneys appearing before the courts of Oregon. If a person does not conform to these standards, then the Commission may decline to permit the person to appear in a representative capacity in any proceedings.

(2) Except for Staff, a party to contested case proceedings may be represented by an authorized representative who is not an attorney.

(a) A party's initial pleading in the proceedings must designate the party's authorized representative.

(b) The ALJ has authority to limit an authorized representative's presentation of evidence, examination, and cross-examination of witnesses, or presentation of factual arguments to ensure the orderly and timely development of the hearing record. The ALJ may not allow an authorized representative who is not an attorney to present legal argument except to the extent authorized in ORS 183.457.

(c) Changes to the designation of authorized representative must be made by written notice to the Commission with copies served on the other parties to the proceedings.

(3) Staff may represent the Commission in a contested case hearing in the following proceedings:

(a) Actions initiated by the Commission to recover telecommunications assistive devices, the value of devices which the recipients fail to return, or the cost of repairing equipment that the recipient returned in a damaged condition; and

(b) Denial or termination of Oregon Telephone Assistance Program benefits.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 183.452-183.458, 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0320

### Appearance of Attorneys; Pro Hac Vice

(1) To make legal arguments or sign legal documents in Commission proceedings, an attorney must be in good standing with the Oregon State Bar or appear pro hac vice.

(2) A motion to appear pro hac vice before the Commission must contain the following:

(a) A certificate of compliance for pro hac vice admission, available on the Oregon State Bar website, which includes most of the Uniform Trial Court Rule (UTCRC) 3.170(1) requirements;

(b) A certificate of good standing from the bar association in the jurisdiction in which the attorney regularly practices; and

(c) If the attorney's appearance before the Commission constitutes the private practice of law under ORS 9.160 and related statutes, a certificate of insurance covering the attorney's activities in this state and providing professional liability insurance substantially equivalent to the Oregon State Bar Professional Liability Fund Plan.

(3) The applying attorney must associate with a member in good standing of the Oregon State Bar who must participate meaningfully in the matter. Applications must be made on a case-by-case basis. Each application is good for one attorney for a single case for one year. For cases continuing for over one year, an attorney appearing pro hac vice must file a new pro hac vice application to continue to participate in the case.

(4) A fee is not required. Additional guidance is provided by UTCRC 3.170, which can be found on the Oregon State Bar website.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 183.457, 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0330

### Former Employees

(1) A former Commission employee may not appear on behalf of other parties in contested case or declaratory ruling proceedings in which the former employee took an active part on the Commission's behalf.

(2) Except with the Commission's written permission, a former Commission employee may not appear as a witness on behalf of other parties in contested case proceedings in which the former employee took an active part on the Commission's behalf.

(3) Except with the Commission's written permission, a former employee of a party may not appear as a witness on behalf of the Commission in contested case proceedings in which the person took an active part on the party's behalf. Prior to giving its written permission to the person, the Commission must notify the affected party and all other parties to the proceedings, and allow the affected party an opportunity to object to the Commission granting permission to the person. Other parties to the proceedings may respond to the affected party's objection, if any.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 183.457 – 183.458, 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0340

### Ex Parte Communications

(1) Ex parte communications are discouraged and, if made, must be disclosed to ensure an open and impartial decision-making process.

(2) Except as provided in this rule, an ex parte communication is any oral or written communication that:

(a) Is made by a person directly to a Commissioner or presiding ALJ outside the presence of any or all parties of record in pending contested case or declaratory ruling proceedings;

(b) Is made without notice to or an opportunity for rebuttal by all parties; and

(c) Relates to the merits of an issue in the proceedings.

(3) For purposes of this rule, a contested case or declaratory ruling proceeding is pending when the Commission or ALJ issues the first scheduling notice.

(4) A person who has an ex parte communication must promptly notify the presiding ALJ that the communication occurred.

(5) Upon notice of or receipt of an ex parte communication, the presiding ALJ must promptly notify the parties of record of the communication and place the following in the record:

(a) The name of each person who made the communication and the person's relationship, if any, to a party in the case;

(b) The date and time of the communication;

(c) The circumstances under which the communication was made;

(d) A summary of the matters discussed;

(e) A copy of any written communication; and

(f) Other relevant information concerning the communication.

(6) The presiding ALJ may require the person responsible for the ex parte communication to provide the disclosure and notice of the communication required by this rule.

(7) Within 10 days of the service date of the notice, a party may file a written rebuttal of the facts or contentions contained in the ex parte communication, with service on the parties of record in the proceeding.

(8) The provisions of this rule do not apply to communications that:

(a) Address procedural issues, such as scheduling or status inquiries, or requests for information having no bearing on the merits of the case;

(b) Are made to a Commissioner or presiding ALJ by a member of Staff who is not a witness in the proceedings;

(c) Are made to a Commissioner or presiding ALJ by an Assistant Attorney General who is not representing Staff in the proceedings;

(d) Are made in rulemaking proceedings conducted under ORS 183.325 through 183.410; or

(e) The presiding ALJ determines are not subject to this rule, including communications from members of the public that are made part of the administrative file or communications that are the subject of in camera proceedings.

(9) To avoid inadvertent ex parte communications, a person planning to meet individually with a Commissioner or ALJ must indicate whether the discussion will relate to pending proceedings and, if so, which proceedings.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 183.417, 183.462, 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

# ADMINISTRATIVE RULES

## 860-001-0350

### Settlements

(1) In all Commission contested case proceedings, some or all of the parties may enter into a settlement of any or all issues at any time during the proceedings.

(2) A settlement discussion is any communication between two or more parties for the purpose of resolving issues pending in contested case proceedings. Examples of communications not constituting settlement discussions for purposes of this rule include communications primarily for the purpose of discovery and communications occurring before initiation of docketed proceedings.

(3) Without the written consent of all parties, any statement, admission, or offer of settlement made during settlement discussions is not admissible in any Commission proceedings, unless independently discoverable or offered for other purposes allowed under ORS 40.190.

(4) Parties may agree in writing that the information exchanged exclusively within the context of any settlement discussion is confidential.

(5) Subject to the signing of an applicable confidentiality agreement, all parties may attend a meeting in which Staff participates to discuss settlement. Staff must provide to all parties to the proceedings reasonable prior notice of any settlement meeting in which Staff intends to participate. The notice must include the time and place of the settlement meeting, the party or parties involved, and the issues to be discussed. Once Staff has given notice of a settlement meeting involving a particular issue, additional notice of continuing settlement meetings involving the same issue need only be provided to parties attending the initial meeting or parties who request continuing notice. Persons who are not associated with a party may not attend a settlement meeting without the consent of all participating parties.

(6) For purposes of ORS 192.502(4), the Commission obligates itself to protect from disclosure any document submitted in confidence during settlement discussions.

(7) Settlements must be memorialized in a written stipulation signed by the settling parties, served on the parties on the service list for the docket, and filed for review by the Commission. With the stipulation, the parties must file:

(a) An explanatory brief or written testimony in support of the stipulation, unless waived by the Commission or ALJ; and

(b) A motion to offer the stipulation and any testimony as evidence in the proceeding, together with witness affidavits in support of the testimony.

(8) Within 15 days of the filing of a stipulation, a party may file written objections to the stipulation or request a hearing. Upon request or its own motion, the Commission or ALJ may set another time period for objections and request for hearing. Objections may be on the merits or based upon failure of Staff or a party to comply with this rule. The Commission or ALJ may hold a hearing to receive testimony and evidence regarding the stipulation. The Commission or ALJ may require evidence of any facts stipulated. The parties must be afforded notice and an opportunity to submit proof if such evidence is requested.

(9) A stipulation is not binding on the Commission. The Commission may adopt or reject a stipulation, or propose that a stipulation be modified prior to approval. If the Commission proposes to modify a stipulation, the Commission must explain its decision and, if necessary, provide the parties sufficient opportunity on the record to present evidence and argument to support the stipulation. No further hearing need be held when a review hearing has already been held under section (8) of this rule and the Commission or ALJ determines that the issues were fully addressed in the prior hearing.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.417, 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0400

### Pleadings Requirements

(1) All pleadings must be signed by the person filing the pleading or an authorized representative. By signing a pleading, the signatory makes the certification in ORCP 17C. For electronic filings, a person may use any identifier that is adopted by the person with the intent to authenticate a document (for example, "/s/John Doe").

(2) Applications, petitions, complaints, and other initiating pleadings must include:

(a) The filer's name and contact information, including telephone number, physical address, and electronic mail address;

(b) The name and contact information, including telephone number, physical address, and electronic mail address of any other party named in the filing;

(c) A clear and concise statement of the authorization, action, or relief sought;

(d) Appropriate references to the statutory provision or other authority under which the filing is made; and

(e) Other information as required by the Commission's rules.

(3) Answers, protests, and other responsive pleadings must be in writing and must include:

(a) The filer's name and address;

(b) The identification of the initiating pleading to which the response is made, including the docket number if one had been assigned; and

(c) A specific response to the pleading including, if necessary, an answer to material allegations and affirmative defenses.

(4) Unless otherwise directed by the Commission or ALJ, responses must be filed within the following timeframes:

(a) An answer to a complaint, application, or petition must be filed within 20 days after the pleading is served.

(b) An answer to a consumer complaint under OAR 860-021-0015 must be filed within 15 days after the Commission serves the complaint.

(c) An answer to a petition to intervene must be filed within 10 days after service of the petition.

(d) An answer to a complaint under OAR 860-029-0100 must be filed within 10 days after the Commission serves the complaint.

(e) An answer to any other type of pleading must be filed within 15 days after the pleading is served.

(5) A reply to a responsive pleading is not permitted unless otherwise allowed by the Commission or ALJ.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0410

### Default upon Failure to Answer Complaint

(1) If a party fails to answer a complaint or otherwise appear within the time periods specified in OAR 860-001-0400, then the party is deemed in default. All material allegations of the complaint are deemed admitted, and the hearing is waived. The proceedings may be disposed of without further notice to the defaulting party.

(2) A defaulting party may file an application for reconsideration of a Commission order of default under OAR 860-001-0720. The Commission may grant the application for reconsideration if the moving party shows the default resulted from mistake, inadvertence, surprise, excusable neglect, or other good cause.

(3) An application made under this rule must be accompanied by a pleading or motion that contains an assertion of a claim or a defense.

(4) The filing of an application under this rule does not excuse the defaulted party from complying with the order and the enforcement of the order is neither stayed nor postponed except upon Commission order.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0420

### Motions, Responses, and Replies

(1) A motion is a request to the Commission or ALJ for a ruling or other action. A motion must be made in writing unless otherwise allowed by the Commission or ALJ.

(2) For purposes of these rules, "substantive motions" address the rights or duties of a party or seek summary determination of any or all issues in the proceedings. Substantive motions include a motion to dismiss. "Procedural motions" address the means by which the Commission regulates its proceedings; for example, a motion to modify a schedule.

(3) Before filing a procedural motion, the moving party must make a good faith effort to confer with other parties to seek agreement about the subject of the motion. A procedural motion must describe the effort to confer and the result of the effort.

(4) A motion against an initiating or responsive pleading under OAR 860-001-0400 must be filed within 10 days after the pleading is served.

(5) A party may file a response to a motion. A response to a substantive motion must be filed within 15 days of service of the motion. A response to a procedural motion must be filed within 7 days of service of the motion.

(6) The moving party may file a reply to a response to a substantive motion within 7 days of service of the response. The moving party is not permitted to file a reply to a response to a procedural motion unless permitted by the ALJ.

(7) If expedited consideration of a motion is requested, the moving party must:

# ADMINISTRATIVE RULES

(a) Certify that the moving party has attempted to contact the other parties to the proceedings to discuss the motion and state whether the parties support the motion;

(b) Identify the request for expedited consideration in the document caption; and

(c) Include a request to shorten the time for responses and, if applicable, replies.

(8) Unless granted by the ALJ, a request for an extension or other related motion does not stay a pending due date.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0430

### Petition for Declaratory Ruling

(1) A petition for a declaratory ruling under ORS 756.450 must contain:

(a) The rule or statute that may apply to the person, property, or facts;

(b) A detailed statement of the relevant or assumed facts, including sufficient facts to show petitioner's interest;

(c) All propositions of law or arguments asserted by petitioner;

(d) The questions presented;

(e) The specific relief requested; and

(f) The name and contact information, including telephone number, physical address, and electronic mail address of petitioner and of any other person known by petitioner to have legal rights, duties, or privileges that will be affected by the request.

(2) Within 60 days after the petition is properly filed, the Commission must determine whether it will substantively consider the request. The Commission will make the decision at a public meeting and allow public comment on whether it should substantively consider the request. The Commission will notify the petitioner of its decision in writing. If the Commission decides to substantively consider the request for a declaratory ruling, then it will refer the matter to the Administrative Hearings Division to initiate proceedings.

(3) A person may petition to intervene as a party under OAR 860-001-0300(4).

(4) No testimony or other evidence may be submitted. The petition for declaratory ruling will be decided on the facts stated in the petition, except that the presiding ALJ may agree to accept a statement of alternative facts or alternative questions for the Commission's consideration.

(5) All parties will have the right to file briefs to present legal argument. Parties may request the opportunity to also present oral argument.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.450

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0450

### Evidence

(1) Relevant evidence:

(a) Means evidence tending to make the existence of any fact at issue in the proceedings more or less probable than it would be without the evidence;

(b) Is admissible if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs; and

(c) May be excluded if the probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or undue delay.

(2) A party objecting to the introduction of evidence must state the grounds for the objection at the time the evidence is offered.

(3) When an objection is made to the admissibility of evidence, the Commission or ALJ may have the evidence presented and reserve ruling until a later time.

(4) When a party takes exception to a ruling excluding certain evidence, the Commission or ALJ may require that the party make an offer of proof by stating what the evidence would indicate if received. Alternatively, the Commission or ALJ may permit the excluded evidence to be received like other evidence, but it must be marked and designated as evidence offered, excluded, and to which exception has been taken.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.450, 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0460

### Official Notice

(1) The Commission or ALJ may take official notice of the following:

(a) All matters of which the courts of the State of Oregon take judicial notice;

(b) Rules, regulations, administrative rulings, and reports of the Commission and other governmental agencies;

(c) Permits, certificates, and licenses issued by the Commission;

(d) Documents and records in the files of the Commission that have been made a part of the files in the regular course of performing the Commission's duties;

(e) General, technical, or scientific facts within the specialized knowledge of the agency;

(f) The results of the Commission's or ALJ's inspection of property at issue in the proceedings if advance notice of the inspection was provided to the parties.

(2) The Commission or the ALJ must notify the parties when official notice is taken. The notice may be given on the record during the hearing, in an ALJ ruling, or in a Commission order. A party may object to the fact noticed within 15 days of the hearing during which notice was given, the ALJ ruling, or the Commission order. The objecting party may explain or rebut the noticed fact.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.450, 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0470

### Resolutions

(1) Properly authenticated resolutions of governing bodies of government, business, agricultural, or civic organizations may be received in evidence if offered at the hearing by the president, secretary, or other person authorized to offer the resolution.

(2) Parties may rebut the authenticity of the resolution or the circumstances surrounding its adoption.

(3) Recitals of fact contained in resolutions are not proof of the facts. The Commission or ALJ may receive a resolution for the limited purpose of showing the official action of the resolving body to the extent relevant in the proceedings.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0480

### Testimony and Exhibits

(1) Unless otherwise directed by the ALJ, all written testimony and exhibits must be paginated in the top right corner as follows:

Party Name/Exhibit Number

Witness Last Name/Page Number

(2) Each party must consecutively number its written testimony and exhibits, beginning with 100. Within each round of testimony, each witness or witnesses testifying jointly must be designated with a separate numbering series. For example, Mr. Smith, Staff's first witness in the first round of testimony, would be assigned Staff/100. Ms. Jones, Staff's second witness in first round, would be assigned Staff/200. Mr. Smith's second round of testimony would be assigned Staff/300. Each attachment must be marked as a separate exhibit. For example, the first attachment to Staff/100 would be marked as Staff/101. A separate numbering series must also be used to identify all exhibits marked at hearing.

(3) Each page of a multipage exhibit must be marked with a page number. Pages within each exhibit must be marked consecutively, beginning with page 1.

(4) The ALJ may waive the requirement of marking each page of voluminous photocopied documents.

(5) At the time of filing testimony and exhibits, the filing party must simultaneously serve a copy of all work papers to Staff, the utility named in the initiating pleading, and all other parties that have asked to receive a copy. As used in this rule, work papers consist of documents that show the source, calculations, and details supporting the testimony and other exhibits submitted. Parties must provide electronic copies of work papers if available.

(6) Within the time specified by the ALJ, each party must file a list, in numerical order, of the written testimony and exhibits the party offered during the proceedings. The list must specify the document, witness, number of pages, and whether the exhibit was received into evidence.

(7) When testimony or exhibits are offered in evidence at a hearing and were not previously filed, the offering party must give copies to each party, the Commission, and the ALJ. When practicable, the parties must distribute copies of exhibits before or at the beginning of the hearing.

(8) When relevant evidence offered by a party is included in a book, paper, or document containing irrelevant material, the party offering the exhibit must plainly designate the relevant material offered:

# ADMINISTRATIVE RULES

(a) If irrelevant material is included in the exhibit and would encumber the record, then the exhibit may be excluded. The exhibit may be marked for identification and the relevant material may be read into the record if properly authenticated.

(b) If the Commission or ALJ directs, a copy of the relevant portions of the exhibit may be received as evidence. The offering party must offer copies of the document to all other parties appearing at the hearing. The parties must be afforded an opportunity to examine the exhibit and to offer in evidence other relevant portions of the exhibit.

(9) Papers and documents on file with the Commission may be introduced by reference to number, date, or by any other method of identification satisfactory to the Commission or ALJ.

(10) The Commission or ALJ may direct that the testimony of a witness, including supporting exhibits, be submitted in writing prior to hearing. Unless otherwise directed by the Commission or ALJ, written testimony, when sworn to orally or in writing by the witness under oath to be true, will be received in the same manner as an exhibit. The written testimony must be double-spaced, prepared in question and answer or narrative form, and contain a statement of the qualifications of the witness. The written testimony is subject to rules of admissibility and cross-examination.

(11) The Commission or ALJ may direct that demonstrative evidence be reduced to a diagram, map, photograph, or similar representation.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.450, 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0490

### Records in Other Proceedings

If a party offers in evidence all or part of the record from another Commission proceeding, then the party must provide a copy of the offered record to the ALJ and copies to other parties upon request.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.450, 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0500

### Discovery in Contested Case Proceedings

(1) Discovery must be commensurate with the needs of the case, the resources available to the parties, and the importance of the issues to which the discovery relates.

(2) Discovery that is unreasonably cumulative, duplicative, burdensome, or overly broad is not allowed. Instructions and definitions included in discovery requests must be consistent with these rules and ORS Chapters 756, 757, and 759.

(3) Privileged material is not discoverable except as provided under the Oregon Rules of Evidence.

(4) A party will not be required to develop information or prepare a study for another party, unless the capability to prepare the study is possessed uniquely by the party from whom discovery is sought, the discovery request is not unduly burdensome, and the information sought has a high degree of relevance to the issues in the proceedings.

(5) Parties must make every effort to engage in cooperative informal discovery and to resolve disputes themselves. If a party receives a data request that is likely to lead to a discovery dispute, then that party must inform the requesting party of the dispute as soon as practicable and attempt to resolve it informally.

(6) If parties are unable to resolve a dispute informally, then any of the parties involved in the dispute may request that the ALJ conduct a conference to facilitate the resolution of discovery disputes. A requesting party must identify the specific discovery sought and describe the efforts of the parties to resolve the dispute informally.

(7) A party may file a motion to compel discovery. The motion must contain a certification that the parties have conferred and been unable to resolve the dispute. A party filing a motion to compel will be allowed the opportunity to file a reply to the response to the motion.

(8) A party may by motion, or the ALJ may on the ALJ's own motion, propose that sanctions be imposed if a party fails or refuses to comply with an oral or written order resolving a discovery dispute. The ALJ may impose sanctions including: default; dismissal; or striking of testimony, evidence, or cross-examination.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.425, 183.450, 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0510

### Subpoenas

(1) A subpoena may be issued by an attorney of record for a party and subscribed by the signature of the attorney.

(2) Parties not represented by an attorney may request the issuance of a subpoena by the ALJ. The request must be in writing and identify the general relevance and reasonable scope of the testimonial, documentary, or physical evidence sought.

(3) Requests for subpoenas duces tecum must specify a particular document or part of a document to be produced.

(4) Parties must serve subpoenas as provided in the circuit courts of the State of Oregon under the ORCP.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.543

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0520

### Depositions

(1) The testimony of a witness may be taken by deposition at any time before the record in a docket is closed.

(2) A party proposing to take a deposition must notify all other parties in writing. Unless notice is waived, a party must provide 10 days' notice to the parties of a deposition to be taken within the state and 15 days' notice for a deposition to be taken out of state. The notice must state the witness's name and address, the subject matter of the deposition, the time and place for taking the deposition, the method by which the deposition will be recorded, any materials to be produced at the deposition, and the reason for the deposition.

(3) Deposition testimony must be taken under oath before a court reporter and must be transcribed or recorded. The court reporter must certify that the witness was sworn in the court reporter's presence and that the transcript is a true record of the testimony or a correct transcription of a recording.

(4) A party may examine a deponent on any matter not privileged that appears reasonably calculated to lead to the discovery of relevant evidence.

(5) Unless received in evidence by the Commission or ALJ, no portion of a deposition is a part of the record in the docket. A party may object to receiving in evidence any portion of a deposition. Upon request, the deposing party must provide the Commission or ALJ a transcribed copy of the deposition.

(6) The deposing party must pay the deponent and the court reporter the same fees as are paid for like services in the courts of the state where the deposition is taken.

(7) A party may request that an ALJ attend a deposition to address any objections. A party may also request that an ALJ put appropriate conditions or limitations on a deposition.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 183.450, 756.040 & 756.538

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0530

### Admissions

A party may serve a request for admission on any other party under ORCP 45. Responses to each request must be served within 7 days of receipt. Requests not denied within 7 days are deemed admitted.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORCP 45, ORS 756.040 & 756.500 – 756.575

Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0540

### Data Requests

(1) A party may submit data requests to any other party, subject to the discovery rules in the ORCP. Data requests are written interrogatories or requests for production of documents. Data requests must be answered within 14 days from the date of service. Each data request must be answered fully and separately in writing or by production of documents, or objected to in writing.

(2) A party submitting a data request must serve the request on all parties to the proceedings. If the request contains confidential information, then the submitting party must serve a complete copy on all parties eligible to receive confidential information under the terms of a protective order and a redacted copy to all other parties.

(3) The party answering the data request must provide a response to the submitting party and all other parties that filed a written request for a copy of the response. A party must agree to be bound by the applicable protective order to be eligible to receive a response containing confidential information.

(4) A party may offer into evidence data requests and the answers to the data requests. Any objection to substance or form of a data request or answer must be attached to the submitted data request or answer with specific reference and grounds. Every remedy available to a party using deposition procedures is available to a party using data requests.

# ADMINISTRATIVE RULES

(5) Except when requested by the Commission or ALJ, or when seeking resolution of a discovery dispute under these rules, data requests are not filed with the Commission's Filing Center or provided to the ALJ.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0550

### Joint Hearings with other Entities

(1) In proceedings in which the Commission participates jointly with a federal regulatory agency, the federal agency's rules of practice and procedure govern.

(2) In proceedings in which the Commission participates jointly with an administrative body of another state, the rules of procedure of the state where the hearing is held govern. Any person entitled to appear in a representative capacity before any of the agencies involved in the joint hearing may appear in the joint hearing.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0560

### Public Meetings

Except in cases of emergency, all Commissioners are required to participate in a decision of the Commission at a public meeting that proposes a major rate change for an electric or natural gas utility under ORS 757.205. For purposes of this rule, a major rate change is an increase of two percent or more for any customer class.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 192.610 et seq., 756.040  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0570

### Notice of Contested Case Hearing

The Commission or ALJ sets the time and place for contested case hearings. Notice of a hearing must be served on all parties at least 10 days before the hearing date. For good cause, the Commission may hold a hearing on less than 10 days' notice.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 183.413, 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0580

### Postponements and Continuances of Hearings

(1) A party may request a postponement of a hearing. The party must provide the reason why postponement is necessary. The Commission or ALJ may require oral requests for postponement of a hearing to be made in writing.

(2) The Commission or ALJ may postpone a hearing for good cause shown or on the Commission's or the ALJ's own motion.

(3) The Commission or ALJ may continue a hearing to receive additional evidence or argument. Additional notice of a continued hearing involving the same issue need only be provided to parties attending the initial hearing and other parties who have requested continuing notice.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0590

### Conferences

(1) The ALJ may schedule conferences to facilitate the resolution of contested case and declaratory ruling proceedings.

(2) The purposes of a conference may include:

(a) Establishing a procedural schedule, including dates for discovery, testimony, and exhibits;

(b) Identifying, simplifying, and clarifying issues;

(c) Eliminating irrelevant or immaterial issues;

(d) Facilitating discovery and resolving disagreements about discovery;

(e) Obtaining stipulations, authenticating documents, admitting documents into evidence, adopting witness and cross-examination schedules, and deciding the order of presentation and other procedural matters;

(f) Considering other matters that may expedite the orderly conduct and disposition of the proceedings; and

(g) Discussing settlement or other resolution or partial resolution of the proceedings.

(3) The record must reflect the results of the conference, and the decisions made at the conference are binding on all parties.

Stat. Auth.: ORS 756.040 & 756.060

Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0600

### Consolidation of Proceedings

Proceedings may be consolidated for hearing at the discretion of the Commission or ALJ.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0610

### Failure to Appear

(1) If a party fails to appear at a conference or hearing, then that party waives its right to participate in the conference or hearing.

(2) Unless allowed by the Commission or ALJ, the party that failed to appear may not reopen any matter decided at the conference or hearing, or recall for further examination witnesses available at the hearing and excused.

(3) Upon motion by any party or upon the Commission's own motion, the Commission may enter an order dismissing a party that failed to appear at a hearing from the entire proceedings. The order must be served on the party dismissed. If the Commission or ALJ finds there was good cause for the party's failure to appear or the interests of other parties or the public would be prejudiced, then the Commission or ALJ may reinstate the party.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0650

### Legal Argument

Parties may request the opportunity to file briefs in any proceedings. The Commission or ALJ may require a party to file a brief, or to present oral arguments instead of or in addition to briefs.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0660

### Major Proceedings

(1) For purposes of ORS 756.518(2), a "major proceeding" is a proceeding that has or is expected to have a full procedural schedule with written testimony or written comments and:

(a) Has a substantial impact on utility rates or service quality for energy utilities having more than 50,000 customers or telecommunications utilities having more than 50,000 access lines; or

(b) Has a significant impact on utility customers or the operations of a regulated utility for energy utilities having more than 50,000 customers or telecommunications utilities having more than 50,000 access lines.

(2) A party in a proceeding that does not meet the criteria in section (1) of this rule may petition the ALJ for major proceeding status if the case:

(a) Is likely to result in a significant change in regulatory policy; or  
(b) Raises novel questions of fact or law.

(3) When a docket is opened, a party may file a motion with the ALJ requesting that the case be classified as a major proceeding.

(a) The motion must:

(A) Specify how the case qualifies as a major proceeding under the criteria listed in section (1) of this rule; or

(B) Argue how the case qualifies as a major proceeding under section (2) of this rule.

(b) Responses to the motion are due within 7 days of filing.

(4) If a case is classified as a major proceeding, the Commission must afford the parties an opportunity to present oral argument to a quorum of Commissioners before a final order is issued. A party must make a request for oral argument at the prehearing conference or as soon thereafter as possible.

(5) The ALJ will determine the length of each party's oral argument to the Commission, the right of any party to rebuttal of other parties' oral arguments, and the order of presentation.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0700

### Extension or Postponement of Date to Comply with Rules and Orders

(1) Within 60 days of the date of service of a Commission order, any party may file a petition for extension or postponement of an effective date or of time to comply with the order.

# ADMINISTRATIVE RULES

(2) The petition must specify reasons for the requested extension or postponement.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0710

### Notice of Acceptance of Terms of Orders

The Commission may require any utility or person affected by any order to notify the Commission within a specified time whether the terms of the order are accepted and the time within which the utility or person will comply with the order.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-001-0720

### Rehearing or Reconsideration

(1) Within 60 days from the date of service of an order entered by the Commission, a party may file an application for rehearing or reconsideration of the order as provided by ORS 756.561. The application must identify all grounds for rehearing or reconsideration.

(2) The application must specify:

(a) The portion of the challenged order that the applicant contends is erroneous or incomplete;

(b) The portion of the record, laws, rules, or policy relied upon to support the application;

(c) The change in the order that the Commission is requested to make;

(d) How the applicant's requested change in the order will alter the outcome; and

(e) One or more of the grounds for rehearing or reconsideration in section (3) of this rule.

(3) The Commission may grant an application for rehearing or reconsideration if the applicant shows that there is:

(a) New evidence that is essential to the decision and that was unavailable and not reasonably discoverable before issuance of the order;

(b) A change in the law or policy since the date the order was issued relating to an issue essential to the decision;

(c) An error of law or fact in the order that is essential to the decision;

or  
(d) Good cause for further examination of an issue essential to the decision.

(4) Within 15 days from the date the application is filed, any party may file a response to the application. Replies to a response are not permitted unless requested by the ALJ.

(5) Unless ordered by the Commission under OAR 860-001-0700, compliance with the original order is not stayed or postponed by an order granting an application for rehearing or reconsideration.

(6) The application is deemed denied if the Commission has not issued an order granting the application by the 60th day after filing. If the application is granted, the Commission may affirm, modify, or rescind its prior order or take other appropriate action.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040 & 756.500 – 756.575  
Hist.: PUC 5-2010, f. & cert. ef. 10-22-10

## 860-022-0019

### General Rate Revisions

(1) Any utility filing new or revised tariff schedules that constitute a general rate revision must include supporting testimony and exhibits, work papers, and an executive summary. A general rate revision is a filing by a utility that affects all or most of the utility's rate schedules. The term "general rate revision" does not include the exclusions in OAR 860-022-0017(1). The executive summary must contain an exhibit showing in summary form the following information:

(a) The dollar amount of total revenues that would be collected under the proposed rates;

(b) The dollar amount of revenue change requested, total revenues, and revenues net of any credits from federal agencies;

(c) The percentage change in revenues requested, total revenues, and revenues net of any credits from federal agencies;

(d) The test period;

(e) The requested return on capital and return on equity;

(f) The rate base proposed in the filing;

(g) The results of operations before and after the proposed rate change;

(h) The proposed effect of the rate change on each class of customers; and

(i) All information required by the most recent version of the Utility Staff General Rate Case Data Request Form A, available at <http://www.puc.state.or.us>.

(2) Telecommunications utilities partially exempt from regulation under ORS 759.040 must file tariffs as specified in OAR 860-034-0300.

Stat. Auth.: ORS 756.040 & 756.060  
Stat. Implemented: ORS 756.040, 757.205 and 759.175  
Hist.: PUC 1-1985, f. & ef. 2-1-85 (Order No. 85-075); PUC 10-1994, f. & cert. ef. 7-21-94 (Order No. 94-1127); PUC 15-1997, f. & cert. ef. 11-20-97; PUC 12-1999, f. & cert. ef. 11-18-99; PUC 3-2002, f. & cert. ef. 2-5-02; PUC 18-2004, f. & cert. ef. 12-30-04; Renumbered from 860-013-0075, PUC 5-2010, f. & cert. ef. 10-22-10

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## Secretary of State, Elections Division Chapter 165

**Rule Caption:** Amendment of Procedural Rules for Contested Case Hearings.

**Adm. Order No.:** ELECT 5-2010

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 7-1-2010

**Rules Amended:** 165-001-0080

**Subject:** This rule is proposed for amendment to update the procedures for conducting contested case hearings by requiring each party to deliver exhibits to the administrative law judge, all parties and the agency no later than five business days prior to the commencement of any hearing.

**Rules Coordinator:** Brenda Bayes—(503) 986-1518

## 165-001-0080

### Contested Case Hearings

(1) The administrative law judge will hold a hearing by telephone unless the party requesting the hearing specifically requests a personal appearance hearing. If the party requests a personal appearance hearing, the hearing shall be held in Salem at the Office of Administrative Hearings. Nothing in this rule precludes the agency from allowing some parties or witnesses to attend by telephone while others attend in person.

(2) The administrative law judge shall make an audio or stenographic record of any telephone hearing.

(3) Not less than 5 business days prior to the commencement of a hearing, each party, including the agency, must deliver copies of the exhibits it intends to offer into evidence at the hearing. The exhibits must be delivered to the administrative law judge, all parties and the agency. For purposes of this rule, delivery may be accomplished by any of the following means, or by other means of a similar nature: hand delivery, deposit into first class or certified mail, facsimile, email or professional delivery service.

(4) Nothing in this rule precludes any party or the agency from seeking to introduce documentary evidence in addition to evidence described in subsection (4) during the hearing. The administrative law judge shall receive such evidence, subject to the applicable rules of evidence, if inclusion of the evidence in the record is necessary to conduct a full and fair hearing. If any evidence introduced during the hearing has not previously been provided to the agency and to the other parties, the hearing may be continued upon the request of any party or the agency for sufficient time to allow the party or the agency to obtain and review the evidence.

(5) The agency will give primary consideration to accommodate the needs of persons that are disabled so that they are not disadvantaged due to their disability.

(6) As used in this rule, "telephone" means any two-way or multi-party electronic communication device, including video conferencing.

Stat. Auth.: ORS 260  
Stats. Implemented: ORS 260.232 & 260.995  
Hist.: ELECT 5-1999, f. 7-30-99, cert. ef. 9-1-99; ELECT 19-2009, f. & cert. ef. 12-31-09; ELECT 5-2010, f. & cert. ef. 11-1-10

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**Rule Caption:** Updating procedures for Filing County and Metropolitan Service District Measures in State Voters' Pamphlet.

**Adm. Order No.:** ELECT 6-2010

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 7-1-2010

**Rules Amended:** 165-016-0095

# ADMINISTRATIVE RULES

**Subject:** The proposed amendment clarifies that the fee or number of signatures required for a petition as required by statute shall be paid for each measure argument. Additionally, the amendment incorporates changes made by the 2009 Legislative Assembly.

**Rules Coordinator:** Brenda Bayes—(503) 986-1518

## 165-016-0095

### Inclusion Fees for County and Metropolitan Service District Measures

(1) The purpose of this rule is to establish a schedule of fees for counties or metropolitan service districts filing measures to be included in the State Voters' Pamphlet.

(2) Each argument for a county or metropolitan service district measure filed with the county must be accompanied by a filing fee not to exceed \$300 or a verified petition containing not more than a number of signatures equal to 1,000 electors eligible to vote on the measure or 10 percent of the total of such electors, whichever is less.

(3) The county or metropolitan service district shall pay the Secretary of State a fee for each argument based on the population of the county or metropolitan service district. The fee schedule is as follows:

(a) For a county or district with a population of less than 10,000 within a county — \$100.00;

(b) For a county or district with a population between 10,000 and 50,000 within a county — \$200.00;

(c) For a county or district with a population over 50,000 within a county or service district — \$300.

(4) Each page consumed by the ballot title and explanatory statement will be billed to the county or district at the same rate described in section (3) of this rule.

Stat. Auth.: ORS 246.150

Stats. Implemented: ORS 251.285

Hist.: ELECT 4-1998(Temp), f. & cert. ef. 2-23-98 thru 4-21-98; ELECT 8-1998, f. & cert. ef. 6-2-98; ELECT 3-2000, f. & cert. ef. 1-14-00; ELECT 15-2000, f. & cert. ef. 8-7-00; ELECT 7-2006, f. & cert. ef. 4-18-06; ELECT 6-2010, f. & cert. ef. 11-1-10

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**Rule Caption:** Amending the Voters' Pamphlet Cost Worksheet for Local Elections.

**Adm. Order No.:** ELECT 7-2010

**Filed with Sec. of State:** 11-1-2010

**Certified to be Effective:** 11-1-10

**Notice Publication Date:** 10-1-2010

**Rules Amended:** 165-020-0050, 165-020-0060

**Subject:** These proposed amendments update the formula to compute the voters' pamphlet cost allocated to each district, which is contained in form SEL 955, Voters' Pamphlet Cost Worksheet.

**Rules Coordinator:** Brenda Bayes—(503) 986-1518

## 165-020-0050

### Purpose

(1) This rule provides a uniform billing system for state, county, city and special district elections as authorized under ORS 246.179, 254.046, and 255.305:

(a) All chargeable costs incurred by the county election officer for the conduct of an election held for the state on a date other than the primary or general election, shall be paid by the state, if provided by the act calling for the election or pursuant to ORS 246.179;

(b) All chargeable costs incurred by the county election officer for the conduct of an election held for a city on a date other than the primary or general election, shall be paid by the city;

(c) All chargeable costs incurred by the county election officer for the conduct of an election held for a special district shall be paid by the special district. Chargeable costs do not include expenses incurred by the county election officer for the election of directors of a soil and water conservation district organized under ORS 568.210 to 568.808 and 568.900 to 568.933.

(2) An "Election Equipment Amortization Worksheet" (SEL 950, SEL 950A, or SEL 950B), "Average Ballots Cast/Average Aggregate Registration Worksheet" (SEL 951), "Allocated Cost Worksheet for Vote By Mail Elections" (SEL 952), "Local Elections Billing Worksheet" (SEL 953), and "Voters' Pamphlet Cost Worksheet" (SEL 955) are adopted by reference and designated for use to detail all costs to be billed to each electoral district holding an election.

(3) Any chargeable cost billed for an election shall be supported by such documentation as copies of payroll registers, invoices, vouchers, sales

slips, billings, and receipts. Any cost not specified in this rule, or any unsupported chargeable cost, need not be paid.

(4) Documentation will be provided to the electoral districts upon request.

(5) Any electoral district bills and supporting documentation shall be subject to audit by the secretary of state at any time for the purpose of verifying the accuracy of the chargeable costs.

[ED. NOTE: Forms referenced are available from the agency.]

Stat. Auth.: ORS 246.150, 246.179 & 255.305

Stats. Implemented: ORS 246.179, 251.365, 254.046 & 255.305

Hist.: SD 40-1980, f. & ef. 4-2-80; SD 16-1984, f. & ef. 9-5-84; ELECT 2-1990(Temp), f. & cert. ef. 1-19-90; ELECT 22-1990, f. & cert. ef. 6-4-90; ELECT 11-2000, f. & cert. ef. 6-7-00; ELECT 10-2003, f. & cert. ef. 9-3-03; ELECT 4-2004, f. & cert. ef. 4-15-04; ELECT 26-2007, f. & cert. ef. 12-31-07; ELECT 14-2009, f. & cert. ef. 6-30-09; ELECT 37-2009, f. & cert. ef. 12-31-09; ELECT 7-2010, f. & cert. ef. 11-1-10

## 165-020-0060

### Computation of Costs

(1) The Election Equipment Amortization Worksheet Form SEL 950, SEL 950A, or SEL 950B shall be the form used for calculating the amortization of election equipment.

(2) The total amortization costs billed to electoral districts over the years the election equipment is used cannot exceed the total cost of purchasing, operating and maintaining the equipment during the years the equipment is used.

(3) Amortization of election equipment is not mandatory; however, any county election official who chooses to amortize such equipment must use the method designated by this rule.

(4) The Average Ballots Cast/Average Aggregate Registration Worksheet Form SEL 951 shall be the form used for computing the average number of ballots cast per election for prior four years.

(5) The Allocated Cost Worksheet Form SEL 952 shall be the form used for computing the allocated cost of the election.

(6) The Local Elections Billing Worksheet Form SEL 953 shall be the form used for computing the total district cost.

(7) The Voters' Pamphlet Cost Worksheet Form SEL 955 shall be the form used for computing the voters' pamphlet cost allocated to each district.

[ED. NOTE: Forms referenced are available from the agency.]

Stat. Auth.: ORS 246.120, 246.150, 246.179, 246.540, 254.046 & 255.305

Stats. Implemented: ORS 246.179, 246.540, 251.365, 254.046 & 255.305

Hist.: SD 40-1980, f. & ef. 4-2-80; SD 16-1984, f. & ef. 9-5-84; ELECT 2-1990(Temp), f. & cert. ef. 1-19-90; ELECT 22-1990, f. & cert. ef. 6-4-90; ELECT 13-1997, f. & cert. ef. 10-27-97; ELECT 6-1998, f. & cert. ef. 5-8-98; ELECT 10-2003, f. & cert. ef. 9-3-03; ELECT 14-2009, f. & cert. ef. 6-30-09; ELECT 37-2009, f. & cert. ef. 12-31-09; ELECT 7-2010, f. & cert. ef. 11-1-10

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**Rule Caption:** Adopting Standards for Circulating Unpaid Petitions by Paid Petition Circulators.

**Adm. Order No.:** ELECT 8-2010

**Filed with Sec. of State:** 11-5-2010

**Certified to be Effective:** 11-5-10

**Notice Publication Date:** 10-1-2010

**Rules Adopted:** 165-014-0285

**Subject:** This proposed rule adopts specific standards for when a person is prohibited from obtaining signatures on a petition or prospective petition for which the person is being paid and, at the same time, obtaining signatures on a petition or prospective petition for which the person is not being paid.

**Rules Coordinator:** Brenda Bayes—(503) 986-1518

## 165-014-0285

### Circulating Unpaid Petitions by Paid Petition Circulators

Under ORS 250.048(9), a person may not obtain signatures on a petition or prospective petition for which the person is being paid and, at the same time, obtain signatures on a petition or prospective petition for which the person is not being paid. For purposes of ORS 250.048(9), "at the same time" means during any time period for which the person is being paid to circulate any petition or prospective petition. "At the same time" does not include any lunch or other break period for which a person is not paid to circulate any such petition, as reflected in the person's payroll records required to be submitted under OAR 165-014-0100.

Stat. Auth.: ORS 246.150

Stats. Implemented: ORS 250.048

Hist.: ELECT-8-2010, f. & cert. ef. 11-5-10



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101-002-0005	10-1-2010	Amend	11-1-2010	104-080-0000	2-5-2010	Amend	3-1-2010
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101-002-0015	10-1-2010	Repeal	11-1-2010	104-080-0020	2-5-2010	Amend	3-1-2010
101-002-0020	10-1-2010	Repeal	11-1-2010	104-080-0021	2-5-2010	Amend	3-1-2010
101-005-0010	10-1-2010	Amend	11-1-2010	104-080-0022	2-5-2010	Amend	3-1-2010
101-005-0020	10-1-2010	Amend	11-1-2010	104-080-0024	2-5-2010	Amend	3-1-2010
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101-005-0040	10-1-2010	Amend	11-1-2010	104-080-0026	2-5-2010	Amend	3-1-2010
101-005-0050	10-1-2010	Amend	11-1-2010	104-080-0027	2-5-2010	Amend	3-1-2010
101-005-0060	10-1-2010	Repeal	11-1-2010	104-080-0030	2-5-2010	Amend	3-1-2010
101-005-0070	10-1-2010	Amend	11-1-2010	104-080-0040	2-5-2010	Amend	3-1-2010
101-005-0090	10-1-2010	Amend	11-1-2010	104-080-0050	2-5-2010	Amend	3-1-2010
101-005-0105	10-1-2010	Amend	11-1-2010	104-080-0060	2-5-2010	Amend	3-1-2010
101-005-0110	10-1-2010	Amend	11-1-2010	104-080-0070	2-5-2010	Amend	3-1-2010
101-005-0120	10-1-2010	Amend	11-1-2010	105-040-0010	6-1-2010	Amend(T)	7-1-2010
101-005-0130	10-1-2010	Amend	11-1-2010	105-040-0015	1-1-2010	Amend	2-1-2010
101-005-0140	10-1-2010	Amend	11-1-2010	105-040-0020	6-1-2010	Amend(T)	7-1-2010
101-006-0010	10-1-2010	Repeal	11-1-2010	105-040-0020	10-5-2010	Amend(T)	11-1-2010
101-006-0020	10-1-2010	Repeal	11-1-2010	105-040-0020(T)	10-5-2010	Suspend	11-1-2010
101-010-0005	6-1-2010	Amend(T)	7-1-2010	105-040-0030	6-1-2010	Amend(T)	7-1-2010
101-015-0011	6-1-2010	Amend(T)	7-1-2010	105-040-0060	6-1-2010	Amend(T)	7-1-2010
101-015-0012	6-1-2010	Adopt(T)	7-1-2010	105-050-0025	1-1-2010	Adopt	2-1-2010
101-015-0012	6-3-2010	Adopt(T)	7-1-2010	105-050-0030	1-1-2010	Adopt	2-1-2010
101-015-0012	10-1-2010	Suspend	11-1-2010	111-010-0015	12-17-2009	Amend	2-1-2010
101-015-0012(T)	6-3-2010	Suspend	7-1-2010	111-010-0015	8-3-2010	Amend(T)	9-1-2010
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101-015-0025(T)	10-1-2010	Suspend	11-1-2010	111-010-0015(T)	12-17-2009	Repeal	2-1-2010
101-015-0026	10-1-2010	Adopt(T)	11-1-2010	111-010-0015(T)	10-1-2010	Suspend	11-1-2010
101-020-0015	10-1-2010	Amend	11-1-2010	111-020-0001	3-15-2010	Amend	4-1-2010
101-020-0066	10-1-2010	Adopt	11-1-2010	111-030-0001	12-17-2009	Amend	2-1-2010
101-050-0005	10-1-2010	Amend	11-1-2010	111-030-0001(T)	12-17-2009	Repeal	2-1-2010
101-050-0010	10-1-2010	Amend	11-1-2010	111-030-0005	12-17-2009	Amend	2-1-2010
101-050-0015	10-1-2010	Amend	11-1-2010	111-030-0005	8-3-2010	Amend(T)	9-1-2010
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101-050-0025	10-1-2010	Repeal	11-1-2010	111-030-0010	8-3-2010	Adopt(T)	9-1-2010
104-030-0000	1-21-2010	Adopt	3-1-2010	111-030-0020	12-17-2009	Adopt	2-1-2010
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104-030-0020	1-21-2010	Adopt	3-1-2010	111-030-0025	12-17-2009	Adopt	2-1-2010
104-030-0030	1-21-2010	Adopt	3-1-2010	111-030-0025(T)	12-17-2009	Repeal	2-1-2010
104-030-0040	1-21-2010	Adopt	3-1-2010	111-030-0030	12-17-2009	Adopt	2-1-2010
104-030-0050	1-21-2010	Adopt	3-1-2010	111-030-0030	8-3-2010	Suspend	9-1-2010
104-030-0060	1-21-2010	Adopt	3-1-2010	111-030-0030(T)	12-17-2009	Repeal	2-1-2010
104-030-0070	1-21-2010	Adopt	3-1-2010	111-030-0035	8-3-2010	Adopt(T)	9-1-2010
104-030-0080	1-21-2010	Adopt	3-1-2010	111-030-0040	8-3-2010	Adopt(T)	9-1-2010
104-050-0000	11-1-2010	Amend	12-1-2010	111-030-0045	8-3-2010	Adopt(T)	9-1-2010
104-050-0010	11-1-2010	Amend	12-1-2010	111-030-0050	8-3-2010	Adopt(T)	9-1-2010
104-050-0020	11-1-2010	Amend	12-1-2010	111-040-0001	12-17-2009	Amend	2-1-2010
104-050-0030	11-1-2010	Amend	12-1-2010	111-040-0001	8-3-2010	Amend(T)	9-1-2010
104-050-0040	11-1-2010	Amend	12-1-2010	111-040-0001	10-1-2010	Amend(T)	11-1-2010
104-050-0050	11-1-2010	Amend	12-1-2010	111-040-0001(T)	12-17-2009	Repeal	2-1-2010
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104-050-0060	11-1-2010	Amend	12-1-2010	111-040-0005	10-1-2010	Amend(T)	11-1-2010
104-050-0070	11-1-2010	Amend	12-1-2010	111-040-0015	8-3-2010	Amend(T)	9-1-2010
104-050-0080	11-1-2010	Amend	12-1-2010	111-040-0015	10-1-2010	Amend(T)	11-1-2010
104-050-0090	11-1-2010	Amend	12-1-2010	111-040-0015(T)	10-1-2010	Suspend	11-1-2010

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111-040-0025	12-17-2009	Amend	2-1-2010	111-070-0040	10-1-2010	Amend(T)	11-1-2010
111-040-0025	8-3-2010	Amend(T)	9-1-2010	111-070-0050	3-15-2010	Adopt	4-1-2010
111-040-0025(T)	12-17-2009	Repeal	2-1-2010	111-070-0060	3-15-2010	Adopt	4-1-2010
111-040-0030	12-17-2009	Amend	2-1-2010	111-070-0070	3-15-2010	Adopt	4-1-2010
111-040-0030	8-3-2010	Amend(T)	9-1-2010	111-080-0030	4-26-2010	Amend(T)	6-1-2010
111-040-0030(T)	12-17-2009	Repeal	2-1-2010	111-080-0030	10-1-2010	Amend	11-1-2010
111-040-0040	12-17-2009	Amend	2-1-2010	111-080-0030(T)	10-1-2010	Repeal	11-1-2010
111-040-0040	3-3-2010	Amend(T)	4-1-2010	115-025-0060	4-13-2010	Amend(T)	5-1-2010
111-040-0040	8-3-2010	Amend	9-1-2010	115-025-0060	10-1-2010	Amend	11-1-2010
111-040-0040	8-3-2010	Amend(T)	9-1-2010	122-060-0030	6-22-2010	Adopt(T)	8-1-2010
111-040-0040	10-1-2010	Amend(T)	11-1-2010	122-060-0030	9-21-2010	Suspend	11-1-2010
111-040-0040(T)	12-17-2009	Repeal	2-1-2010	122-060-0040	9-21-2010	Adopt(T)	11-1-2010
111-040-0040(T)	8-3-2010	Repeal	9-1-2010	123-006-0020	11-1-2010	Amend	12-1-2010
111-040-0040(T)	10-1-2010	Suspend	11-1-2010	123-006-0035	11-1-2010	Amend	12-1-2010
111-040-0050	12-17-2009	Amend	2-1-2010	123-006-0045	11-1-2010	Amend	12-1-2010
111-040-0050	8-3-2010	Amend(T)	9-1-2010	123-008-0005	12-1-2009	Amend	1-1-2010
111-040-0050(T)	12-17-2009	Repeal	2-1-2010	123-008-0010	12-1-2009	Amend	1-1-2010
111-050-0001	10-1-2010	Amend(T)	11-1-2010	123-008-0015	12-1-2009	Amend	1-1-2010
111-050-0010	2-1-2010	Amend	3-1-2010	123-008-0020	12-1-2009	Amend	1-1-2010
111-050-0010	8-3-2010	Amend(T)	9-1-2010	123-008-0025	12-1-2009	Amend	1-1-2010
111-050-0010(T)	2-1-2010	Repeal	3-1-2010	123-008-0030	12-1-2009	Amend	1-1-2010
111-050-0015	2-1-2010	Amend	3-1-2010	123-011-0021	5-1-2010	Amend	6-1-2010
111-050-0015	10-1-2010	Amend(T)	11-1-2010	123-011-0025	5-1-2010	Amend	6-1-2010
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111-050-0016	2-1-2010	Adopt	3-1-2010	123-011-0030	5-1-2010	Amend	6-1-2010
111-050-0016	8-3-2010	Amend(T)	9-1-2010	123-011-0035	5-1-2010	Amend	6-1-2010
111-050-0020	2-1-2010	Amend	3-1-2010	123-011-0040	5-1-2010	Amend	6-1-2010
111-050-0020	8-3-2010	Amend(T)	9-1-2010	123-016-0000	5-1-2010	Amend	6-1-2010
111-050-0020(T)	2-1-2010	Repeal	3-1-2010	123-016-0010	5-1-2010	Amend	6-1-2010
111-050-0025	2-1-2010	Amend	3-1-2010	123-016-0020	5-1-2010	Amend	6-1-2010
111-050-0025	8-3-2010	Amend(T)	9-1-2010	123-016-0030	5-1-2010	Amend	6-1-2010
111-050-0025(T)	2-1-2010	Repeal	3-1-2010	123-016-0060	10-1-2010	Amend	11-1-2010
111-050-0030	8-3-2010	Amend(T)	9-1-2010	123-017-0007	12-1-2009	Amend	1-1-2010
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111-050-0030(T)	10-1-2010	Suspend	11-1-2010	123-017-0008	4-12-2010	Amend(T)	5-1-2010
111-050-0035	8-3-2010	Amend(T)	9-1-2010	123-017-0008	5-28-2010	Amend(T)	7-1-2010
111-050-0045	10-1-2010	Amend(T)	11-1-2010	123-017-0008	10-1-2010	Amend	11-1-2010
111-050-0050	8-3-2010	Amend(T)	9-1-2010	123-017-0008(T)	5-28-2010	Suspend	7-1-2010
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111-050-0050(T)	10-1-2010	Suspend	11-1-2010	123-017-0010	12-1-2009	Amend	1-1-2010
111-050-0060	8-3-2010	Amend(T)	9-1-2010	123-017-0010	4-12-2010	Amend(T)	5-1-2010
111-050-0065	8-3-2010	Amend(T)	9-1-2010	123-017-0015	12-1-2009	Amend	1-1-2010
111-050-0070	8-3-2010	Amend(T)	9-1-2010	123-017-0015	4-12-2010	Amend(T)	5-1-2010
111-050-0075	8-3-2010	Amend(T)	9-1-2010	123-017-0015	5-28-2010	Amend(T)	7-1-2010
111-050-0080	2-1-2010	Amend	3-1-2010	123-017-0015	10-1-2010	Amend	11-1-2010
111-050-0080	8-3-2010	Amend(T)	9-1-2010	123-017-0015(T)	5-28-2010	Suspend	7-1-2010
111-050-0080(T)	2-1-2010	Repeal	3-1-2010	123-017-0015(T)	10-1-2010	Repeal	11-1-2010
111-060-0001	12-17-2009	Amend	2-1-2010	123-017-0020	5-28-2010	Amend(T)	7-1-2010
111-060-0001(T)	12-17-2009	Repeal	2-1-2010	123-017-0020	10-1-2010	Amend	11-1-2010
111-070-0001	3-15-2010	Adopt	4-1-2010	123-017-0020(T)	10-1-2010	Repeal	11-1-2010
111-070-0005	3-15-2010	Adopt	4-1-2010	123-017-0025	12-1-2009	Amend	1-1-2010
111-070-0015	3-15-2010	Adopt	4-1-2010	123-017-0025	4-12-2010	Amend(T)	5-1-2010
111-070-0020	3-15-2010	Adopt	4-1-2010	123-017-0025	5-28-2010	Amend(T)	7-1-2010
111-070-0030	3-15-2010	Adopt	4-1-2010	123-017-0025	10-1-2010	Amend	11-1-2010
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123-017-0030	12-1-2009	Amend	1-1-2010	123-019-0050(T)	10-1-2010	Repeal	11-1-2010
123-017-0030	4-12-2010	Amend(T)	5-1-2010	123-019-0060	4-12-2010	Amend(T)	5-1-2010
123-017-0030	5-28-2010	Amend(T)	7-1-2010	123-019-0060	10-1-2010	Amend	11-1-2010
123-017-0030	10-1-2010	Amend	11-1-2010	123-019-0060(T)	10-1-2010	Repeal	11-1-2010
123-017-0030(T)	5-28-2010	Suspend	7-1-2010	123-019-0070	4-12-2010	Amend(T)	5-1-2010
123-017-0030(T)	10-1-2010	Repeal	11-1-2010	123-019-0070	10-1-2010	Amend	11-1-2010
123-017-0035	12-1-2009	Amend	1-1-2010	123-019-0070(T)	10-1-2010	Repeal	11-1-2010
123-017-0035	4-12-2010	Amend(T)	5-1-2010	123-019-0080	4-12-2010	Amend(T)	5-1-2010
123-017-0035	5-28-2010	Amend(T)	7-1-2010	123-019-0080	10-1-2010	Amend	11-1-2010
123-017-0035	10-1-2010	Amend	11-1-2010	123-019-0080(T)	10-1-2010	Repeal	11-1-2010
123-017-0035(T)	5-28-2010	Suspend	7-1-2010	123-019-0090	4-12-2010	Amend(T)	5-1-2010
123-017-0035(T)	10-1-2010	Repeal	11-1-2010	123-019-0090	10-1-2010	Amend	11-1-2010
123-017-0037	12-1-2009	Amend	1-1-2010	123-019-0090(T)	10-1-2010	Repeal	11-1-2010
123-017-0040	12-1-2009	Repeal	1-1-2010	123-019-0100	4-12-2010	Amend(T)	5-1-2010
123-017-0055	12-1-2009	Amend	1-1-2010	123-019-0100	10-1-2010	Amend	11-1-2010
123-017-0055	5-28-2010	Amend(T)	7-1-2010	123-019-0100	10-15-2010	Amend	11-1-2010
123-017-0055	10-1-2010	Amend	11-1-2010	123-019-0100(T)	10-1-2010	Repeal	11-1-2010
123-017-0055(T)	10-1-2010	Repeal	11-1-2010	123-021-0020	5-1-2010	Amend	6-1-2010
123-017-0060	5-28-2010	Adopt(T)	7-1-2010	123-022-0070	12-1-2009	Amend	1-1-2010
123-017-0060	10-1-2010	Adopt	11-1-2010	123-022-0080	12-1-2009	Amend	1-1-2010
123-017-0060(T)	10-1-2010	Repeal	11-1-2010	123-022-0090	12-1-2009	Amend	1-1-2010
123-017-0070	5-28-2010	Adopt(T)	7-1-2010	123-022-0100	12-1-2009	Amend	1-1-2010
123-017-0070	10-1-2010	Adopt	11-1-2010	123-022-0110	12-1-2009	Amend	1-1-2010
123-017-0070(T)	10-1-2010	Repeal	11-1-2010	123-023-1000	5-1-2010	Am. & Ren.	6-1-2010
123-017-0080	5-28-2010	Adopt(T)	7-1-2010	123-023-1100	5-1-2010	Am. & Ren.	6-1-2010
123-017-0080	10-1-2010	Adopt	11-1-2010	123-023-1200	5-1-2010	Renumber	6-1-2010
123-017-0080(T)	10-1-2010	Repeal	11-1-2010	123-023-1250	5-1-2010	Renumber	6-1-2010
123-018-0010	5-1-2010	Amend	6-1-2010	123-023-1300	5-1-2010	Renumber	6-1-2010
123-018-0020	5-1-2010	Amend	6-1-2010	123-023-1400	5-1-2010	Am. & Ren.	6-1-2010
123-018-0080	5-1-2010	Amend	6-1-2010	123-023-1500	5-1-2010	Am. & Ren.	6-1-2010
123-018-0085	5-1-2010	Amend	6-1-2010	123-023-1525	5-1-2010	Renumber	6-1-2010
123-018-0100	5-1-2010	Amend	6-1-2010	123-023-1550	5-1-2010	Am. & Ren.	6-1-2010
123-018-0120	5-1-2010	Amend	6-1-2010	123-023-1600	5-1-2010	Am. & Ren.	6-1-2010
123-018-0150	5-1-2010	Amend	6-1-2010	123-023-1700	5-1-2010	Am. & Ren.	6-1-2010
123-018-0160	5-1-2010	Amend	6-1-2010	123-023-1800	5-1-2010	Am. & Ren.	6-1-2010
123-019-0000	4-12-2010	Amend(T)	5-1-2010	123-023-1900	5-1-2010	Am. & Ren.	6-1-2010
123-019-0000	10-1-2010	Amend	11-1-2010	123-023-1950	5-1-2010	Am. & Ren.	6-1-2010
123-019-0000(T)	10-1-2010	Repeal	11-1-2010	123-023-2000	5-1-2010	Am. & Ren.	6-1-2010
123-019-0010	4-12-2010	Amend(T)	5-1-2010	123-023-3000	5-1-2010	Am. & Ren.	6-1-2010
123-019-0010	10-1-2010	Amend	11-1-2010	123-023-3100	5-1-2010	Am. & Ren.	6-1-2010
123-019-0010	10-15-2010	Amend	11-1-2010	123-023-3200	5-1-2010	Am. & Ren.	6-1-2010
123-019-0010(T)	10-1-2010	Repeal	11-1-2010	123-023-3300	5-1-2010	Renumber	6-1-2010
123-019-0020	4-12-2010	Amend(T)	5-1-2010	123-023-3400	5-1-2010	Am. & Ren.	6-1-2010
123-019-0020	10-1-2010	Amend	11-1-2010	123-023-4000	5-1-2010	Am. & Ren.	6-1-2010
123-019-0020(T)	10-1-2010	Repeal	11-1-2010	123-023-4100	5-1-2010	Am. & Ren.	6-1-2010
123-019-0030	4-12-2010	Amend(T)	5-1-2010	123-024-0011	12-1-2009	Amend	1-1-2010
123-019-0030	10-1-2010	Amend	11-1-2010	123-024-0031	12-1-2009	Amend	1-1-2010
123-019-0030	10-15-2010	Amend	11-1-2010	123-024-0046	12-1-2009	Adopt	1-1-2010
123-019-0030(T)	10-1-2010	Repeal	11-1-2010	123-030-0050	5-1-2010	Amend	6-1-2010
123-019-0040	4-12-2010	Amend(T)	5-1-2010	123-043-0000	12-1-2009	Amend	1-1-2010
123-019-0040	10-1-2010	Amend	11-1-2010	123-043-0010	12-1-2009	Amend	1-1-2010
123-019-0040	10-15-2010	Amend	11-1-2010	123-043-0010	1-14-2010	Amend(T)	2-1-2010
123-019-0040(T)	10-1-2010	Repeal	11-1-2010	123-043-0015	12-1-2009	Amend	1-1-2010
123-019-0050	4-12-2010	Amend(T)	5-1-2010	123-043-0015	1-14-2010	Amend(T)	2-1-2010
123-019-0050	10-1-2010	Amend	11-1-2010	123-043-0015	7-1-2010	Amend	8-1-2010

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123-043-0025	12-1-2009	Amend	1-1-2010	123-065-0300	6-14-2010	Repeal	7-1-2010
123-043-0025	1-14-2010	Amend(T)	2-1-2010	123-065-0310	6-14-2010	Repeal	7-1-2010
123-043-0035	12-1-2009	Amend	1-1-2010	123-065-0320	6-14-2010	Repeal	7-1-2010
123-043-0035	1-14-2010	Amend(T)	2-1-2010	123-065-0330	6-14-2010	Repeal	7-1-2010
123-043-0035	7-1-2010	Amend	8-1-2010	123-065-0350	6-14-2010	Repeal	7-1-2010
123-043-0035(T)	7-1-2010	Repeal	8-1-2010	123-065-0365	6-14-2010	Repeal	7-1-2010
123-043-0041	1-14-2010	Adopt(T)	2-1-2010	123-065-1000	6-14-2010	Repeal	7-1-2010
123-043-0041	7-1-2010	Amend	8-1-2010	123-065-1050	6-14-2010	Repeal	7-1-2010
123-043-0041(T)	7-1-2010	Repeal	8-1-2010	123-065-1060	6-14-2010	Repeal	7-1-2010
123-043-0045	12-1-2009	Repeal	1-1-2010	123-065-1070	6-14-2010	Repeal	7-1-2010
123-043-0055	12-1-2009	Amend	1-1-2010	123-065-1080	6-14-2010	Repeal	7-1-2010
123-043-0055	1-14-2010	Amend(T)	2-1-2010	123-065-1500	6-14-2010	Repeal	7-1-2010
123-043-0055	7-1-2010	Amend	8-1-2010	123-065-1510	6-14-2010	Repeal	7-1-2010
123-043-0055(T)	7-1-2010	Repeal	8-1-2010	123-065-1520	6-14-2010	Repeal	7-1-2010
123-043-0065	12-1-2009	Amend	1-1-2010	123-065-1530	6-14-2010	Repeal	7-1-2010
123-043-0075	12-1-2009	Amend	1-1-2010	123-065-1540	6-14-2010	Repeal	7-1-2010
123-043-0075	7-1-2010	Amend	8-1-2010	123-065-1550	6-14-2010	Repeal	7-1-2010
123-043-0075(T)	7-1-2010	Repeal	8-1-2010	123-065-1553	6-14-2010	Repeal	7-1-2010
123-043-0085	12-1-2009	Amend	1-1-2010	123-065-1557	6-14-2010	Repeal	7-1-2010
123-043-0085	1-14-2010	Amend(T)	2-1-2010	123-065-1560	6-14-2010	Repeal	7-1-2010
123-043-0085	7-1-2010	Amend	8-1-2010	123-065-1570	6-14-2010	Repeal	7-1-2010
123-043-0085(T)	7-1-2010	Repeal	8-1-2010	123-065-1580	6-14-2010	Repeal	7-1-2010
123-043-0095	12-1-2009	Amend	1-1-2010	123-065-1590	6-14-2010	Repeal	7-1-2010
123-043-0095	1-14-2010	Amend(T)	2-1-2010	123-065-1600	6-14-2010	Repeal	7-1-2010
123-043-0102	12-1-2009	Amend	1-1-2010	123-065-1610	6-14-2010	Repeal	7-1-2010
123-043-0102	7-1-2010	Amend	8-1-2010	123-065-1620	6-14-2010	Repeal	7-1-2010
123-043-0102(T)	7-1-2010	Repeal	8-1-2010	123-065-1650	6-14-2010	Repeal	7-1-2010
123-043-0105	12-1-2009	Amend	1-1-2010	123-065-1670	6-14-2010	Repeal	7-1-2010
123-043-0105	7-1-2010	Amend	8-1-2010	123-065-1700	6-14-2010	Repeal	7-1-2010
123-043-0105(T)	7-1-2010	Repeal	8-1-2010	123-065-1710	6-14-2010	Repeal	7-1-2010
123-043-0115	12-1-2009	Amend	1-1-2010	123-065-1720	6-14-2010	Repeal	7-1-2010
123-043-0115	1-14-2010	Amend(T)	2-1-2010	123-065-1730	6-14-2010	Repeal	7-1-2010
123-049-0005	2-1-2010	Amend	3-1-2010	123-065-1740	6-14-2010	Repeal	7-1-2010
123-049-0010	2-1-2010	Amend	3-1-2010	123-065-1750	6-14-2010	Repeal	7-1-2010
123-049-0020	2-1-2010	Amend	3-1-2010	123-065-1900	6-14-2010	Repeal	7-1-2010
123-049-0030	2-1-2010	Amend	3-1-2010	123-065-1910	6-14-2010	Repeal	7-1-2010
123-049-0040	2-1-2010	Amend	3-1-2010	123-065-1920	6-14-2010	Repeal	7-1-2010
123-049-0050	2-1-2010	Amend	3-1-2010	123-065-2500	6-14-2010	Repeal	7-1-2010
123-049-0060	2-1-2010	Amend	3-1-2010	123-065-2510	6-14-2010	Repeal	7-1-2010
123-065-0000	6-14-2010	Repeal	7-1-2010	123-065-2520	6-14-2010	Repeal	7-1-2010
123-065-0005	6-14-2010	Repeal	7-1-2010	123-065-2530	6-14-2010	Repeal	7-1-2010
123-065-0010	1-5-2010	Amend(T)	2-1-2010	123-065-2540	6-14-2010	Repeal	7-1-2010
123-065-0010	6-14-2010	Repeal	7-1-2010	123-065-2550	6-14-2010	Repeal	7-1-2010
123-065-0059	6-14-2010	Repeal	7-1-2010	123-065-2700	6-14-2010	Repeal	7-1-2010
123-065-0080	6-14-2010	Repeal	7-1-2010	123-065-3000	6-14-2010	Repeal	7-1-2010
123-065-0090	6-14-2010	Repeal	7-1-2010	123-065-3030	6-14-2010	Repeal	7-1-2010
123-065-0095	6-14-2010	Repeal	7-1-2010	123-065-3110	6-14-2010	Repeal	7-1-2010
123-065-0100	6-14-2010	Repeal	7-1-2010	123-065-3130	6-14-2010	Repeal	7-1-2010
123-065-0140	6-14-2010	Repeal	7-1-2010	123-065-3140	6-14-2010	Repeal	7-1-2010
123-065-0150	6-14-2010	Repeal	7-1-2010	123-065-3170	6-14-2010	Repeal	7-1-2010
123-065-0200	6-14-2010	Repeal	7-1-2010	123-065-3200	6-14-2010	Repeal	7-1-2010
123-065-0210	6-14-2010	Repeal	7-1-2010	123-065-3230	6-14-2010	Repeal	7-1-2010
123-065-0220	6-14-2010	Repeal	7-1-2010	123-065-3300	6-14-2010	Repeal	7-1-2010
123-065-0230	6-14-2010	Repeal	7-1-2010	123-065-3330	6-14-2010	Repeal	7-1-2010
123-065-0240	6-14-2010	Repeal	7-1-2010	123-065-3360	6-14-2010	Repeal	7-1-2010



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123-070-2100	7-1-2010	Am. & Ren.	8-1-2010	123-155-0250	2-1-2010	Amend	3-1-2010
123-070-2200	7-1-2010	Am. & Ren.	8-1-2010	123-155-0270	2-1-2010	Amend	3-1-2010
123-070-2300	12-1-2009	Amend	1-1-2010	123-155-0300	2-1-2010	Amend	3-1-2010
123-070-2300	7-1-2010	Am. & Ren.	8-1-2010	123-155-0350	2-1-2010	Amend	3-1-2010
123-070-2400	12-1-2009	Amend	1-1-2010	123-155-0400	2-1-2010	Amend	3-1-2010
123-070-2400	7-1-2010	Am. & Ren.	8-1-2010	123-165-0010	1-14-2010	Adopt(T)	2-1-2010
123-080-0000	1-1-2010	Amend	2-1-2010	123-165-0010	5-1-2010	Adopt	6-1-2010
123-080-0010	1-1-2010	Amend	2-1-2010	123-165-0010(T)	5-1-2010	Repeal	6-1-2010
123-080-0030	1-1-2010	Amend	2-1-2010	123-165-0020	1-14-2010	Adopt(T)	2-1-2010
123-080-0040	1-1-2010	Amend	2-1-2010	123-165-0020	5-1-2010	Adopt	6-1-2010
123-087-0010	1-1-2010	Amend	2-1-2010	123-165-0020(T)	5-1-2010	Repeal	6-1-2010
123-087-0030	1-1-2010	Amend	2-1-2010	123-165-0030	1-14-2010	Adopt(T)	2-1-2010
123-087-0040	1-1-2010	Repeal	2-1-2010	123-165-0030	5-1-2010	Adopt	6-1-2010
123-090-0000	1-1-2010	Amend	2-1-2010	123-165-0030(T)	5-1-2010	Repeal	6-1-2010
123-090-0010	1-1-2010	Amend	2-1-2010	123-165-0040	1-14-2010	Adopt(T)	2-1-2010
123-090-0030	1-1-2010	Amend	2-1-2010	123-165-0040	5-1-2010	Adopt	6-1-2010
123-090-0040	1-1-2010	Amend	2-1-2010	123-165-0040(T)	5-1-2010	Repeal	6-1-2010
123-090-0060	1-1-2010	Amend	2-1-2010	123-165-0045	1-14-2010	Adopt(T)	2-1-2010
123-125-0000	6-1-2010	Amend	7-1-2010	123-165-0045	5-1-2010	Adopt	6-1-2010
123-125-0000	11-1-2010	Repeal	12-1-2010	123-165-0045(T)	5-1-2010	Repeal	6-1-2010
123-125-0020	6-1-2010	Amend	7-1-2010	123-165-0050	1-14-2010	Adopt(T)	2-1-2010
123-125-0020	11-1-2010	Repeal	12-1-2010	123-165-0050	5-1-2010	Adopt	6-1-2010
123-125-0040	6-1-2010	Amend	7-1-2010	123-165-0050(T)	5-1-2010	Repeal	6-1-2010
123-125-0040	11-1-2010	Repeal	12-1-2010	123-200-0005	5-1-2010	Adopt	6-1-2010
123-135-0000	4-1-2010	Amend	5-1-2010	123-200-0010	5-1-2010	Adopt	6-1-2010
123-135-0010	4-1-2010	Amend	5-1-2010	123-200-0020	5-1-2010	Adopt	6-1-2010
123-135-0020	4-1-2010	Amend	5-1-2010	123-200-0030	5-1-2010	Adopt	6-1-2010
123-135-0030	4-1-2010	Amend	5-1-2010	123-200-0040	5-1-2010	Adopt	6-1-2010
123-135-0040	4-1-2010	Amend	5-1-2010	123-200-0050	5-1-2010	Adopt	6-1-2010
123-135-0050	4-1-2010	Amend	5-1-2010	123-200-0060	5-1-2010	Adopt	6-1-2010
123-135-0060	4-1-2010	Repeal	5-1-2010	123-200-0070	5-1-2010	Adopt	6-1-2010
123-135-0065	4-1-2010	Adopt	5-1-2010	123-200-0080	5-1-2010	Adopt	6-1-2010
123-135-0070	4-1-2010	Repeal	5-1-2010	123-200-0090	5-1-2010	Adopt	6-1-2010
123-135-0080	4-1-2010	Amend	5-1-2010	123-200-0100	5-1-2010	Adopt	6-1-2010
123-135-0087	4-1-2010	Amend	5-1-2010	123-200-0120	5-1-2010	Adopt	6-1-2010
123-135-0090	4-1-2010	Amend	5-1-2010	123-200-0130	5-1-2010	Adopt	6-1-2010
123-135-0100	4-1-2010	Amend	5-1-2010	123-200-0140	5-1-2010	Adopt	6-1-2010
123-135-0110	4-1-2010	Amend	5-1-2010	123-200-0150	5-1-2010	Adopt	6-1-2010
123-140-0010	4-1-2010	Amend	5-1-2010	123-200-0160	5-1-2010	Adopt	6-1-2010
123-140-0010	5-21-2010	Amend(T)	7-1-2010	123-200-0170	5-1-2010	Adopt	6-1-2010
123-140-0010	11-1-2010	Amend	12-1-2010	123-200-0180	5-1-2010	Adopt	6-1-2010
123-140-0010(T)	11-1-2010	Repeal	12-1-2010	123-200-0190	5-1-2010	Adopt	6-1-2010
123-140-0020	4-1-2010	Amend	5-1-2010	123-200-0200	5-1-2010	Adopt	6-1-2010
123-140-0020	5-21-2010	Amend(T)	7-1-2010	123-500-0000	3-1-2010	Amend	4-1-2010
123-140-0020	11-1-2010	Amend	12-1-2010	123-500-0005	3-1-2010	Amend	4-1-2010
123-140-0020(T)	11-1-2010	Repeal	12-1-2010	123-500-0010	3-1-2010	Adopt	4-1-2010
123-140-0030	4-1-2010	Amend	5-1-2010	123-500-0015	3-1-2010	Adopt	4-1-2010
123-140-0030	5-21-2010	Amend(T)	7-1-2010	123-500-0020	3-1-2010	Am. & Ren.	4-1-2010
123-140-0030	11-1-2010	Amend	12-1-2010	123-500-0030	3-1-2010	Am. & Ren.	4-1-2010
123-140-0030(T)	11-1-2010	Repeal	12-1-2010	123-500-0035	3-1-2010	Adopt	4-1-2010
123-140-0050	4-1-2010	Amend	5-1-2010	123-500-0040	3-1-2010	Am. & Ren.	4-1-2010
123-155-0000	2-1-2010	Amend	3-1-2010	123-500-0045	3-1-2010	Adopt	4-1-2010
123-155-0050	2-1-2010	Amend	3-1-2010	123-500-0050	3-1-2010	Am. & Ren.	4-1-2010
123-155-0100	2-1-2010	Amend	3-1-2010	123-500-0055	3-1-2010	Adopt	4-1-2010
123-155-0150	2-1-2010	Amend	3-1-2010	123-500-0060	3-1-2010	Am. & Ren.	4-1-2010



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123-674-7210	6-14-2010	Adopt	7-1-2010	125-055-0120	11-15-2010	Amend	12-1-2010
123-674-7220	6-14-2010	Adopt	7-1-2010	125-055-0120(T)	11-15-2010	Repeal	12-1-2010
123-674-7230	6-14-2010	Adopt	7-1-2010	125-055-0125	7-26-2010	Amend(T)	9-1-2010
123-674-7240	6-14-2010	Adopt	7-1-2010	125-055-0125	11-15-2010	Amend	12-1-2010
123-674-7250	6-14-2010	Adopt	7-1-2010	125-055-0125(T)	11-15-2010	Repeal	12-1-2010
123-674-8000	6-14-2010	Adopt	7-1-2010	125-055-0130	7-26-2010	Amend(T)	9-1-2010
123-674-8100	6-14-2010	Adopt	7-1-2010	125-055-0130	11-15-2010	Amend	12-1-2010
123-674-8200	6-14-2010	Adopt	7-1-2010	125-055-0130(T)	11-15-2010	Repeal	12-1-2010
123-674-8300	6-14-2010	Adopt	7-1-2010	125-246-0110	1-1-2010	Amend	2-1-2010
123-680-0001	6-14-2010	Adopt	7-1-2010	125-246-0130	1-1-2010	Amend	2-1-2010
123-680-1000	6-14-2010	Adopt	7-1-2010	125-246-0150	1-1-2010	Amend	2-1-2010
123-680-1200	6-14-2010	Adopt	7-1-2010	125-246-0165	1-1-2010	Adopt	2-1-2010
123-680-1400	6-14-2010	Adopt	7-1-2010	125-246-0170	1-1-2010	Amend	2-1-2010
123-680-1600	6-14-2010	Adopt	7-1-2010	125-246-0200	1-1-2010	Amend	2-1-2010
123-690-0001	6-14-2010	Adopt	7-1-2010	125-246-0210	1-1-2010	Amend	2-1-2010
123-690-0100	6-14-2010	Adopt	7-1-2010	125-246-0220	1-1-2010	Amend	2-1-2010
123-690-0500	6-14-2010	Adopt	7-1-2010	125-246-0310	1-1-2010	Amend	2-1-2010
123-690-2000	6-14-2010	Adopt	7-1-2010	125-246-0312	1-1-2010	Adopt	2-1-2010
123-690-2100	6-14-2010	Adopt	7-1-2010	125-246-0314	1-1-2010	Adopt	2-1-2010
123-690-2300	6-14-2010	Adopt	7-1-2010	125-246-0330	1-1-2010	Amend	2-1-2010
123-690-2400	6-14-2010	Adopt	7-1-2010	125-246-0333	1-1-2010	Amend	2-1-2010
123-690-4000	6-14-2010	Adopt	7-1-2010	125-246-0335	1-1-2010	Amend	2-1-2010
123-690-4200	6-14-2010	Adopt	7-1-2010	125-246-0345	1-1-2010	Amend	2-1-2010
123-690-4400	6-14-2010	Adopt	7-1-2010	125-246-0351	1-1-2010	Amend	2-1-2010
123-690-4600	6-14-2010	Adopt	7-1-2010	125-246-0352	1-1-2010	Repeal	2-1-2010
123-690-5000	6-14-2010	Adopt	7-1-2010	125-246-0360	1-1-2010	Amend	2-1-2010
123-690-5200	6-14-2010	Adopt	7-1-2010	125-246-0365	1-1-2010	Amend	2-1-2010
123-690-6000	6-14-2010	Adopt	7-1-2010	125-246-0550	1-1-2010	Repeal	2-1-2010
123-690-6200	6-14-2010	Adopt	7-1-2010	125-246-0560	1-1-2010	Amend	2-1-2010
123-690-8000	6-14-2010	Adopt	7-1-2010	125-246-0570	1-1-2010	Amend	2-1-2010
123-690-8100	6-14-2010	Adopt	7-1-2010	125-246-0575	1-1-2010	Repeal	2-1-2010
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125-045-0210	11-19-2009	Amend	1-1-2010	125-246-0621	1-1-2010	Adopt	2-1-2010
125-045-0215	11-19-2009	Amend	1-1-2010	125-246-0635	1-1-2010	Amend	2-1-2010
125-045-0225	11-19-2009	Amend	1-1-2010	125-247-0005	1-1-2010	Repeal	2-1-2010
125-055-0005	10-8-2010	Amend	11-1-2010	125-247-0110	1-1-2010	Adopt	2-1-2010
125-055-0010	10-8-2010	Amend	11-1-2010	125-247-0200	1-1-2010	Amend	2-1-2010
125-055-0015	10-8-2010	Amend	11-1-2010	125-247-0255	1-1-2010	Amend	2-1-2010
125-055-0016	10-8-2010	Adopt	11-1-2010	125-247-0256	1-1-2010	Repeal	2-1-2010
125-055-0017	10-8-2010	Adopt	11-1-2010	125-247-0260	1-1-2010	Amend	2-1-2010
125-055-0020	10-8-2010	Amend	11-1-2010	125-247-0261	1-1-2010	Repeal	2-1-2010
125-055-0025	10-8-2010	Amend	11-1-2010	125-247-0270	1-1-2010	Amend	2-1-2010
125-055-0030	10-8-2010	Amend	11-1-2010	125-247-0275	1-1-2010	Amend	2-1-2010
125-055-0035	10-8-2010	Amend	11-1-2010	125-247-0280	1-1-2010	Amend	2-1-2010
125-055-0040	10-8-2010	Amend	11-1-2010	125-247-0287	1-1-2010	Amend	2-1-2010
125-055-0045	10-8-2010	Amend	11-1-2010	125-247-0288	1-1-2010	Amend	2-1-2010
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125-055-0105	7-26-2010	Amend(T)	9-1-2010	125-247-0320	1-1-2010	Amend	2-1-2010
125-055-0105	11-15-2010	Amend	12-1-2010	125-247-0340	1-1-2010	Amend	2-1-2010
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125-055-0115	7-26-2010	Amend(T)	9-1-2010	125-247-0500	1-1-2010	Amend	2-1-2010
125-055-0115	11-15-2010	Amend	12-1-2010	125-247-0550	1-1-2010	Amend	2-1-2010
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125-247-0630	1-1-2010	Amend	2-1-2010	137-045-0015	1-1-2010	Amend	1-1-2010
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125-247-0691	1-1-2010	Amend	2-1-2010	137-045-0035	1-1-2010	Amend	1-1-2010
125-247-0700	1-1-2010	Amend	2-1-2010	137-045-0050	1-1-2010	Amend	1-1-2010
125-247-0710	1-1-2010	Amend	2-1-2010	137-045-0052	1-1-2010	Amend	1-1-2010
125-247-0720	1-1-2010	Amend	2-1-2010	137-045-0060	1-1-2010	Amend	1-1-2010
125-247-0740	1-1-2010	Amend	2-1-2010	137-045-0070	1-1-2010	Amend	1-1-2010
125-247-0750	1-1-2010	Amend	2-1-2010	137-046-0110	1-1-2010	Amend	1-1-2010
125-247-0770	1-1-2010	Repeal	2-1-2010	137-046-0210	1-1-2010	Amend	1-1-2010
125-247-0800	1-1-2010	Repeal	2-1-2010	137-047-0250	1-1-2010	Amend	1-1-2010
125-248-0130	1-1-2010	Amend	2-1-2010	137-047-0255	1-1-2010	Amend	1-1-2010
125-248-0200	1-1-2010	Amend	2-1-2010	137-047-0260	1-1-2010	Amend	1-1-2010
125-248-0210	1-1-2010	Amend	2-1-2010	137-047-0261	1-1-2010	Amend	1-1-2010
125-248-0220	1-1-2010	Amend	2-1-2010	137-047-0262	1-1-2010	Amend	1-1-2010
125-248-0230	1-1-2010	Amend	2-1-2010	137-047-0263	1-1-2010	Amend	1-1-2010
125-248-0240	1-1-2010	Amend	2-1-2010	137-047-0270	1-1-2010	Amend	1-1-2010
125-248-0260	1-1-2010	Amend	2-1-2010	137-047-0280	1-1-2010	Amend	1-1-2010
125-248-0300	1-1-2010	Amend	2-1-2010	137-047-0300	1-1-2010	Amend	1-1-2010
125-248-0310	1-1-2010	Amend	2-1-2010	137-047-0310	1-1-2010	Amend	1-1-2010
125-248-0330	1-1-2010	Amend	2-1-2010	137-047-0470	1-1-2010	Amend	1-1-2010
125-248-0340	1-1-2010	Amend	2-1-2010	137-047-0550	1-1-2010	Amend	1-1-2010
125-249-0120	1-1-2010	Amend	2-1-2010	137-047-0600	1-1-2010	Amend	1-1-2010
125-249-0130	1-1-2010	Amend	2-1-2010	137-047-0640	1-1-2010	Amend	1-1-2010
125-249-0145	1-1-2010	Adopt	2-1-2010	137-047-0800	1-1-2010	Amend	1-1-2010
125-249-0200	1-1-2010	Amend	2-1-2010	137-048-0130	1-1-2010	Amend	1-1-2010
125-249-0230	1-1-2010	Amend	2-1-2010	137-048-0200	1-1-2010	Amend	1-1-2010
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125-249-0270	1-1-2010	Amend	2-1-2010	137-048-0220	1-1-2010	Amend	1-1-2010
125-249-0280	1-1-2010	Amend	2-1-2010	137-048-0250	1-1-2010	Amend	1-1-2010
125-249-0300	1-1-2010	Amend	2-1-2010	137-048-0260	1-1-2010	Amend	1-1-2010
125-249-0330	1-1-2010	Amend	2-1-2010	137-048-0300	1-1-2010	Amend	1-1-2010
125-249-0350	1-1-2010	Amend	2-1-2010	137-048-0310	1-1-2010	Amend	1-1-2010
125-249-0360	1-1-2010	Amend	2-1-2010	137-048-0320	1-1-2010	Amend	1-1-2010
125-249-0370	1-1-2010	Amend	2-1-2010	137-049-0150	1-1-2010	Amend	1-1-2010
125-249-0390	1-1-2010	Amend	2-1-2010	137-049-0200	1-1-2010	Amend	1-1-2010
125-249-0420	1-1-2010	Amend	2-1-2010	137-049-0210	1-1-2010	Amend	1-1-2010
125-249-0430	1-1-2010	Amend	2-1-2010	137-049-0220	1-1-2010	Amend	1-1-2010
125-249-0440	1-1-2010	Amend	2-1-2010	137-049-0260	1-1-2010	Amend	1-1-2010
125-249-0450	1-1-2010	Amend	2-1-2010	137-049-0270	1-1-2010	Amend	1-1-2010
125-249-0620	1-1-2010	Amend	2-1-2010	137-049-0290	1-1-2010	Amend	1-1-2010
125-249-0640	1-1-2010	Amend	2-1-2010	137-049-0320	1-1-2010	Amend	1-1-2010
125-249-0645	1-1-2010	Amend	2-1-2010	137-049-0330	1-1-2010	Amend	1-1-2010
125-249-0650	1-1-2010	Amend	2-1-2010	137-049-0350	1-1-2010	Amend	1-1-2010
125-249-0660	1-1-2010	Amend	2-1-2010	137-049-0360	1-1-2010	Amend	1-1-2010
125-249-0680	1-1-2010	Amend	2-1-2010	137-049-0390	1-1-2010	Amend	1-1-2010
125-249-0800	1-1-2010	Amend	2-1-2010	137-049-0400	1-1-2010	Amend	1-1-2010
125-249-0810	1-1-2010	Amend	2-1-2010	137-049-0430	1-1-2010	Amend	1-1-2010
125-249-0815	1-1-2010	Amend	2-1-2010	137-049-0440	1-1-2010	Amend	1-1-2010
125-249-0820	1-1-2010	Amend	2-1-2010	137-049-0620	1-1-2010	Amend	1-1-2010
125-249-0860	1-1-2010	Amend	2-1-2010	137-049-0645	1-1-2010	Amend	1-1-2010
125-249-0870	1-1-2010	Amend	2-1-2010	137-049-0650	1-1-2010	Amend	1-1-2010
125-249-0900	1-1-2010	Amend	2-1-2010	137-049-0670	1-1-2010	Amend	1-1-2010
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137-049-0860	1-1-2010	Amend	1-1-2010	137-055-1120	1-4-2010	Amend	2-1-2010
137-050-0320	1-4-2010	Repeal	1-1-2010	137-055-1140	1-4-2010	Amend	2-1-2010
137-050-0330	1-4-2010	Repeal	1-1-2010	137-055-1145	1-4-2010	Amend	2-1-2010
137-050-0333	1-4-2010	Repeal	1-1-2010	137-055-1160	9-1-2010	Amend(T)	8-1-2010
137-050-0335	1-4-2010	Repeal	1-1-2010	137-055-1160	10-1-2010	Amend	11-1-2010
137-050-0340	1-4-2010	Repeal	1-1-2010	137-055-1160(T)	10-1-2010	Repeal	11-1-2010
137-050-0350	1-4-2010	Repeal	1-1-2010	137-055-1320	10-1-2010	Amend	11-1-2010
137-050-0360	1-4-2010	Repeal	1-1-2010	137-055-1360	10-1-2010	Amend	11-1-2010
137-050-0370	1-4-2010	Repeal	1-1-2010	137-055-2160	1-4-2010	Amend(T)	2-1-2010
137-050-0390	1-4-2010	Repeal	1-1-2010	137-055-2160	7-1-2010	Amend	8-1-2010
137-050-0400	1-4-2010	Repeal	1-1-2010	137-055-2160(T)	7-1-2010	Amend	8-1-2010
137-050-0405	1-4-2010	Repeal	1-1-2010	137-055-2360	1-4-2010	Amend	2-1-2010
137-050-0410	1-4-2010	Repeal	1-1-2010	137-055-2380	1-4-2010	Amend	2-1-2010
137-050-0420	1-4-2010	Repeal	1-1-2010	137-055-3020	1-4-2010	Amend	2-1-2010
137-050-0430	1-4-2010	Repeal	1-1-2010	137-055-3020	10-1-2010	Amend	11-1-2010
137-050-0450	1-4-2010	Repeal	1-1-2010	137-055-3080	1-4-2010	Amend	2-1-2010
137-050-0455	1-4-2010	Repeal	1-1-2010	137-055-3220	1-4-2010	Amend	2-1-2010
137-050-0465	1-4-2010	Repeal	1-1-2010	137-055-3260	1-4-2010	Amend	2-1-2010
137-050-0475	1-4-2010	Repeal	1-1-2010	137-055-3300	1-4-2010	Amend	2-1-2010
137-050-0485	1-4-2010	Repeal	1-1-2010	137-055-3340	1-4-2010	Amend(T)	2-1-2010
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137-050-0700	1-4-2010	Adopt	1-1-2010	137-055-3340	4-1-2010	Amend	5-1-2010
137-050-0700	2-12-2010	Amend(T)	3-1-2010	137-055-3340(T)	1-12-2010	Suspend	2-1-2010
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137-050-0700(T)	7-1-2010	Amend	8-1-2010	137-055-3420	1-4-2010	Amend	2-1-2010
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137-050-0710	2-12-2010	Amend(T)	3-1-2010	137-055-3435	1-4-2010	Adopt	2-1-2010
137-050-0710	7-1-2010	Amend	8-1-2010	137-055-3660	1-4-2010	Amend	2-1-2010
137-050-0710(T)	7-1-2010	Amend	8-1-2010	137-055-4210	1-4-2010	Adopt	2-1-2010
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137-050-0715	2-12-2010	Amend(T)	3-1-2010	137-055-4450	1-4-2010	Amend	2-1-2010
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137-050-0730	1-4-2010	Adopt	1-1-2010	137-055-5220	1-4-2010	Amend	2-1-2010
137-050-0730	7-1-2010	Amend	8-1-2010	137-055-6022	1-4-2010	Amend	2-1-2010
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137-050-0760	1-4-2010	Adopt(T)	1-1-2010	137-060-0150	3-12-2010	Amend	4-1-2010
137-050-0760	1-8-2010	Amend(T)	2-1-2010	137-060-0210	3-12-2010	Amend	4-1-2010
137-050-0760	2-12-2010	Adopt(T)	3-1-2010	137-060-0220	3-12-2010	Amend	4-1-2010
137-050-0760	7-1-2010	Adopt	8-1-2010	137-060-0230	3-12-2010	Amend	4-1-2010
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137-050-0760(T)	2-12-2010	Suspend	3-1-2010	137-060-0310	3-12-2010	Amend	4-1-2010
137-050-0760(T)	7-1-2010	Amend	8-1-2010	137-060-0320	3-12-2010	Amend	4-1-2010
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137-055-1020	1-4-2010	Amend	2-1-2010	137-060-0350	3-12-2010	Amend	4-1-2010
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137-078-0005	8-2-2010	Amend(T)	9-1-2010	141-102-0030	4-1-2010	Amend	4-1-2010
137-078-0010	8-2-2010	Amend(T)	9-1-2010	141-102-0040	4-1-2010	Amend	4-1-2010
137-078-0015	8-2-2010	Amend(T)	9-1-2010	141-142-0010	12-15-2009	Adopt	1-1-2010
137-078-0020	8-2-2010	Amend(T)	9-1-2010	141-142-0015	12-15-2009	Adopt	1-1-2010
137-078-0025	8-2-2010	Amend(T)	9-1-2010	141-142-0020	12-15-2009	Adopt	1-1-2010
137-078-0030	8-2-2010	Amend(T)	9-1-2010	141-142-0025	12-15-2009	Adopt	1-1-2010
137-078-0035	8-2-2010	Amend(T)	9-1-2010	141-142-0030	12-15-2009	Adopt	1-1-2010
137-078-0040	8-2-2010	Amend(T)	9-1-2010	141-142-0035	12-15-2009	Adopt	1-1-2010
137-078-0041	8-2-2010	Adopt(T)	9-1-2010	141-142-0040	12-15-2009	Adopt	1-1-2010
137-078-0045	8-2-2010	Amend(T)	9-1-2010	150-118.140	7-31-2010	Amend	9-1-2010
137-078-0050	8-2-2010	Amend(T)	9-1-2010	150-118.160-(B)	2-19-2010	Amend(T)	4-1-2010
137-078-0051	8-2-2010	Adopt(T)	9-1-2010	150-118.160-(B)	7-31-2010	Amend	9-1-2010
137-105-0050	4-19-2010	Adopt(T)	6-1-2010	150-118.225	1-1-2010	Amend	2-1-2010
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141-085-0535	1-1-2010	Amend	1-1-2010	150-305.100-(C)(T)	3-19-2010	Repeal	4-1-2010
141-085-0545	1-1-2010	Amend	1-1-2010	150-305.220(1)	1-1-2010	Amend	2-1-2010
141-085-0550	1-1-2010	Amend	1-1-2010	150-305.220(2)	1-1-2010	Amend	2-1-2010
141-085-0555	1-1-2010	Amend	1-1-2010	150-305.230	7-31-2010	Amend	9-1-2010
141-085-0565	1-1-2010	Amend	1-1-2010	150-305.290	1-1-2010	Repeal	2-1-2010
141-085-0570	1-1-2010	Am. & Ren.	1-1-2010	150-306.126(2)	1-1-2010	Amend	2-1-2010
141-085-0575	1-1-2010	Amend	1-1-2010	150-307.110	7-31-2010	Repeal	9-1-2010
141-085-0585	1-1-2010	Amend	1-1-2010	150-307.250(1)(b)	1-1-2010	Am. & Ren.	2-1-2010
141-085-0590	1-1-2010	Amend	1-1-2010	150-307.270(1)-(A)	1-1-2010	Amend	2-1-2010
141-085-0665	1-1-2010	Amend	1-1-2010	150-307.330	1-1-2010	Amend	2-1-2010
141-085-0670	1-1-2010	Repeal	1-1-2010	150-307.340	7-31-2010	Repeal	9-1-2010
141-085-0675	1-1-2010	Amend	1-1-2010	150-307.547	1-1-2010	Adopt	2-1-2010
141-085-0680	1-1-2010	Amend	1-1-2010	150-308.027	7-31-2010	Repeal	9-1-2010
141-085-0685	1-1-2010	Amend	1-1-2010	150-308.205-(B)	7-31-2010	Am. & Ren.	9-1-2010
141-085-0690	1-1-2010	Amend	1-1-2010	150-308.225	7-31-2010	Adopt	9-1-2010
141-085-0700	1-1-2010	Amend	1-1-2010	150-308.234	7-31-2010	Amend	9-1-2010
141-085-0705	1-1-2010	Amend	1-1-2010	150-308.875-(A)	1-1-2010	Amend	2-1-2010
141-085-0720	1-1-2010	Amend	1-1-2010	150-309.100-(D)	1-1-2010	Adopt	2-1-2010
141-085-0725	1-1-2010	Amend	1-1-2010	150-311.668(1)(a)-(A)	1-1-2010	Amend	2-1-2010
141-085-0730	1-1-2010	Amend	1-1-2010	150-311.668(1)(a)-(B)	1-1-2010	Amend	2-1-2010
141-085-0735	1-1-2010	Amend	1-1-2010	150-311.688	1-1-2010	Amend	2-1-2010
141-085-0745	1-1-2010	Amend	1-1-2010	150-311.689	1-1-2010	Amend	2-1-2010
141-085-0750	1-1-2010	Amend	1-1-2010	150-311.691	1-1-2010	Amend	2-1-2010
141-089-0095	1-1-2010	Adopt	1-1-2010	150-311.706	1-1-2010	Amend	2-1-2010
141-089-0350	1-1-2010	Repeal	1-1-2010	150-314.280-(N)	1-1-2010	Amend	2-1-2010
141-089-0355	1-1-2010	Repeal	1-1-2010	150-314.360	7-31-2010	Amend	9-1-2010
141-089-0360	1-1-2010	Repeal	1-1-2010	150-314.610(4)	1-1-2010	Repeal	2-1-2010
141-089-0365	1-1-2010	Repeal	1-1-2010	150-314.775	7-31-2010	Amend	9-1-2010
141-089-0370	1-1-2010	Repeal	1-1-2010	150-314.778	7-31-2010	Adopt	9-1-2010
141-089-0375	1-1-2010	Repeal	1-1-2010	150-314.781	7-31-2010	Adopt	9-1-2010
141-089-0380	1-1-2010	Repeal	1-1-2010	150-314.784	7-31-2010	Adopt	9-1-2010
141-089-0385	1-1-2010	Repeal	1-1-2010	150-314.840	7-31-2010	Amend	9-1-2010
141-089-0390	1-1-2010	Repeal	1-1-2010	150-315.141	7-31-2010	Amend	9-1-2010

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150-315.204-(A)	3-15-2010	Amend	4-1-2010	160-100-0610	1-1-2010	Amend	2-1-2010
150-315.262	1-1-2010	Amend	2-1-2010	160-100-0700	1-1-2010	Adopt	2-1-2010
150-316.014	7-31-2010	Amend	9-1-2010	160-100-1110	6-1-2010	Amend	7-1-2010
150-316.216	7-31-2010	Am. & Ren.	9-1-2010	161-002-0000	1-1-2010	Amend(T)	1-1-2010
150-316.680(1)(c)-(A)	7-31-2010	Amend	9-1-2010	161-002-0000	4-23-2010	Amend	6-1-2010
150-316.OL2010.CH66	7-23-2010	Adopt(T)	9-1-2010	161-002-0000(T)	4-23-2010	Repeal	6-1-2010
150-317.013	7-31-2010	Amend	9-1-2010	161-010-0010	2-1-2010	Amend(T)	3-1-2010
150-317.063	7-31-2010	Adopt	9-1-2010	161-010-0010	4-23-2010	Amend	6-1-2010
150-317.090	2-19-2010	Amend	4-1-2010	161-010-0010(T)	4-23-2010	Repeal	6-1-2010
150-317.097	1-1-2010	Amend	2-1-2010	161-010-0020	2-1-2010	Amend(T)	3-1-2010
150-317.326	1-1-2010	Repeal	2-1-2010	161-010-0020	4-23-2010	Amend	6-1-2010
150-323.107	7-31-2010	Amend	9-1-2010	161-010-0020(T)	4-23-2010	Repeal	6-1-2010
150-323.130	7-31-2010	Amend	9-1-2010	161-010-0055	2-1-2010	Suspend	3-1-2010
150-323.500(9)	1-1-2010	Adopt	2-1-2010	161-010-0055	4-23-2010	Repeal	6-1-2010
150-323.500(9)	6-30-2010	Amend(T)	7-1-2010	161-010-0085	2-1-2010	Amend(T)	3-1-2010
150-323.500(9)(T)	1-1-2010	Repeal	2-1-2010	161-010-0085	4-23-2010	Amend	6-1-2010
150-323.530	7-31-2010	Amend	9-1-2010	161-010-0085(T)	4-23-2010	Repeal	6-1-2010
150-358.505	1-1-2010	Adopt	2-1-2010	161-015-0000	2-1-2010	Amend(T)	3-1-2010
150-457.430	7-31-2010	Amend	9-1-2010	161-015-0000	4-23-2010	Amend	6-1-2010
150-457.440(2)	7-31-2010	Adopt	9-1-2010	161-015-0000(T)	4-23-2010	Repeal	6-1-2010
150-457.440(9)	7-31-2010	Amend	9-1-2010	161-015-0010	2-1-2010	Amend(T)	3-1-2010
150-465.101(5)-(B)	8-19-2010	Adopt(T)	10-1-2010	161-015-0010	4-23-2010	Amend	6-1-2010
160-001-0000	2-1-2010	Amend	3-1-2010	161-015-0010(T)	4-23-2010	Repeal	6-1-2010
160-005-0008	1-1-2010	Adopt	2-1-2010	161-015-0025	2-1-2010	Amend(T)	3-1-2010
160-010-0010	7-1-2010	Amend	8-1-2010	161-015-0025	4-23-2010	Amend	6-1-2010
160-010-0013	7-1-2010	Amend	8-1-2010	161-015-0025(T)	4-23-2010	Repeal	6-1-2010
160-010-0014	7-1-2010	Amend	8-1-2010	161-015-0030	2-1-2010	Amend(T)	3-1-2010
160-010-0200	1-1-2010	Amend	2-1-2010	161-015-0030	4-23-2010	Amend	6-1-2010
160-010-0210	1-1-2010	Adopt	2-1-2010	161-015-0030(T)	4-23-2010	Repeal	6-1-2010
160-010-0220	1-1-2010	Adopt	2-1-2010	161-020-0005	2-1-2010	Amend(T)	3-1-2010
160-010-0230	1-1-2010	Adopt	2-1-2010	161-020-0005	4-23-2010	Amend	6-1-2010
160-010-0240	1-1-2010	Adopt	2-1-2010	161-020-0005(T)	4-23-2010	Repeal	6-1-2010
160-040-0103	1-1-2010	Amend	2-1-2010	161-020-0110	2-1-2010	Amend(T)	3-1-2010
160-040-0104	1-1-2010	Amend	2-1-2010	161-020-0110	4-23-2010	Amend	6-1-2010
160-040-0311	1-1-2010	Amend	2-1-2010	161-020-0110(T)	4-23-2010	Repeal	6-1-2010
160-040-0507	1-1-2010	Adopt	2-1-2010	161-020-0130	2-1-2010	Amend(T)	3-1-2010
160-050-0140	2-27-2010	Amend(T)	3-1-2010	161-020-0130	4-23-2010	Amend	6-1-2010
160-050-0140	4-2-2010	Amend	5-1-2010	161-020-0130(T)	4-23-2010	Repeal	6-1-2010
160-050-0140(T)	4-2-2010	Repeal	5-1-2010	161-020-0150	2-1-2010	Amend(T)	3-1-2010
160-050-0215	2-27-2010	Amend(T)	3-1-2010	161-020-0150	4-23-2010	Amend	6-1-2010
160-050-0215	4-2-2010	Amend	5-1-2010	161-020-0150(T)	4-23-2010	Repeal	6-1-2010
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160-100-0040	5-3-2010	Amend	6-1-2010	161-025-0025(T)	4-23-2010	Repeal	6-1-2010
160-100-0100	2-3-2010	Amend	3-1-2010	161-025-0030	2-1-2010	Amend(T)	3-1-2010
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160-100-0100	9-1-2010	Amend	10-1-2010	161-025-0030(T)	4-23-2010	Repeal	6-1-2010
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160-100-0110	7-1-2010	Amend(T)	7-1-2010	161-025-0060	4-23-2010	Amend	6-1-2010
160-100-0110	9-1-2010	Amend	10-1-2010	161-025-0060(T)	4-23-2010	Repeal	6-1-2010
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161-050-0050	2-1-2010	Amend(T)	3-1-2010	165-014-0005	12-31-2009	Amend	2-1-2010
161-050-0050	4-23-2010	Amend	6-1-2010	165-014-0100	12-31-2009	Amend	2-1-2010
161-050-0050(T)	4-23-2010	Repeal	6-1-2010	165-014-0280	12-31-2009	Amend	2-1-2010
162-010-0000	4-1-2010	Amend	5-1-2010	165-014-0285	11-5-2010	Adopt	12-1-2010
162-010-0020	4-1-2010	Amend	5-1-2010	165-016-0095	11-1-2010	Amend	12-1-2010
162-010-0030	4-1-2010	Amend	5-1-2010	165-020-0005	12-31-2009	Amend	2-1-2010
162-010-0050	4-1-2010	Amend	5-1-2010	165-020-0020	12-31-2009	Amend	2-1-2010
162-010-0130	4-1-2010	Amend	5-1-2010	165-020-0050	12-31-2009	Amend	2-1-2010
162-010-0150	4-1-2010	Amend	5-1-2010	165-020-0050	11-1-2010	Amend	12-1-2010
162-010-0200	4-1-2010	Amend	5-1-2010	165-020-0060	12-31-2009	Amend	2-1-2010
162-010-0230	4-1-2010	Amend	5-1-2010	165-020-0060	11-1-2010	Amend	12-1-2010
162-010-0240	4-1-2010	Amend	5-1-2010	166-150-0035	12-23-2009	Amend	2-1-2010
162-010-0270	4-1-2010	Amend	5-1-2010	166-150-0110	5-27-2010	Amend	7-1-2010
162-010-0310	4-1-2010	Amend	5-1-2010	166-200-0050	5-27-2010	Amend	7-1-2010
162-010-0316	4-1-2010	Adopt	5-1-2010	166-200-0090	9-14-2010	Amend	10-1-2010
162-010-0330	4-1-2010	Amend	5-1-2010	166-300-0025	5-27-2010	Amend	7-1-2010
162-040-0000	4-1-2010	Renumber	5-1-2010	166-300-0025	9-3-2010	Amend	10-1-2010
162-040-0001	4-1-2010	Adopt	5-1-2010	166-400-0025	5-27-2010	Amend	7-1-2010
162-040-0020	4-1-2010	Amend	5-1-2010	166-400-0060	5-27-2010	Amend	7-1-2010
162-040-0060	4-1-2010	Amend	5-1-2010	166-450-0050	5-27-2010	Amend	7-1-2010
162-040-0065	4-1-2010	Amend	5-1-2010	166-475-0050	5-27-2010	Amend	7-1-2010
162-040-0110	4-1-2010	Amend	5-1-2010	166-475-0095	5-27-2010	Amend	7-1-2010
162-040-0115	4-1-2010	Amend	5-1-2010	167-001-0005	7-7-2010	Amend	8-1-2010
162-040-0130	4-1-2010	Amend	5-1-2010	167-001-0007	7-7-2010	Amend	8-1-2010
162-040-0135	4-1-2010	Amend	5-1-2010	167-001-0030	7-7-2010	Amend	8-1-2010
162-040-0136	4-1-2010	Adopt	5-1-2010	167-001-0081	7-7-2010	Amend	8-1-2010
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162-040-0160	4-1-2010	Amend	5-1-2010	167-001-0360	7-7-2010	Amend	8-1-2010
165-001-0015	12-31-2009	Amend	2-1-2010	167-001-0605	7-7-2010	Amend	8-1-2010
165-001-0025	12-31-2009	Amend	2-1-2010	170-040-0110	11-19-2009	Adopt	1-1-2010
165-001-0035	12-31-2009	Amend	2-1-2010	170-061-0000	2-2-2010	Amend	3-1-2010
165-001-0040	12-31-2009	Amend	2-1-2010	170-061-0015	1-15-2010	Amend	2-1-2010
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165-001-0065	12-31-2009	Repeal	2-1-2010	170-061-0015(T)	7-1-2010	Suspend	7-1-2010
165-001-0080	12-31-2009	Amend	2-1-2010	170-063-0000	1-15-2010	Amend	2-1-2010
165-001-0080	11-1-2010	Amend	12-1-2010	170-063-0000(T)	1-15-2010	Repeal	2-1-2010
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165-012-0050	12-31-2009	Amend	2-1-2010	173-005-0000(T)	9-14-2010	Repeal	10-1-2010
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173-006-0000	9-14-2010	Amend	10-1-2010	173-015-0010	3-25-2010	Amend(T)	5-1-2010
173-006-0000(T)	9-14-2010	Repeal	10-1-2010	173-015-0010	9-14-2010	Amend	10-1-2010
173-006-0005	3-25-2010	Amend(T)	5-1-2010	173-015-0010(T)	9-14-2010	Repeal	10-1-2010
173-006-0005	9-14-2010	Amend	10-1-2010	173-016-0010	3-25-2010	Adopt(T)	5-1-2010
173-006-0005(T)	9-14-2010	Repeal	10-1-2010	173-016-0010	9-14-2010	Adopt	10-1-2010
173-007-0000	3-25-2010	Amend(T)	5-1-2010	173-016-0010(T)	9-14-2010	Repeal	10-1-2010
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173-007-0005	3-25-2010	Amend(T)	5-1-2010	177-036-0200	1-20-2010	Suspend	3-1-2010
173-007-0005	9-14-2010	Amend	10-1-2010	177-036-0200	3-21-2010	Repeal	5-1-2010
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173-008-0010	3-25-2010	Amend(T)	5-1-2010	177-040-0050(T)	9-5-2010	Repeal	10-1-2010
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173-009-0005	9-14-2010	Amend	10-1-2010	177-065-0005	6-27-2010	Repeal	8-1-2010
173-009-0005(T)	9-14-2010	Repeal	10-1-2010	177-065-0015	6-27-2010	Repeal	8-1-2010
173-009-0010	3-25-2010	Amend(T)	5-1-2010	177-065-0020	6-27-2010	Repeal	8-1-2010
173-009-0010	9-14-2010	Amend	10-1-2010	177-065-0025	6-27-2010	Repeal	8-1-2010
173-009-0010(T)	9-14-2010	Repeal	10-1-2010	177-065-0030	6-27-2010	Repeal	8-1-2010
173-009-0015	3-25-2010	Amend(T)	5-1-2010	177-065-0035	6-27-2010	Repeal	8-1-2010
173-009-0015	9-14-2010	Amend	10-1-2010	177-065-0040	6-27-2010	Repeal	8-1-2010
173-009-0015(T)	9-14-2010	Repeal	10-1-2010	177-065-0045	6-27-2010	Repeal	8-1-2010
173-010-0000	3-25-2010	Amend(T)	5-1-2010	177-065-0055	6-27-2010	Repeal	8-1-2010
173-010-0000	9-14-2010	Amend	10-1-2010	177-065-0065	6-27-2010	Repeal	8-1-2010
173-010-0000(T)	9-14-2010	Repeal	10-1-2010	177-065-0075	6-27-2010	Repeal	8-1-2010
173-010-0025	3-25-2010	Amend(T)	5-1-2010	177-065-0080	6-27-2010	Repeal	8-1-2010
173-010-0025	9-14-2010	Amend	10-1-2010	177-070-0005	3-21-2010	Amend	5-1-2010
173-010-0025(T)	9-14-2010	Repeal	10-1-2010	177-070-0025	2-1-2010	Amend	3-1-2010
173-011-0000	3-25-2010	Amend(T)	5-1-2010	177-098-0000	3-21-2010	Adopt	5-1-2010
173-011-0000	9-14-2010	Amend	10-1-2010	177-098-0010	3-21-2010	Adopt	5-1-2010
173-011-0000(T)	9-14-2010	Repeal	10-1-2010	177-098-0020	3-21-2010	Adopt	5-1-2010
173-012-0000	3-25-2010	Amend(T)	5-1-2010	177-098-0030	3-21-2010	Adopt	5-1-2010
173-012-0000	9-14-2010	Amend	10-1-2010	177-098-0040	3-21-2010	Adopt	5-1-2010
173-012-0000(T)	9-14-2010	Repeal	10-1-2010	177-098-0050	3-21-2010	Adopt	5-1-2010
173-012-0005	3-25-2010	Amend(T)	5-1-2010	177-098-0060	3-21-2010	Adopt	5-1-2010
173-012-0005	9-14-2010	Amend	10-1-2010	177-098-0070	3-21-2010	Adopt	5-1-2010
173-012-0005(T)	9-14-2010	Repeal	10-1-2010	177-098-0080	3-21-2010	Adopt	5-1-2010
173-014-0000	3-25-2010	Amend(T)	5-1-2010	177-098-0090	3-21-2010	Adopt	5-1-2010
173-014-0000	9-14-2010	Amend	10-1-2010	177-098-0100	3-21-2010	Adopt	5-1-2010
173-014-0000(T)	9-14-2010	Repeal	10-1-2010	177-098-0110	3-21-2010	Adopt	5-1-2010
173-014-0005	3-25-2010	Amend(T)	5-1-2010	177-099-0100	2-1-2010	Amend	3-1-2010
173-014-0005	9-14-2010	Amend	10-1-2010	177-099-0100(T)	2-1-2010	Repeal	3-1-2010
173-014-0005(T)	9-14-2010	Repeal	10-1-2010	177-200-0005	3-15-2010	Amend(T)	4-1-2010

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177-200-0005	9-5-2010	Amend	10-1-2010	190-020-0074	11-1-2010	Renumber	11-1-2010
177-200-0005(T)	9-5-2010	Repeal	10-1-2010	190-020-0080	7-1-2010	Adopt	8-1-2010
177-200-0010	3-15-2010	Amend(T)	4-1-2010	190-020-0080	11-1-2010	Renumber	11-1-2010
177-200-0010	9-5-2010	Amend	10-1-2010	190-020-0085	7-1-2010	Adopt	8-1-2010
177-200-0010(T)	9-5-2010	Repeal	10-1-2010	190-020-0085	11-1-2010	Renumber	11-1-2010
177-200-0011	9-5-2010	Amend	10-1-2010	199-001-0000	3-15-2010	Amend	4-1-2010
177-200-0012	9-5-2010	Amend	10-1-2010	199-001-0005	3-15-2010	Amend	4-1-2010
177-200-0015	9-5-2010	Amend	10-1-2010	199-001-0007	3-15-2010	Adopt	4-1-2010
177-200-0020	2-1-2010	Amend	3-1-2010	199-001-0010	3-15-2010	Amend	4-1-2010
177-200-0020	3-15-2010	Amend(T)	4-1-2010	199-001-0014	3-15-2010	Adopt	4-1-2010
177-200-0020	9-5-2010	Amend	10-1-2010	199-001-0015	3-15-2010	Adopt	4-1-2010
177-200-0020(T)	9-5-2010	Repeal	10-1-2010	199-001-0020	3-15-2010	Amend	4-1-2010
177-200-0032	3-15-2010	Amend(T)	4-1-2010	199-001-0030	8-4-2010	Amend	9-1-2010
177-200-0032	9-5-2010	Amend	10-1-2010	199-001-0035	3-15-2010	Amend	4-1-2010
177-200-0032(T)	9-5-2010	Repeal	10-1-2010	199-001-0040	3-15-2010	Amend	4-1-2010
177-200-0050	9-5-2010	Amend	10-1-2010	199-005-0001	3-15-2010	Adopt	4-1-2010
177-200-0060	9-5-2010	Amend	10-1-2010	199-005-0003	3-15-2010	Adopt	4-1-2010
177-200-0065	9-5-2010	Amend	10-1-2010	199-005-0003	3-15-2010	Amend	4-1-2010
177-200-0070	9-5-2010	Amend	10-1-2010	199-005-0005	3-15-2010	Amend	4-1-2010
177-200-0075	9-5-2010	Amend	10-1-2010	199-005-0010	3-15-2010	Amend	4-1-2010
177-200-0077	3-15-2010	Adopt(T)	4-1-2010	199-005-0015	3-15-2010	Amend	4-1-2010
177-200-0077	9-5-2010	Adopt	10-1-2010	199-005-0020	3-15-2010	Amend	4-1-2010
177-200-0077(T)	9-5-2010	Repeal	10-1-2010	199-005-0025	3-15-2010	Amend	4-1-2010
177-200-0080	9-5-2010	Amend	10-1-2010	199-005-0027	3-15-2010	Adopt	4-1-2010
177-200-0090	9-5-2010	Amend	10-1-2010	199-005-0030	8-4-2010	Amend	9-1-2010
190-020-0000	7-1-2010	Amend	8-1-2010	199-005-0035	3-15-2010	Amend	4-1-2010
190-020-0000	11-1-2010	Renumber	11-1-2010	199-010-0005	3-15-2010	Amend	4-1-2010
190-020-0005	7-1-2010	Amend	8-1-2010	199-010-0025	3-15-2010	Amend	4-1-2010
190-020-0005	11-1-2010	Renumber	11-1-2010	199-010-0035	3-15-2010	Amend	4-1-2010
190-020-0010	7-1-2010	Amend	8-1-2010	199-010-0060	3-15-2010	Amend	4-1-2010
190-020-0010	11-1-2010	Renumber	11-1-2010	199-010-0070	3-15-2010	Amend	4-1-2010
190-020-0012	7-1-2010	Adopt	8-1-2010	199-010-0075	3-15-2010	Amend	4-1-2010
190-020-0012	11-1-2010	Renumber	11-1-2010	199-010-0080	3-15-2010	Amend	4-1-2010
190-020-0013	7-1-2010	Adopt	8-1-2010	199-010-0085	3-15-2010	Amend	4-1-2010
190-020-0013	11-1-2010	Renumber	11-1-2010	199-010-0090	3-15-2010	Amend	4-1-2010
190-020-0015	7-1-2010	Amend	8-1-2010	199-010-0095	3-15-2010	Amend	4-1-2010
190-020-0015	11-1-2010	Renumber	11-1-2010	199-010-0100	3-15-2010	Amend	4-1-2010
190-020-0025	7-1-2010	Amend	8-1-2010	199-010-0150	3-15-2010	Amend	4-1-2010
190-020-0025	11-1-2010	Renumber	11-1-2010	199-020-0005	3-15-2010	Amend	4-1-2010
190-020-0030	7-1-2010	Amend	8-1-2010	199-020-0008	3-15-2010	Adopt	4-1-2010
190-020-0030	11-1-2010	Renumber	11-1-2010	213-003-0001	1-1-2010	Amend	2-1-2010
190-020-0035	7-1-2010	Amend	8-1-2010	213-003-0001(T)	1-1-2010	Repeal	2-1-2010
190-020-0035	11-1-2010	Renumber	11-1-2010	213-008-0002	4-15-2010	Amend(T)	5-1-2010
190-020-0040	7-1-2010	Amend	8-1-2010	213-008-0002	7-1-2010	Amend	8-1-2010
190-020-0040	11-1-2010	Renumber	11-1-2010	213-008-0002(T)	7-1-2010	Repeal	8-1-2010
190-020-0045	7-1-2010	Repeal	8-1-2010	213-017-0004	12-13-2009	Amend	1-1-2010
190-020-0050	7-1-2010	Amend	8-1-2010	213-017-0004	1-1-2010	Amend	2-1-2010
190-020-0050	11-1-2010	Renumber	11-1-2010	213-017-0004(T)	12-13-2009	Repeal	1-1-2010
190-020-0055	7-1-2010	Amend	8-1-2010	213-017-0005	1-1-2010	Amend	2-1-2010
190-020-0055	11-1-2010	Renumber	11-1-2010	213-017-0006	12-13-2009	Amend	1-1-2010
190-020-0060	7-1-2010	Amend	8-1-2010	213-017-0006	1-1-2010	Amend	2-1-2010
190-020-0060	11-1-2010	Renumber	11-1-2010	213-017-0006	6-30-2010	Amend(T)	8-1-2010
190-020-0065	7-1-2010	Amend	8-1-2010	213-017-0006(T)	12-13-2009	Repeal	1-1-2010
190-020-0065	11-1-2010	Renumber	11-1-2010	213-017-0009(T)	1-1-2010	Suspend	1-1-2010
190-020-0070	7-1-2010	Repeal	8-1-2010	213-018-0022	12-13-2009	Adopt	1-1-2010
190-020-0074	7-1-2010	Adopt	8-1-2010	213-018-0022(T)	12-13-2009	Repeal	1-1-2010

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213-018-0058	1-1-2010	Adopt	2-1-2010	255-062-0031(T)	9-29-2010	Repeal	11-1-2010
250-010-0154	1-15-2010	Amend	2-1-2010	255-070-0001	1-1-2010	Amend	2-1-2010
250-010-0650	1-5-2010	Amend(T)	2-1-2010	255-094-0000	2-26-2010	Am. & Ren.	4-1-2010
250-010-0650	1-15-2010	Amend(T)	2-1-2010	255-094-0002	2-26-2010	Adopt	4-1-2010
250-010-0650	5-6-2010	Amend	6-1-2010	255-094-0010	2-26-2010	Amend	4-1-2010
250-010-0650(T)	1-15-2010	Suspend	2-1-2010	255-094-0015	2-26-2010	Amend	4-1-2010
250-010-0650(T)	5-6-2010	Repeal	6-1-2010	255-094-0020	2-26-2010	Amend	4-1-2010
250-020-0033	6-1-2010	Amend(T)	6-1-2010	257-001-0005	1-1-2010	Amend(T)	2-1-2010
250-020-0151	6-15-2010	Amend(T)	7-1-2010	257-001-0005	6-30-2010	Amend	7-1-2010
250-020-0221	1-15-2010	Amend	2-1-2010	257-001-0005(T)	6-30-2010	Repeal	7-1-2010
250-020-0221	5-6-2010	Amend(T)	6-1-2010	257-010-0015	7-1-2010	Amend(T)	8-1-2010
250-020-0221	11-1-2010	Amend	12-1-2010	257-010-0020	7-1-2010	Amend(T)	8-1-2010
250-020-0240	1-15-2010	Amend	2-1-2010	257-010-0025	7-1-2010	Amend(T)	8-1-2010
250-020-0241	6-1-2010	Amend(T)	7-1-2010	257-010-0045	7-1-2010	Amend(T)	8-1-2010
250-020-0259	11-1-2010	Amend	12-1-2010	257-010-0050	7-1-2010	Amend(T)	8-1-2010
250-030-0030	1-15-2010	Amend(T)	2-1-2010	257-010-0055	5-28-2010	Amend(T)	7-1-2010
250-030-0030	5-6-2010	Amend	6-1-2010	257-045-0010	1-1-2010	Adopt(T)	2-1-2010
250-030-0030(T)	5-6-2010	Repeal	6-1-2010	257-045-0010	6-30-2010	Adopt	7-1-2010
255-005-0005	7-6-2010	Amend(T)	8-1-2010	257-045-0010(T)	6-30-2010	Repeal	7-1-2010
255-030-0013	9-3-2010	Amend	10-1-2010	257-045-0020	1-1-2010	Adopt(T)	2-1-2010
255-030-0013	9-29-2010	Amend	11-1-2010	257-045-0020	6-30-2010	Adopt	7-1-2010
255-030-0027	7-6-2010	Amend(T)	8-1-2010	257-045-0020(T)	6-30-2010	Repeal	7-1-2010
255-032-0005	3-26-2010	Amend	5-1-2010	257-045-0030	1-1-2010	Adopt(T)	2-1-2010
255-032-0005(T)	3-26-2010	Repeal	5-1-2010	257-045-0030	6-30-2010	Adopt	7-1-2010
255-032-0011	3-26-2010	Amend	5-1-2010	257-045-0030(T)	6-30-2010	Repeal	7-1-2010
255-032-0011(T)	3-26-2010	Repeal	5-1-2010	257-045-0040	1-1-2010	Adopt(T)	2-1-2010
255-032-0015	3-26-2010	Amend	5-1-2010	257-045-0040	6-30-2010	Adopt	7-1-2010
255-032-0015(T)	3-26-2010	Repeal	5-1-2010	257-045-0040(T)	6-30-2010	Repeal	7-1-2010
255-032-0025	3-26-2010	Amend	5-1-2010	257-045-0050	1-1-2010	Adopt(T)	2-1-2010
255-032-0025(T)	3-26-2010	Repeal	5-1-2010	257-045-0050	6-30-2010	Adopt	7-1-2010
255-032-0026	3-26-2010	Repeal	5-1-2010	257-045-0050(T)	6-30-2010	Repeal	7-1-2010
255-032-0029	3-26-2010	Amend	5-1-2010	257-050-0020	1-1-2010	Amend(T)	2-1-2010
255-032-0029(T)	3-26-2010	Repeal	5-1-2010	257-050-0020	6-30-2010	Amend	7-1-2010
255-062-0005	1-5-2010	Adopt(T)	2-1-2010	257-050-0020(T)	6-30-2010	Repeal	7-1-2010
255-062-0006	7-6-2010	Adopt(T)	8-1-2010	257-050-0040	1-1-2010	Amend(T)	2-1-2010
255-062-0006	9-29-2010	Adopt	11-1-2010	257-050-0040	6-30-2010	Amend	7-1-2010
255-062-0006(T)	9-29-2010	Repeal	11-1-2010	257-050-0040(T)	6-30-2010	Repeal	7-1-2010
255-062-0010	1-5-2010	Adopt(T)	2-1-2010	257-050-0050	1-1-2010	Amend(T)	2-1-2010
255-062-0011	7-6-2010	Adopt(T)	8-1-2010	257-050-0050	6-30-2010	Amend	7-1-2010
255-062-0011	9-29-2010	Adopt	11-1-2010	257-050-0050	7-14-2010	Amend(T)	8-1-2010
255-062-0011(T)	9-29-2010	Repeal	11-1-2010	257-050-0050(T)	6-30-2010	Repeal	7-1-2010
255-062-0015	1-5-2010	Adopt(T)	2-1-2010	257-050-0060	1-1-2010	Amend(T)	2-1-2010
255-062-0016	7-6-2010	Adopt(T)	8-1-2010	257-050-0060	6-30-2010	Amend	7-1-2010
255-062-0016	9-29-2010	Adopt	11-1-2010	257-050-0060(T)	6-30-2010	Repeal	7-1-2010
255-062-0016(T)	9-29-2010	Repeal	11-1-2010	257-050-0070	1-1-2010	Amend(T)	2-1-2010
255-062-0020	1-5-2010	Adopt(T)	2-1-2010	257-050-0070	6-30-2010	Amend	7-1-2010
255-062-0021	7-6-2010	Adopt(T)	8-1-2010	257-050-0070(T)	6-30-2010	Repeal	7-1-2010
255-062-0021	9-29-2010	Adopt	11-1-2010	257-050-0090	1-1-2010	Amend(T)	2-1-2010
255-062-0021(T)	9-29-2010	Repeal	11-1-2010	257-050-0090	6-30-2010	Amend	7-1-2010
255-062-0025	1-5-2010	Adopt(T)	2-1-2010	257-050-0090(T)	6-30-2010	Repeal	7-1-2010
255-062-0026	7-6-2010	Adopt(T)	8-1-2010	257-050-0095	1-1-2010	Amend(T)	2-1-2010
255-062-0026	9-29-2010	Adopt	11-1-2010	257-050-0095	6-30-2010	Amend	7-1-2010
255-062-0026(T)	9-29-2010	Repeal	11-1-2010	257-050-0095(T)	6-30-2010	Repeal	7-1-2010
255-062-0030	1-5-2010	Adopt(T)	2-1-2010	257-050-0100	1-1-2010	Amend(T)	2-1-2010
255-062-0031	7-6-2010	Adopt(T)	8-1-2010	257-050-0100	6-30-2010	Amend	7-1-2010
255-062-0031	9-29-2010	Adopt	11-1-2010	257-050-0100(T)	6-30-2010	Repeal	7-1-2010



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257-050-0110	6-30-2010	Amend	7-1-2010	259-008-0064	1-11-2010	Amend	2-1-2010
257-050-0110(T)	6-30-2010	Repeal	7-1-2010	259-008-0064	3-15-2010	Amend	4-1-2010
257-050-0115	1-1-2010	Amend(T)	2-1-2010	259-008-0064	8-1-2010	Amend	8-1-2010
257-050-0115	6-30-2010	Amend	7-1-2010	259-008-0065	8-1-2010	Amend	8-1-2010
257-050-0115(T)	6-30-2010	Repeal	7-1-2010	259-008-0067	8-1-2010	Amend	8-1-2010
257-050-0125	1-1-2010	Amend(T)	2-1-2010	259-008-0075	5-1-2010	Amend	5-1-2010
257-050-0125	6-30-2010	Amend	7-1-2010	259-008-0076	8-1-2010	Amend	8-1-2010
257-050-0125(T)	6-30-2010	Repeal	7-1-2010	259-009-0005	12-15-2009	Amend(T)	1-1-2010
257-050-0130	1-1-2010	Amend(T)	2-1-2010	259-009-0005	6-14-2010	Amend	7-1-2010
257-050-0130	6-30-2010	Amend	7-1-2010	259-009-0005	11-12-2010	Amend	12-1-2010
257-050-0130(T)	6-30-2010	Repeal	7-1-2010	259-009-0062	12-15-2009	Amend(T)	1-1-2010
257-050-0140	1-1-2010	Amend(T)	2-1-2010	259-009-0062	6-14-2010	Amend	7-1-2010
257-050-0140	6-30-2010	Amend	7-1-2010	259-009-0062	11-12-2010	Amend	12-1-2010
257-050-0140(T)	6-30-2010	Repeal	7-1-2010	259-009-0070	8-1-2010	Amend	8-1-2010
257-050-0145	1-1-2010	Amend(T)	2-1-2010	259-020-0015	11-1-2010	Amend	11-1-2010
257-050-0145	6-30-2010	Amend	7-1-2010	259-030-0000	6-2-2010	Amend	7-1-2010
257-050-0145(T)	6-30-2010	Repeal	7-1-2010	259-060-0500	7-1-2010	Amend(T)	7-1-2010
257-050-0150	1-1-2010	Amend(T)	2-1-2010	259-060-0500	11-12-2010	Amend	12-1-2010
257-050-0150	6-30-2010	Amend	7-1-2010	259-060-0500(T)	11-12-2010	Repeal	12-1-2010
257-050-0150(T)	6-30-2010	Repeal	7-1-2010	274-006-0001	1-1-2010	Adopt	2-1-2010
257-050-0155	1-1-2010	Amend(T)	2-1-2010	274-006-0002	1-1-2010	Adopt	2-1-2010
257-050-0155	6-30-2010	Amend	7-1-2010	274-006-0004	1-1-2010	Adopt	2-1-2010
257-050-0155	7-14-2010	Amend(T)	8-1-2010	274-006-0005	1-1-2010	Adopt	2-1-2010
257-050-0155(T)	6-30-2010	Repeal	7-1-2010	274-006-0010	1-1-2010	Adopt	2-1-2010
257-050-0157	1-1-2010	Amend(T)	2-1-2010	274-006-0011	1-1-2010	Adopt	2-1-2010
257-050-0157	6-30-2010	Amend	7-1-2010	274-006-0012	1-1-2010	Adopt	2-1-2010
257-050-0157	7-14-2010	Amend(T)	8-1-2010	274-006-0013	1-1-2010	Adopt	2-1-2010
257-050-0157(T)	6-30-2010	Repeal	7-1-2010	274-006-0014	1-1-2010	Adopt	2-1-2010
257-050-0170	1-1-2010	Amend(T)	2-1-2010	274-006-0015	1-1-2010	Adopt	2-1-2010
257-050-0170	6-30-2010	Amend	7-1-2010	274-006-0018	1-1-2010	Adopt	2-1-2010
257-050-0170(T)	6-30-2010	Repeal	7-1-2010	274-006-0020	1-1-2010	Adopt	2-1-2010
257-050-0180	1-1-2010	Amend(T)	2-1-2010	274-007-0001	6-1-2010	Adopt(T)	7-1-2010
257-050-0180	6-30-2010	Amend	7-1-2010	274-007-0001	7-26-2010	Adopt	9-1-2010
257-050-0180(T)	6-30-2010	Repeal	7-1-2010	274-007-0001(T)	7-26-2010	Repeal	9-1-2010
257-050-0200	1-1-2010	Amend(T)	2-1-2010	274-007-0002	7-26-2010	Adopt	9-1-2010
257-050-0200	6-30-2010	Amend	7-1-2010	291-015-0100	7-14-2010	Amend(T)	8-1-2010
257-050-0200(T)	6-30-2010	Repeal	7-1-2010	291-015-0105	7-14-2010	Amend(T)	8-1-2010
259-006-0000	6-2-2010	Amend	7-1-2010	291-015-0110	7-14-2010	Amend(T)	8-1-2010
259-007-0000	6-2-2010	Amend	7-1-2010	291-015-0115	7-14-2010	Amend(T)	8-1-2010
259-008-0000	12-15-2009	Amend	1-1-2010	291-015-0120	7-14-2010	Amend(T)	8-1-2010
259-008-0005	8-1-2010	Amend	8-1-2010	291-015-0125	7-14-2010	Amend(T)	8-1-2010
259-008-0011	10-15-2010	Amend(T)	11-1-2010	291-015-0130	7-14-2010	Suspend	8-1-2010
259-008-0015	1-11-2010	Amend	2-1-2010	291-015-0135	7-14-2010	Amend(T)	8-1-2010
259-008-0015	3-15-2010	Amend	4-1-2010	291-015-0140	7-14-2010	Suspend	8-1-2010
259-008-0017	5-1-2010	Adopt	5-1-2010	291-015-0145	7-14-2010	Suspend	8-1-2010
259-008-0020	8-1-2010	Amend	8-1-2010	291-015-0150	7-14-2010	Suspend	8-1-2010
259-008-0025	12-15-2009	Amend	1-1-2010	291-038-0005	9-8-2010	Amend	10-1-2010
259-008-0025	5-1-2010	Amend	5-1-2010	291-038-0015	9-8-2010	Amend	10-1-2010
259-008-0025(T)	12-15-2009	Repeal	1-1-2010	291-058-0046	2-24-2010	Amend	4-1-2010
259-008-0030	8-1-2010	Amend	8-1-2010	291-059-0010	9-8-2010	Repeal	10-1-2010
259-008-0040	5-1-2010	Amend	5-1-2010	291-059-0020	9-8-2010	Repeal	10-1-2010
259-008-0060	1-11-2010	Amend	2-1-2010	291-059-0030	9-8-2010	Repeal	10-1-2010
259-008-0060	3-15-2010	Amend	4-1-2010	291-070-0130	11-20-2009	Amend	1-1-2010
259-008-0060	6-2-2010	Amend	7-1-2010	291-075-0010	9-15-2010	Amend	10-1-2010
259-008-0060	8-1-2010	Amend	8-1-2010	291-075-0015	9-15-2010	Amend	10-1-2010

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291-084-0020	11-20-2009	Repeal	1-1-2010	291-180-0274	1-4-2010	Adopt(T)	2-1-2010
291-084-0030	11-20-2009	Repeal	1-1-2010	291-180-0274	6-10-2010	Adopt	7-1-2010
291-084-0040	11-20-2009	Repeal	1-1-2010	291-206-0005	2-24-2010	Adopt	4-1-2010
291-097-0005	11-20-2009	Amend	1-1-2010	291-206-0005	3-23-2010	Amend(T)	5-1-2010
291-097-0005	4-14-2010	Amend(T)	5-1-2010	291-206-0005	9-8-2010	Amend	10-1-2010
291-097-0005	7-14-2010	Amend	8-1-2010	291-206-0005(T)	9-8-2010	Repeal	10-1-2010
291-097-0005(T)	7-14-2010	Repeal	8-1-2010	291-206-0010	2-24-2010	Adopt	4-1-2010
291-097-0010	11-20-2009	Amend	1-1-2010	291-206-0010	3-23-2010	Amend(T)	5-1-2010
291-097-0010	4-14-2010	Amend(T)	5-1-2010	291-206-0010	9-8-2010	Amend	10-1-2010
291-097-0010	7-14-2010	Amend	8-1-2010	291-206-0010(T)	9-8-2010	Repeal	10-1-2010
291-097-0010	10-19-2010	Amend(T)	12-1-2010	291-206-0015	2-24-2010	Adopt	4-1-2010
291-097-0010(T)	7-14-2010	Repeal	8-1-2010	291-206-0015	3-23-2010	Amend(T)	5-1-2010
291-097-0015	11-20-2009	Amend	1-1-2010	291-206-0015	9-8-2010	Amend	10-1-2010
291-097-0015	4-14-2010	Amend(T)	5-1-2010	291-206-0015(T)	9-8-2010	Repeal	10-1-2010
291-097-0015	7-14-2010	Amend	8-1-2010	291-206-0020	2-24-2010	Adopt	4-1-2010
291-097-0015(T)	7-14-2010	Repeal	8-1-2010	291-206-0020	3-23-2010	Amend(T)	5-1-2010
291-097-0020	11-20-2009	Amend	1-1-2010	291-206-0020	9-8-2010	Amend	10-1-2010
291-097-0020	4-14-2010	Amend(T)	5-1-2010	291-206-0020(T)	9-8-2010	Repeal	10-1-2010
291-097-0020	7-14-2010	Amend	8-1-2010	291-206-0025	2-24-2010	Adopt	4-1-2010
291-097-0020	10-19-2010	Amend(T)	12-1-2010	291-206-0025	3-23-2010	Amend(T)	5-1-2010
291-097-0020(T)	7-14-2010	Repeal	8-1-2010	291-206-0025	9-8-2010	Amend	10-1-2010
291-097-0023	11-20-2009	Adopt	1-1-2010	291-206-0025(T)	9-8-2010	Repeal	10-1-2010
291-097-0023	4-14-2010	Amend(T)	5-1-2010	291-206-0030	2-24-2010	Adopt	4-1-2010
291-097-0023	7-14-2010	Amend	8-1-2010	309-011-0105	7-1-2010	Adopt	8-1-2010
291-097-0023(T)	7-14-2010	Repeal	8-1-2010	309-011-0110	7-1-2010	Adopt	8-1-2010
291-097-0025	11-20-2009	Amend	1-1-2010	309-011-0115	7-1-2010	Adopt	8-1-2010
291-097-0025	4-14-2010	Amend(T)	5-1-2010	309-011-0120	7-22-2010	Adopt	9-1-2010
291-097-0025	7-14-2010	Amend	8-1-2010	309-011-0125	7-22-2010	Adopt	9-1-2010
291-097-0025	10-19-2010	Amend(T)	12-1-2010	309-011-0130	7-22-2010	Adopt	9-1-2010
291-097-0025(T)	7-14-2010	Repeal	8-1-2010	309-011-0135	7-22-2010	Adopt	9-1-2010
291-097-0030	4-14-2010	Amend(T)	5-1-2010	309-011-0140	7-22-2010	Adopt	9-1-2010
291-097-0030	7-14-2010	Amend	8-1-2010	309-016-0000	3-4-2010	Amend(T)	4-1-2010
291-097-0030(T)	7-14-2010	Repeal	8-1-2010	309-016-0000	8-25-2010	Repeal	10-1-2010
291-097-0031	10-19-2010	Adopt(T)	12-1-2010	309-016-0000(T)	7-1-2010	Suspend	7-1-2010
291-097-0040	11-20-2009	Amend	1-1-2010	309-016-0005	3-4-2010	Amend(T)	4-1-2010
291-097-0040	4-14-2010	Amend(T)	5-1-2010	309-016-0005	8-25-2010	Repeal	10-1-2010
291-097-0040	7-14-2010	Amend	8-1-2010	309-016-0005(T)	7-1-2010	Suspend	7-1-2010
291-097-0040	10-19-2010	Amend(T)	12-1-2010	309-016-0010	3-4-2010	Amend(T)	4-1-2010
291-097-0040(T)	7-14-2010	Repeal	8-1-2010	309-016-0010	8-25-2010	Repeal	10-1-2010
291-097-0050	10-19-2010	Amend(T)	12-1-2010	309-016-0010(T)	7-1-2010	Suspend	7-1-2010
291-097-0080	11-20-2009	Amend	1-1-2010	309-016-0015	3-4-2010	Amend(T)	4-1-2010
291-097-0100	11-20-2009	Amend	1-1-2010	309-016-0015	8-25-2010	Repeal	10-1-2010
291-157-0005	4-6-2010	Amend	5-1-2010	309-016-0015	8-25-2010	Repeal	10-1-2010
291-157-0005(T)	4-6-2010	Repeal	5-1-2010	309-016-0015(T)	7-1-2010	Suspend	7-1-2010
291-157-0010	4-6-2010	Amend	5-1-2010	309-016-0020	3-4-2010	Amend(T)	4-1-2010
291-157-0010(T)	4-6-2010	Repeal	5-1-2010	309-016-0020	8-25-2010	Repeal	10-1-2010
291-157-0015	4-6-2010	Amend	5-1-2010	309-016-0020(T)	7-1-2010	Suspend	7-1-2010
291-157-0015(T)	4-6-2010	Repeal	5-1-2010	309-016-0027	3-4-2010	Suspend	4-1-2010
291-157-0020	4-6-2010	Repeal	5-1-2010	309-016-0027	8-25-2010	Repeal	10-1-2010
291-157-0021	4-6-2010	Adopt	5-1-2010	309-016-0030	3-4-2010	Amend(T)	4-1-2010
291-157-0021(T)	4-6-2010	Repeal	5-1-2010	309-016-0030	8-25-2010	Repeal	10-1-2010
291-157-0025	4-6-2010	Repeal	5-1-2010	309-016-0030(T)	7-1-2010	Suspend	7-1-2010
291-157-0035	4-6-2010	Amend	5-1-2010	309-016-0035	3-4-2010	Amend(T)	4-1-2010
291-157-0035(T)	4-6-2010	Repeal	5-1-2010	309-016-0035	8-25-2010	Repeal	10-1-2010
291-157-0041	4-6-2010	Repeal	5-1-2010	309-016-0035(T)	7-1-2010	Suspend	7-1-2010

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309-016-0040	3-4-2010	Amend(T)	4-1-2010	309-016-0180	8-25-2010	Repeal	10-1-2010
309-016-0040	8-25-2010	Repeal	10-1-2010	309-016-0190	3-4-2010	Suspend	4-1-2010
309-016-0040(T)	7-1-2010	Suspend	7-1-2010	309-016-0190	8-25-2010	Repeal	10-1-2010
309-016-0070	3-4-2010	Amend(T)	4-1-2010	309-016-0200	3-4-2010	Suspend	4-1-2010
309-016-0070	8-25-2010	Repeal	10-1-2010	309-016-0200	8-25-2010	Repeal	10-1-2010
309-016-0070(T)	7-1-2010	Suspend	7-1-2010	309-016-0210	3-4-2010	Suspend	4-1-2010
309-016-0072	3-4-2010	Amend(T)	4-1-2010	309-016-0210	8-25-2010	Repeal	10-1-2010
309-016-0072	8-25-2010	Repeal	10-1-2010	309-016-0220	3-4-2010	Amend(T)	4-1-2010
309-016-0072(T)	7-1-2010	Suspend	7-1-2010	309-016-0220	8-25-2010	Repeal	10-1-2010
309-016-0075	3-4-2010	Amend(T)	4-1-2010	309-016-0220(T)	7-1-2010	Suspend	7-1-2010
309-016-0075	8-25-2010	Repeal	10-1-2010	309-016-0230	3-4-2010	Suspend	4-1-2010
309-016-0075(T)	7-1-2010	Suspend	7-1-2010	309-016-0230	8-25-2010	Repeal	10-1-2010
309-016-0077	3-4-2010	Amend(T)	4-1-2010	309-016-0300	3-4-2010	Suspend	4-1-2010
309-016-0077	8-25-2010	Repeal	10-1-2010	309-016-0300	8-25-2010	Repeal	10-1-2010
309-016-0077(T)	7-1-2010	Suspend	7-1-2010	309-016-0310	3-4-2010	Suspend	4-1-2010
309-016-0080	3-4-2010	Amend(T)	4-1-2010	309-016-0310	8-25-2010	Repeal	10-1-2010
309-016-0080	8-25-2010	Repeal	10-1-2010	309-016-0320	3-4-2010	Suspend	4-1-2010
309-016-0080(T)	7-1-2010	Suspend	7-1-2010	309-016-0320	8-25-2010	Repeal	10-1-2010
309-016-0085	3-4-2010	Amend(T)	4-1-2010	309-016-0330	3-4-2010	Suspend	4-1-2010
309-016-0085	8-25-2010	Repeal	10-1-2010	309-016-0330	8-25-2010	Repeal	10-1-2010
309-016-0085(T)	7-1-2010	Suspend	7-1-2010	309-016-0340	3-4-2010	Suspend	4-1-2010
309-016-0088	3-4-2010	Amend(T)	4-1-2010	309-016-0340	8-25-2010	Repeal	10-1-2010
309-016-0088	8-25-2010	Repeal	10-1-2010	309-016-0350	3-4-2010	Suspend	4-1-2010
309-016-0088(T)	7-1-2010	Suspend	7-1-2010	309-016-0350	8-25-2010	Repeal	10-1-2010
309-016-0095	3-4-2010	Amend(T)	4-1-2010	309-016-0360	3-4-2010	Suspend	4-1-2010
309-016-0095	8-25-2010	Repeal	10-1-2010	309-016-0360	8-25-2010	Repeal	10-1-2010
309-016-0095(T)	7-1-2010	Suspend	7-1-2010	309-016-0370	3-4-2010	Suspend	4-1-2010
309-016-0100	3-4-2010	Amend(T)	4-1-2010	309-016-0370	8-25-2010	Repeal	10-1-2010
309-016-0100	8-25-2010	Repeal	10-1-2010	309-016-0380	3-4-2010	Suspend	4-1-2010
309-016-0100(T)	7-1-2010	Suspend	7-1-2010	309-016-0380	8-25-2010	Repeal	10-1-2010
309-016-0102	3-4-2010	Amend(T)	4-1-2010	309-016-0390	3-4-2010	Suspend	4-1-2010
309-016-0102	8-25-2010	Repeal	10-1-2010	309-016-0390	8-25-2010	Repeal	10-1-2010
309-016-0102(T)	7-1-2010	Suspend	7-1-2010	309-016-0400	3-4-2010	Suspend	4-1-2010
309-016-0105	3-4-2010	Amend(T)	4-1-2010	309-016-0400	8-25-2010	Repeal	10-1-2010
309-016-0105	8-25-2010	Repeal	10-1-2010	309-016-0410	3-4-2010	Suspend	4-1-2010
309-016-0105(T)	7-1-2010	Suspend	7-1-2010	309-016-0410	8-25-2010	Repeal	10-1-2010
309-016-0110	3-4-2010	Amend(T)	4-1-2010	309-016-0420	3-4-2010	Suspend	4-1-2010
309-016-0110	8-25-2010	Repeal	10-1-2010	309-016-0420	8-25-2010	Repeal	10-1-2010
309-016-0110(T)	7-1-2010	Suspend	7-1-2010	309-016-0430	3-4-2010	Suspend	4-1-2010
309-016-0115	3-4-2010	Amend(T)	4-1-2010	309-016-0430	8-25-2010	Repeal	10-1-2010
309-016-0115(T)	7-1-2010	Suspend	7-1-2010	309-016-0440	3-4-2010	Suspend	4-1-2010
309-016-0120	3-4-2010	Amend(T)	4-1-2010	309-016-0440	8-25-2010	Repeal	10-1-2010
309-016-0120	8-25-2010	Repeal	10-1-2010	309-016-0450	3-4-2010	Suspend	4-1-2010
309-016-0120(T)	7-1-2010	Suspend	7-1-2010	309-016-0450	8-25-2010	Repeal	10-1-2010
309-016-0130	3-4-2010	Suspend	4-1-2010	309-016-0600	7-1-2010	Adopt(T)	7-1-2010
309-016-0130	8-25-2010	Repeal	10-1-2010	309-016-0600	8-25-2010	Adopt	10-1-2010
309-016-0140	3-4-2010	Amend(T)	4-1-2010	309-016-0605	7-1-2010	Adopt(T)	7-1-2010
309-016-0140	8-25-2010	Repeal	10-1-2010	309-016-0605	8-25-2010	Adopt	10-1-2010
309-016-0140(T)	7-1-2010	Suspend	7-1-2010	309-016-0610	7-1-2010	Adopt(T)	7-1-2010
309-016-0150	3-4-2010	Suspend	4-1-2010	309-016-0610	8-25-2010	Adopt	10-1-2010
309-016-0150	8-25-2010	Repeal	10-1-2010	309-016-0615	7-1-2010	Adopt(T)	7-1-2010
309-016-0160	3-4-2010	Suspend	4-1-2010	309-016-0615	8-25-2010	Adopt	10-1-2010
309-016-0160	8-25-2010	Repeal	10-1-2010	309-016-0620	7-1-2010	Adopt(T)	7-1-2010
309-016-0170	3-4-2010	Suspend	4-1-2010	309-016-0620	8-25-2010	Adopt	10-1-2010
309-016-0170	8-25-2010	Repeal	10-1-2010	309-016-0625	7-1-2010	Adopt(T)	7-1-2010
309-016-0180	3-4-2010	Suspend	4-1-2010	309-016-0625	8-25-2010	Adopt	10-1-2010



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309-032-1060	3-4-2010	Repeal	4-1-2010	309-034-0260	3-4-2010	Amend(T)	4-1-2010
309-032-1070	3-4-2010	Repeal	4-1-2010	309-034-0270	3-4-2010	Amend(T)	4-1-2010
309-032-1080	3-4-2010	Repeal	4-1-2010	309-034-0290	3-4-2010	Amend(T)	4-1-2010
309-032-1095	3-4-2010	Repeal	4-1-2010	309-034-0310	3-4-2010	Amend(T)	4-1-2010
309-032-1100	3-4-2010	Repeal	4-1-2010	309-034-0320	3-4-2010	Amend(T)	4-1-2010
309-032-1110	3-4-2010	Repeal	4-1-2010	309-034-0400	3-4-2010	Amend(T)	4-1-2010
309-032-1120	3-4-2010	Repeal	4-1-2010	309-034-0410	3-4-2010	Amend(T)	4-1-2010
309-032-1130	3-4-2010	Repeal	4-1-2010	309-034-0420	3-4-2010	Amend(T)	4-1-2010
309-032-1140	3-4-2010	Repeal	4-1-2010	309-034-0430	3-4-2010	Amend(T)	4-1-2010
309-032-1150	3-4-2010	Repeal	4-1-2010	309-034-0440	3-4-2010	Amend(T)	4-1-2010
309-032-1160	3-4-2010	Repeal	4-1-2010	309-034-0450	3-4-2010	Amend(T)	4-1-2010
309-032-1170	3-4-2010	Repeal	4-1-2010	309-034-0460	3-4-2010	Amend(T)	4-1-2010
309-032-1180	3-4-2010	Repeal	4-1-2010	309-034-0470	3-4-2010	Amend(T)	4-1-2010
309-032-1190	3-4-2010	Repeal	4-1-2010	309-034-0480	3-4-2010	Amend(T)	4-1-2010
309-032-1200	3-4-2010	Repeal	4-1-2010	309-034-0490	3-4-2010	Amend(T)	4-1-2010
309-032-1210	3-4-2010	Repeal	4-1-2010	309-035-0155	12-17-2009	Amend	2-1-2010
309-032-1220	3-4-2010	Repeal	4-1-2010	309-035-0380	12-17-2009	Amend	2-1-2010
309-032-1230	3-4-2010	Repeal	4-1-2010	309-036-0100	6-7-2010	Amend	7-1-2010
309-032-1240	3-4-2010	Repeal	4-1-2010	309-036-0105	6-7-2010	Amend	7-1-2010
309-032-1245	3-4-2010	Repeal	4-1-2010	309-036-0110	6-7-2010	Amend	7-1-2010
309-032-1250	3-4-2010	Repeal	4-1-2010	309-036-0115	6-7-2010	Amend	7-1-2010
309-032-1255	3-4-2010	Repeal	4-1-2010	309-036-0120	6-7-2010	Amend	7-1-2010
309-032-1260	3-4-2010	Repeal	4-1-2010	309-036-0125	6-7-2010	Repeal	7-1-2010
309-032-1265	3-4-2010	Repeal	4-1-2010	309-036-0130	6-7-2010	Adopt	7-1-2010
309-032-1270	3-4-2010	Repeal	4-1-2010	309-036-0135	6-7-2010	Adopt	7-1-2010
309-032-1275	3-4-2010	Repeal	4-1-2010	309-036-0140	6-7-2010	Adopt	7-1-2010
309-032-1280	3-4-2010	Repeal	4-1-2010	309-040-0410	1-29-2010	Amend	3-1-2010
309-032-1285	3-4-2010	Repeal	4-1-2010	309-040-0410(T)	1-29-2010	Repeal	3-1-2010
309-032-1290	3-4-2010	Repeal	4-1-2010	309-041-0550	12-9-2009	Renumber	1-1-2010
309-032-1295	3-4-2010	Repeal	4-1-2010	309-041-0560	12-9-2009	Renumber	1-1-2010
309-032-1300	3-4-2010	Repeal	4-1-2010	309-041-0570	12-9-2009	Renumber	1-1-2010
309-032-1305	3-4-2010	Repeal	4-1-2010	309-041-0580	12-9-2009	Renumber	1-1-2010
309-032-1500	3-4-2010	Adopt	4-1-2010	309-041-0590	12-9-2009	Renumber	1-1-2010
309-032-1505	3-4-2010	Adopt	4-1-2010	309-041-0600	12-9-2009	Renumber	1-1-2010
309-032-1510	3-4-2010	Adopt	4-1-2010	309-041-0610	12-9-2009	Renumber	1-1-2010
309-032-1515	3-4-2010	Adopt	4-1-2010	309-041-0620	12-9-2009	Renumber	1-1-2010
309-032-1520	3-4-2010	Adopt	4-1-2010	309-041-0630	12-9-2009	Renumber	1-1-2010
309-032-1525	3-4-2010	Adopt	4-1-2010	309-041-0640	12-9-2009	Renumber	1-1-2010
309-032-1530	3-4-2010	Adopt	4-1-2010	309-041-0650	12-9-2009	Renumber	1-1-2010
309-032-1535	3-4-2010	Adopt	4-1-2010	309-041-0660	12-9-2009	Renumber	1-1-2010
309-032-1540	3-4-2010	Adopt	4-1-2010	309-041-0670	12-9-2009	Renumber	1-1-2010
309-032-1545	3-4-2010	Adopt	4-1-2010	309-041-0680	12-9-2009	Renumber	1-1-2010
309-032-1550	3-4-2010	Adopt	4-1-2010	309-041-0690	12-9-2009	Renumber	1-1-2010
309-032-1555	3-4-2010	Adopt	4-1-2010	309-041-0700	12-9-2009	Renumber	1-1-2010
309-032-1560	3-4-2010	Adopt	4-1-2010	309-041-0710	12-9-2009	Renumber	1-1-2010
309-032-1565	3-4-2010	Adopt	4-1-2010	309-041-0715	12-9-2009	Renumber	1-1-2010
309-033-0270	12-17-2009	Amend	2-1-2010	309-041-0720	12-9-2009	Renumber	1-1-2010
309-034-0150	3-4-2010	Amend(T)	4-1-2010	309-041-0730	12-9-2009	Renumber	1-1-2010
309-034-0160	3-4-2010	Amend(T)	4-1-2010	309-041-0740	12-9-2009	Renumber	1-1-2010
309-034-0170	3-4-2010	Amend(T)	4-1-2010	309-041-0750	12-9-2009	Renumber	1-1-2010
309-034-0180	3-4-2010	Amend(T)	4-1-2010	309-041-0760	12-9-2009	Renumber	1-1-2010
309-034-0190	3-4-2010	Amend(T)	4-1-2010	309-041-0770	12-9-2009	Renumber	1-1-2010
309-034-0205	3-4-2010	Amend(T)	4-1-2010	309-041-0780	12-9-2009	Renumber	1-1-2010
309-034-0210	3-4-2010	Amend(T)	4-1-2010	309-041-0790	12-9-2009	Renumber	1-1-2010
309-034-0240	3-4-2010	Amend(T)	4-1-2010	309-041-0800	12-9-2009	Renumber	1-1-2010

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309-041-0810	12-9-2009	Renumber	1-1-2010	330-090-0110	4-30-2010	Amend	6-1-2010
309-041-0820	12-9-2009	Renumber	1-1-2010	330-090-0110	5-27-2010	Amend(T)	7-1-2010
309-041-0830	12-9-2009	Renumber	1-1-2010	330-090-0110(T)	4-30-2010	Repeal	6-1-2010
309-114-0000	9-9-2010	Amend	10-1-2010	330-090-0120	4-30-2010	Amend	6-1-2010
309-114-0005	12-28-2009	Amend	2-1-2010	330-090-0120	5-27-2010	Amend(T)	7-1-2010
309-114-0005	3-12-2010	Amend(T)	4-1-2010	330-090-0120(T)	4-30-2010	Repeal	6-1-2010
309-114-0005	9-9-2010	Amend	10-1-2010	330-090-0130	4-30-2010	Amend	6-1-2010
309-114-0010	9-9-2010	Amend	10-1-2010	330-090-0130	5-27-2010	Amend(T)	7-1-2010
309-114-0015	9-9-2010	Amend	10-1-2010	330-090-0130(T)	4-30-2010	Repeal	6-1-2010
309-114-0020	3-24-2010	Amend(T)	5-1-2010	330-090-0133	4-30-2010	Adopt	6-1-2010
309-114-0020	9-9-2010	Amend	10-1-2010	330-090-0133	5-27-2010	Amend(T)	7-1-2010
309-114-0020(T)	9-9-2010	Repeal	10-1-2010	330-090-0133(T)	4-30-2010	Repeal	6-1-2010
309-114-0025	9-9-2010	Amend	10-1-2010	330-090-0135	4-30-2010	Amend	6-1-2010
309-114-0030	9-9-2010	Amend	10-1-2010	330-090-0135(T)	4-30-2010	Repeal	6-1-2010
325-030-0001	4-26-2010	Adopt	6-1-2010	330-090-0140	1-8-2010	Amend	2-1-2010
325-030-0005	4-26-2010	Adopt	6-1-2010	330-090-0140	5-27-2010	Amend(T)	7-1-2010
325-030-0010	4-26-2010	Adopt	6-1-2010	330-090-0140(T)	1-8-2010	Repeal	2-1-2010
325-030-0015	4-26-2010	Adopt	6-1-2010	330-090-0150	4-30-2010	Amend	6-1-2010
325-030-0020	4-26-2010	Adopt	6-1-2010	330-090-0150	5-27-2010	Amend(T)	7-1-2010
325-030-0025	4-26-2010	Adopt	6-1-2010	330-090-0150(T)	4-30-2010	Repeal	6-1-2010
325-030-0030	4-26-2010	Adopt	6-1-2010	330-090-0350	5-27-2010	Adopt(T)	7-1-2010
325-030-0035	4-26-2010	Adopt	6-1-2010	330-090-0450	5-27-2010	Adopt(T)	7-1-2010
325-030-0040	4-26-2010	Adopt	6-1-2010	330-112-0000	7-1-2010	Adopt(T)	8-1-2010
325-030-0045	4-26-2010	Adopt	6-1-2010	330-112-0010	7-1-2010	Adopt(T)	8-1-2010
325-030-0050	4-26-2010	Adopt	6-1-2010	330-112-0020	7-1-2010	Adopt(T)	8-1-2010
325-030-0055	4-26-2010	Adopt	6-1-2010	330-112-0030	7-1-2010	Adopt(T)	8-1-2010
325-030-0060	4-26-2010	Adopt	6-1-2010	330-112-0040	7-1-2010	Adopt(T)	8-1-2010
330-001-0005	1-27-2010	Amend	3-1-2010	330-112-0050	7-1-2010	Adopt(T)	8-1-2010
330-001-0025	1-27-2010	Adopt	3-1-2010	330-112-0060	7-1-2010	Adopt(T)	8-1-2010
330-063-0000	7-1-2010	Adopt	8-1-2010	330-112-0070	7-1-2010	Adopt(T)	8-1-2010
330-063-0010	7-1-2010	Adopt	8-1-2010	330-112-0080	7-1-2010	Adopt(T)	8-1-2010
330-063-0020	7-1-2010	Adopt	8-1-2010	330-112-0090	7-1-2010	Adopt(T)	8-1-2010
330-063-0030	7-1-2010	Adopt	8-1-2010	330-112-0100	7-1-2010	Adopt(T)	8-1-2010
330-063-0040	7-1-2010	Adopt	8-1-2010	330-130-0500	10-1-2010	Adopt	11-1-2010
330-070-0010	7-1-2010	Amend(T)	8-1-2010	330-160-0015	8-31-2010	Amend(T)	10-1-2010
330-070-0013	7-1-2010	Amend(T)	8-1-2010	330-160-0040	8-31-2010	Adopt(T)	10-1-2010
330-070-0019	7-30-2010	Adopt(T)	9-1-2010	330-170-0010	7-1-2010	Adopt(T)	8-1-2010
330-070-0022	7-1-2010	Amend(T)	8-1-2010	330-170-0010	11-2-2010	Adopt	12-1-2010
330-075-0005	12-21-2009	Amend(T)	2-1-2010	330-170-0010(T)	11-2-2010	Repeal	12-1-2010
330-075-0005	6-16-2010	Amend	8-1-2010	330-170-0020	7-1-2010	Adopt(T)	8-1-2010
330-075-0005(T)	6-16-2010	Repeal	8-1-2010	330-170-0020	11-2-2010	Adopt	12-1-2010
330-075-0010	12-21-2009	Amend(T)	2-1-2010	330-170-0020(T)	11-2-2010	Repeal	12-1-2010
330-075-0010	6-16-2010	Repeal	8-1-2010	330-170-0030	7-1-2010	Adopt(T)	8-1-2010
330-075-0015	12-21-2009	Amend(T)	2-1-2010	330-170-0030	11-2-2010	Adopt	12-1-2010
330-075-0015	6-16-2010	Amend	8-1-2010	330-170-0030(T)	11-2-2010	Repeal	12-1-2010
330-075-0015(T)	6-16-2010	Repeal	8-1-2010	330-170-0040	7-1-2010	Adopt(T)	8-1-2010
330-075-0025	12-21-2009	Amend(T)	2-1-2010	330-170-0040	11-2-2010	Adopt	12-1-2010
330-075-0025	6-16-2010	Amend	8-1-2010	330-170-0040(T)	11-2-2010	Repeal	12-1-2010
330-075-0025(T)	6-16-2010	Repeal	8-1-2010	330-170-0050	7-1-2010	Adopt(T)	8-1-2010
330-075-0030	12-21-2009	Suspend	2-1-2010	330-170-0050	11-2-2010	Adopt	12-1-2010
330-075-0035	12-21-2009	Amend(T)	2-1-2010	330-170-0050(T)	11-2-2010	Repeal	12-1-2010
330-075-0035	6-16-2010	Amend	8-1-2010	330-170-0060	7-1-2010	Adopt(T)	8-1-2010
330-075-0035(T)	6-16-2010	Repeal	8-1-2010	330-170-0060	11-2-2010	Adopt	12-1-2010
330-090-0105	4-30-2010	Amend	6-1-2010	330-170-0060(T)	11-2-2010	Repeal	12-1-2010
330-090-0105	5-27-2010	Amend(T)	7-1-2010	330-170-0070	7-1-2010	Adopt(T)	8-1-2010

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330-170-0070(T)	11-2-2010	Repeal	12-1-2010	331-565-0050	4-1-2010	Amend	5-1-2010
331-030-0040	7-26-2010	Amend(T)	9-1-2010	331-565-0060	4-1-2010	Amend	5-1-2010
331-030-0040	10-15-2010	Amend	11-1-2010	331-565-0075	4-1-2010	Repeal	5-1-2010
331-030-0040(T)	10-15-2010	Repeal	11-1-2010	331-565-0080	4-1-2010	Amend	5-1-2010
331-505-0000	4-1-2010	Amend	5-1-2010	331-565-0085	4-1-2010	Amend	5-1-2010
331-505-0010	4-1-2010	Amend	5-1-2010	331-565-0090	4-1-2010	Adopt	5-1-2010
331-510-0000	4-1-2010	Amend	5-1-2010	331-565-0095	4-1-2010	Adopt	5-1-2010
331-515-0000	4-1-2010	Amend	5-1-2010	331-570-0000	4-1-2010	Amend	5-1-2010
331-515-0010	4-1-2010	Amend	5-1-2010	331-570-0020	4-1-2010	Amend	5-1-2010
331-515-0020	4-1-2010	Amend	5-1-2010	331-575-0000	4-1-2010	Amend	5-1-2010
331-515-0030	4-1-2010	Amend	5-1-2010	331-575-0010	4-1-2010	Amend	5-1-2010
331-520-0000	4-1-2010	Amend	5-1-2010	331-575-0020	4-1-2010	Amend	5-1-2010
331-520-0010	4-1-2010	Amend	5-1-2010	331-575-0030	4-1-2010	Amend	5-1-2010
331-520-0030	4-1-2010	Amend	5-1-2010	331-575-0050	4-1-2010	Amend	5-1-2010
331-520-0040	4-1-2010	Amend	5-1-2010	331-580-0000	4-1-2010	Amend	5-1-2010
331-520-0060	4-1-2010	Repeal	5-1-2010	331-580-0010	4-1-2010	Amend	5-1-2010
331-520-0070	4-1-2010	Amend	5-1-2010	331-580-0020	4-1-2010	Amend	5-1-2010
331-525-0020	4-1-2010	Amend	5-1-2010	331-580-0030	4-1-2010	Amend	5-1-2010
331-525-0035	4-1-2010	Amend	5-1-2010	331-585-0000	4-1-2010	Amend	5-1-2010
331-525-0038	4-1-2010	Amend	5-1-2010	331-585-0010	4-1-2010	Amend	5-1-2010
331-525-0040	4-1-2010	Amend	5-1-2010	331-585-0020	4-1-2010	Amend	5-1-2010
331-525-0055	4-1-2010	Amend	5-1-2010	331-585-0030	4-1-2010	Amend	5-1-2010
331-525-0060	4-1-2010	Amend	5-1-2010	331-585-0040	4-1-2010	Amend	5-1-2010
331-525-0065	4-1-2010	Amend	5-1-2010	331-590-0000	4-1-2010	Amend	5-1-2010
331-530-0000	4-1-2010	Amend	5-1-2010	331-590-0020	4-1-2010	Amend	5-1-2010
331-530-0020	4-1-2010	Amend	5-1-2010	331-705-0050	11-1-2010	Amend	12-1-2010
331-535-0000	4-1-2010	Amend	5-1-2010	331-705-0060	12-1-2009	Amend(T)	1-1-2010
331-535-0010	4-1-2010	Amend	5-1-2010	331-705-0060	3-1-2010	Amend	4-1-2010
331-535-0020	4-1-2010	Amend	5-1-2010	331-705-0060	11-1-2010	Amend	12-1-2010
331-535-0030	4-1-2010	Amend	5-1-2010	331-705-0060(T)	3-1-2010	Repeal	4-1-2010
331-535-0040	4-1-2010	Amend	5-1-2010	331-705-0070	11-1-2010	Adopt(T)	12-1-2010
331-535-0050	4-1-2010	Amend	5-1-2010	331-710-0010	11-1-2010	Amend	12-1-2010
331-535-0060	4-1-2010	Amend	5-1-2010	331-710-0020	11-1-2010	Amend	12-1-2010
331-535-0070	4-1-2010	Amend	5-1-2010	331-710-0030	11-1-2010	Amend	12-1-2010
331-535-0080	4-1-2010	Amend	5-1-2010	331-715-0000	11-1-2010	Amend	12-1-2010
331-540-0000	4-1-2010	Amend	5-1-2010	331-715-0010	11-1-2010	Amend	12-1-2010
331-540-0010	4-1-2010	Amend	5-1-2010	331-715-0030	11-1-2010	Amend	12-1-2010
331-540-0020	4-1-2010	Amend	5-1-2010	331-715-0045	11-1-2010	Adopt	12-1-2010
331-540-0030	4-1-2010	Amend	5-1-2010	331-720-0000	11-1-2010	Repeal	12-1-2010
331-545-0000	4-1-2010	Amend	5-1-2010	331-720-0010	11-1-2010	Amend	12-1-2010
331-545-0020	4-1-2010	Amend	5-1-2010	331-720-0020	11-1-2010	Amend	12-1-2010
331-550-0000	4-1-2010	Amend	5-1-2010	331-725-0020	11-1-2010	Amend	12-1-2010
331-555-0010	4-1-2010	Amend	5-1-2010	331-800-0010	3-15-2010	Amend	4-1-2010
331-555-0030	4-1-2010	Amend	5-1-2010	331-800-0010	5-18-2010	Amend	7-1-2010
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331-560-0000	4-1-2010	Amend	5-1-2010	331-800-0020	5-18-2010	Amend	7-1-2010
331-560-0010	4-1-2010	Amend	5-1-2010	331-810-0020	3-15-2010	Amend	4-1-2010
331-560-0020	4-1-2010	Amend	5-1-2010	331-810-0020	5-18-2010	Amend	7-1-2010
331-560-0030	4-1-2010	Amend	5-1-2010	331-810-0035	3-15-2010	Repeal	4-1-2010
331-560-0050	4-1-2010	Repeal	5-1-2010	331-810-0035	5-18-2010	Repeal	7-1-2010
331-560-0060	4-1-2010	Amend	5-1-2010	331-810-0040	3-15-2010	Amend	4-1-2010
331-565-0000	4-1-2010	Amend	5-1-2010	331-810-0040	5-18-2010	Amend	7-1-2010
331-565-0020	4-1-2010	Amend	5-1-2010	331-840-0070	3-15-2010	Adopt	4-1-2010
331-565-0025	4-1-2010	Amend	5-1-2010	331-840-0070	5-18-2010	Adopt	7-1-2010
331-565-0030	4-1-2010	Amend	5-1-2010	332-020-0020	4-1-2010	Amend(T)	5-1-2010

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332-020-0020	10-1-2010	Amend(T)	11-1-2010	333-019-0027	3-11-2010	Amend	4-1-2010
332-020-0020(T)	9-9-2010	Repeal	10-1-2010	333-019-0036	3-11-2010	Amend	4-1-2010
333-002-0040	7-15-2010	Amend(T)	8-1-2010	333-026-0030	3-11-2010	Adopt	4-1-2010
333-002-0060	7-15-2010	Amend(T)	8-1-2010	333-029-0025	12-23-2009	Amend	2-1-2010
333-003-0100	8-12-2010	Amend	9-1-2010	333-029-0030	12-23-2009	Repeal	2-1-2010
333-003-0105	8-12-2010	Amend	9-1-2010	333-029-0045	12-23-2009	Amend	2-1-2010
333-003-0110	8-12-2010	Amend	9-1-2010	333-029-0050	12-23-2009	Amend	2-1-2010
333-003-0115	8-12-2010	Amend	9-1-2010	333-029-0060	12-23-2009	Amend	2-1-2010
333-003-0116	8-12-2010	Adopt	9-1-2010	333-029-0070	12-23-2009	Amend	2-1-2010
333-003-0118	8-12-2010	Adopt	9-1-2010	333-029-0080	12-23-2009	Amend	2-1-2010
333-003-0120	8-12-2010	Amend	9-1-2010	333-029-0115	12-23-2009	Amend	2-1-2010
333-003-0125	8-12-2010	Amend	9-1-2010	333-035-0045	9-1-2010	Adopt	10-1-2010
333-003-0130	8-12-2010	Amend	9-1-2010	333-035-0050	9-1-2010	Adopt	10-1-2010
333-003-0135	8-12-2010	Repeal	9-1-2010	333-035-0055	9-1-2010	Adopt	10-1-2010
333-003-0140	8-12-2010	Amend	9-1-2010	333-035-0060	9-1-2010	Adopt	10-1-2010
333-003-0210	8-12-2010	Adopt	9-1-2010	333-035-0065	9-1-2010	Adopt	10-1-2010
333-004-0010	6-30-2010	Amend	8-1-2010	333-035-0070	9-1-2010	Adopt	10-1-2010
333-004-0060	6-30-2010	Amend	8-1-2010	333-035-0075	9-1-2010	Adopt	10-1-2010
333-004-0070	6-30-2010	Amend	8-1-2010	333-035-0080	9-1-2010	Adopt	10-1-2010
333-008-0010	9-13-2010	Amend	10-1-2010	333-035-0085	9-1-2010	Adopt	10-1-2010
333-008-0020	7-6-2010	Amend(T)	8-1-2010	333-035-0090	9-1-2010	Adopt	10-1-2010
333-008-0030	9-13-2010	Amend	10-1-2010	333-035-0095	9-1-2010	Adopt	10-1-2010
333-008-0040	9-13-2010	Amend	10-1-2010	333-035-0100	9-1-2010	Adopt	10-1-2010
333-008-0050	9-13-2010	Amend	10-1-2010	333-035-0105	9-1-2010	Adopt	10-1-2010
333-008-0060	9-13-2010	Amend	10-1-2010	333-049-0050	9-30-2010	Amend	11-1-2010
333-008-0080	9-13-2010	Amend	10-1-2010	333-050-0010	9-30-2010	Amend	11-1-2010
333-011-0106	2-3-2010	Amend	3-1-2010	333-050-0020	12-21-2009	Amend(T)	2-1-2010
333-012-0250	10-1-2010	Amend(T)	11-1-2010	333-050-0020	9-30-2010	Amend	11-1-2010
333-012-0500	1-14-2010	Amend	2-1-2010	333-050-0030	9-30-2010	Amend	11-1-2010
333-015-0035	1-14-2010	Amend	2-1-2010	333-050-0040	9-30-2010	Amend	11-1-2010
333-015-0040	1-14-2010	Amend	2-1-2010	333-050-0050	12-21-2009	Amend(T)	2-1-2010
333-015-0075	1-14-2010	Amend	2-1-2010	333-050-0050	9-30-2010	Amend	11-1-2010
333-015-0085	1-14-2010	Amend	2-1-2010	333-050-0060	9-30-2010	Amend	11-1-2010
333-015-0100	1-1-2010	Adopt	2-1-2010	333-050-0070	9-30-2010	Amend	11-1-2010
333-015-0105	1-1-2010	Adopt	2-1-2010	333-050-0080	9-30-2010	Amend	11-1-2010
333-015-0110	1-1-2010	Adopt	2-1-2010	333-050-0090	9-30-2010	Amend	11-1-2010
333-015-0115	1-1-2010	Adopt	2-1-2010	333-050-0095	9-30-2010	Amend	11-1-2010
333-015-0120	1-1-2010	Adopt	2-1-2010	333-050-0110	9-30-2010	Amend	11-1-2010
333-015-0125	1-1-2010	Adopt	2-1-2010	333-050-0120	12-21-2009	Amend(T)	2-1-2010
333-015-0130	1-1-2010	Adopt	2-1-2010	333-050-0120	9-30-2010	Amend	11-1-2010
333-015-0135	1-1-2010	Adopt	2-1-2010	333-050-0130	9-30-2010	Amend	11-1-2010
333-015-0140	1-1-2010	Adopt	2-1-2010	333-050-0140	9-30-2010	Amend	11-1-2010
333-015-0145	1-1-2010	Adopt	2-1-2010	333-060-0125	12-23-2009	Amend	2-1-2010
333-015-0150	1-1-2010	Adopt	2-1-2010	333-060-0128	12-23-2009	Adopt	2-1-2010
333-015-0155	1-1-2010	Adopt	2-1-2010	333-060-0505	12-23-2009	Amend	2-1-2010
333-015-0160	1-1-2010	Adopt	2-1-2010	333-060-0510	12-23-2009	Amend	2-1-2010
333-015-0165	1-1-2010	Adopt	2-1-2010	333-061-0005	4-19-2010	Amend	6-1-2010
333-017-0000	3-11-2010	Amend	4-1-2010	333-061-0010	4-19-2010	Amend	6-1-2010
333-017-0005	3-11-2010	Amend	4-1-2010	333-061-0015	4-19-2010	Amend	6-1-2010
333-018-0000	3-11-2010	Amend	4-1-2010	333-061-0020	4-19-2010	Amend	6-1-2010
333-018-0010	3-11-2010	Amend	4-1-2010	333-061-0030	4-19-2010	Amend	6-1-2010
333-018-0013	3-11-2010	Adopt	4-1-2010	333-061-0032	4-19-2010	Amend	6-1-2010
333-018-0015	3-11-2010	Amend	4-1-2010	333-061-0034	4-19-2010	Amend	6-1-2010
333-018-0017	3-11-2010	Adopt	4-1-2010	333-061-0036	4-19-2010	Amend	6-1-2010
333-018-0018	3-11-2010	Amend	4-1-2010	333-061-0040	4-19-2010	Amend	6-1-2010



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333-061-0043	4-19-2010	Amend	6-1-2010	333-070-0105	4-26-2010	Adopt	6-1-2010
333-061-0045	4-19-2010	Amend	6-1-2010	333-070-0110	4-26-2010	Adopt	6-1-2010
333-061-0050	4-19-2010	Amend	6-1-2010	333-070-0115	4-26-2010	Adopt	6-1-2010
333-061-0055	4-19-2010	Amend	6-1-2010	333-070-0120	4-26-2010	Adopt	6-1-2010
333-061-0057	4-19-2010	Amend	6-1-2010	333-070-0125	4-26-2010	Adopt	6-1-2010
333-061-0058	4-19-2010	Amend	6-1-2010	333-070-0130	4-26-2010	Adopt	6-1-2010
333-061-0060	4-19-2010	Amend	6-1-2010	333-070-0135	4-26-2010	Adopt	6-1-2010
333-061-0061	4-19-2010	Amend	6-1-2010	333-070-0140	4-26-2010	Adopt	6-1-2010
333-061-0062	4-19-2010	Amend	6-1-2010	333-070-0145	4-26-2010	Adopt	6-1-2010
333-061-0063	4-19-2010	Amend	6-1-2010	333-070-0150	4-26-2010	Adopt	6-1-2010
333-061-0064	4-19-2010	Amend	6-1-2010	333-070-0155	4-26-2010	Adopt	6-1-2010
333-061-0065	4-19-2010	Amend	6-1-2010	333-070-0160	4-26-2010	Adopt	6-1-2010
333-061-0070	4-19-2010	Amend	6-1-2010	333-092-0000	12-21-2009	Repeal	2-1-2010
333-061-0071	4-19-2010	Amend	6-1-2010	333-092-0005	12-21-2009	Repeal	2-1-2010
333-061-0072	4-19-2010	Amend	6-1-2010	333-092-0010	12-21-2009	Repeal	2-1-2010
333-061-0073	4-19-2010	Amend	6-1-2010	333-092-0015	12-21-2009	Repeal	2-1-2010
333-061-0076	4-19-2010	Amend	6-1-2010	333-092-0020	12-21-2009	Repeal	2-1-2010
333-061-0077	4-19-2010	Amend	6-1-2010	333-092-0025	12-21-2009	Repeal	2-1-2010
333-061-0090	4-19-2010	Amend	6-1-2010	333-092-0030	12-21-2009	Repeal	2-1-2010
333-061-0215	4-19-2010	Repeal	6-1-2010	333-092-0035	12-21-2009	Repeal	2-1-2010
333-061-0228	4-19-2010	Amend	6-1-2010	333-092-0040	12-21-2009	Repeal	2-1-2010
333-061-0230	4-19-2010	Amend	6-1-2010	333-092-0045	12-21-2009	Repeal	2-1-2010
333-061-0235	4-19-2010	Amend	6-1-2010	333-092-0050	12-21-2009	Repeal	2-1-2010
333-061-0245	4-19-2010	Amend	6-1-2010	333-092-0055	12-21-2009	Repeal	2-1-2010
333-061-0265	4-19-2010	Amend	6-1-2010	333-092-0060	12-21-2009	Repeal	2-1-2010
333-061-0272	3-16-2010	Amend(T)	5-1-2010	333-092-0065	12-21-2009	Repeal	2-1-2010
333-061-0272	8-12-2010	Amend	9-1-2010	333-092-0070	12-21-2009	Repeal	2-1-2010
333-061-0272(T)	8-12-2010	Repeal	9-1-2010	333-092-0075	12-21-2009	Repeal	2-1-2010
333-061-0274	3-16-2010	Adopt(T)	5-1-2010	333-092-0080	12-21-2009	Repeal	2-1-2010
333-061-0290	4-19-2010	Amend	6-1-2010	333-092-0085	12-21-2009	Repeal	2-1-2010
333-061-0295	4-19-2010	Repeal	6-1-2010	333-092-0090	12-21-2009	Repeal	2-1-2010
333-061-0305	4-19-2010	Amend	6-1-2010	333-092-0095	12-21-2009	Repeal	2-1-2010
333-061-0310	4-19-2010	Amend	6-1-2010	333-100-0020	2-16-2010	Amend	4-1-2010
333-061-0315	4-19-2010	Repeal	6-1-2010	333-100-0065	2-16-2010	Amend	4-1-2010
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333-061-0324	4-19-2010	Adopt	6-1-2010	333-102-0010	2-16-2010	Amend	4-1-2010
333-061-0325	4-19-2010	Amend	6-1-2010	333-102-0015	2-16-2010	Amend	4-1-2010
333-061-0330	4-19-2010	Amend	6-1-2010	333-102-0015	9-1-2010	Amend	10-1-2010
333-061-0335	4-19-2010	Amend	6-1-2010	333-102-0020	2-16-2010	Repeal	4-1-2010
333-062-0100	12-23-2009	Amend	2-1-2010	333-102-0025	9-1-2010	Amend	10-1-2010
333-062-0103	12-23-2009	Adopt	2-1-2010	333-102-0030	9-1-2010	Amend	10-1-2010
333-069-0005	9-24-2010	Amend(T)	11-1-2010	333-102-0032	9-1-2010	Adopt	10-1-2010
333-069-0015	9-24-2010	Amend(T)	11-1-2010	333-102-0035	2-16-2010	Amend	4-1-2010
333-069-0020	9-24-2010	Amend(T)	11-1-2010	333-102-0035	9-1-2010	Amend	10-1-2010
333-069-0040	9-24-2010	Amend(T)	11-1-2010	333-102-0105	2-16-2010	Amend	4-1-2010
333-069-0050	9-24-2010	Amend(T)	11-1-2010	333-102-0110	2-16-2010	Amend	4-1-2010
333-069-0060	9-24-2010	Amend(T)	11-1-2010	333-102-0115	2-16-2010	Amend	4-1-2010
333-069-0085	9-24-2010	Amend(T)	11-1-2010	333-102-0115	9-1-2010	Amend	10-1-2010
333-069-0090	9-24-2010	Amend(T)	11-1-2010	333-102-0125	9-1-2010	Amend	10-1-2010
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333-070-0080	4-26-2010	Adopt	6-1-2010	333-102-0245	2-16-2010	Amend	4-1-2010
333-070-0085	4-26-2010	Adopt	6-1-2010	333-102-0250	9-1-2010	Amend	10-1-2010
333-070-0090	4-26-2010	Adopt	6-1-2010	333-102-0285	2-16-2010	Amend	4-1-2010
333-070-0095	4-26-2010	Adopt	6-1-2010	333-102-0285	9-1-2010	Amend	10-1-2010

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333-102-0305	2-16-2010	Amend	4-1-2010	333-119-0080	9-1-2010	Amend	10-1-2010
333-102-0305	9-1-2010	Amend	10-1-2010	333-119-0090	2-16-2010	Amend	4-1-2010
333-102-0325	2-16-2010	Amend	4-1-2010	333-119-0100	2-16-2010	Amend	4-1-2010
333-102-0340	2-16-2010	Amend	4-1-2010	333-119-0120	9-1-2010	Amend	10-1-2010
333-102-0340	9-1-2010	Amend	10-1-2010	333-119-0200	9-1-2010	Amend	10-1-2010
333-102-0900	9-1-2010	Amend	10-1-2010	333-120-0015	2-16-2010	Amend	4-1-2010
333-103-0001	2-16-2010	Amend	4-1-2010	333-120-0015	9-1-2010	Amend	10-1-2010
333-103-0003	9-1-2010	Amend	10-1-2010	333-120-0500	9-1-2010	Amend	10-1-2010
333-103-0010	2-16-2010	Amend	4-1-2010	333-120-0545	9-1-2010	Adopt	10-1-2010
333-103-0010	9-1-2010	Amend	10-1-2010	333-120-0550	9-1-2010	Amend	10-1-2010
333-103-0015	9-1-2010	Amend	10-1-2010	333-120-0800	2-16-2010	Amend	4-1-2010
333-103-0030	9-1-2010	Amend	10-1-2010	333-124-0001	2-16-2010	Adopt	4-1-2010
333-103-0035	9-1-2010	Amend	10-1-2010	333-124-0010	2-16-2010	Adopt	4-1-2010
333-106-0005	2-16-2010	Amend	4-1-2010	333-250-0010	7-1-2010	Amend	8-1-2010
333-106-0005	9-1-2010	Amend	10-1-2010	333-250-0020	7-1-2010	Amend	8-1-2010
333-106-0055	9-1-2010	Amend	10-1-2010	333-250-0040	7-1-2010	Amend	8-1-2010
333-106-0215	2-16-2010	Amend	4-1-2010	333-250-0041	7-1-2010	Amend	8-1-2010
333-106-0320	2-16-2010	Amend	4-1-2010	333-250-0042	7-1-2010	Amend	8-1-2010
333-106-0325	9-1-2010	Amend	10-1-2010	333-250-0043	7-1-2010	Amend	8-1-2010
333-116-0020	2-16-2010	Amend	4-1-2010	333-250-0044	7-1-2010	Amend	8-1-2010
333-116-0035	2-16-2010	Amend	4-1-2010	333-250-0045	7-1-2010	Amend	8-1-2010
333-116-0140	2-16-2010	Amend	4-1-2010	333-250-0046	7-1-2010	Amend	8-1-2010
333-116-0170	2-16-2010	Amend	4-1-2010	333-250-0047	7-1-2010	Amend	8-1-2010
333-116-0190	2-16-2010	Amend	4-1-2010	333-250-0048	7-1-2010	Amend	8-1-2010
333-116-0300	2-16-2010	Amend	4-1-2010	333-250-0049	7-1-2010	Amend	8-1-2010
333-116-0360	2-16-2010	Amend	4-1-2010	333-250-0060	7-1-2010	Amend	8-1-2010
333-116-0485	2-16-2010	Adopt	4-1-2010	333-250-0070	7-1-2010	Amend	8-1-2010
333-116-0660	2-16-2010	Amend	4-1-2010	333-255-0000	7-1-2010	Amend	8-1-2010
333-116-0670	2-16-2010	Amend	4-1-2010	333-255-0010	7-1-2010	Amend	8-1-2010
333-116-0683	2-16-2010	Amend	4-1-2010	333-255-0030	7-1-2010	Amend	8-1-2010
333-116-0687	2-16-2010	Amend	4-1-2010	333-255-0060	7-1-2010	Amend	8-1-2010
333-116-0690	2-16-2010	Amend	4-1-2010	333-255-0070	7-1-2010	Amend	8-1-2010
333-116-0700	2-16-2010	Amend	4-1-2010	333-255-0070	7-16-2010	Amend(T)	9-1-2010
333-116-0810	2-16-2010	Amend	4-1-2010	333-255-0071	7-1-2010	Amend	8-1-2010
333-116-0905	2-16-2010	Amend	4-1-2010	333-255-0072	7-1-2010	Amend	8-1-2010
333-118-0020	2-16-2010	Amend	4-1-2010	333-255-0073	7-1-2010	Amend	8-1-2010
333-118-0050	2-16-2010	Amend	4-1-2010	333-255-0081	7-1-2010	Amend	8-1-2010
333-118-0051	2-16-2010	Adopt	4-1-2010	333-255-0082	7-1-2010	Amend	8-1-2010
333-118-0052	2-16-2010	Adopt	4-1-2010	333-255-0091	7-1-2010	Amend	8-1-2010
333-118-0053	2-16-2010	Adopt	4-1-2010	333-255-0092	7-1-2010	Amend	8-1-2010
333-118-0070	2-16-2010	Amend	4-1-2010	333-265-0000	7-1-2010	Amend	8-1-2010
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333-118-0120	2-16-2010	Amend	4-1-2010	333-265-0014	7-1-2010	Amend	8-1-2010
333-118-0125	2-16-2010	Adopt	4-1-2010	333-265-0015	7-1-2010	Adopt	8-1-2010
333-118-0140	2-16-2010	Amend	4-1-2010	333-265-0016	7-1-2010	Amend	8-1-2010
333-118-0150	2-16-2010	Amend	4-1-2010	333-265-0018	7-1-2010	Amend	8-1-2010
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333-118-0162	2-16-2010	Adopt	4-1-2010	333-265-0022	7-1-2010	Amend	8-1-2010
333-118-0190	2-16-2010	Amend	4-1-2010	333-265-0023	7-1-2010	Amend	8-1-2010
333-118-0200	2-16-2010	Amend	4-1-2010	333-265-0025	7-1-2010	Amend	8-1-2010
333-119-0010	2-16-2010	Amend	4-1-2010	333-265-0030	7-1-2010	Amend	8-1-2010
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333-119-0020	2-16-2010	Amend	4-1-2010	333-265-0050	7-1-2010	Amend	8-1-2010
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333-119-0060	9-1-2010	Amend	10-1-2010	333-265-0070	7-1-2010	Amend	8-1-2010

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333-265-0085	7-1-2010	Adopt	8-1-2010	337-010-0013	6-15-2010	Adopt	7-1-2010
333-265-0087	7-1-2010	Adopt	8-1-2010	337-010-0014	6-15-2010	Adopt	7-1-2010
333-265-0090	7-1-2010	Amend	8-1-2010	337-010-0015	6-15-2010	Amend	7-1-2010
333-265-0090	7-16-2010	Amend(T)	9-1-2010	337-010-0016	6-15-2010	Adopt	7-1-2010
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333-265-0105	7-16-2010	Amend(T)	9-1-2010	337-010-0025	6-15-2010	Amend	7-1-2010
333-265-0110	7-1-2010	Amend	8-1-2010	337-010-0026	6-15-2010	Adopt	7-1-2010
333-265-0140	7-1-2010	Amend	8-1-2010	337-010-0030	6-15-2010	Amend	7-1-2010
333-265-0150	7-1-2010	Amend	8-1-2010	337-010-0031	6-15-2010	Amend	7-1-2010
333-265-0160	7-1-2010	Amend	8-1-2010	337-010-0036	6-15-2010	Repeal	7-1-2010
333-265-0180	7-1-2010	Repeal	8-1-2010	337-010-0045	6-15-2010	Amend	7-1-2010
333-270-0010	12-3-2009	Adopt	1-1-2010	337-010-0055	6-15-2010	Repeal	7-1-2010
333-270-0020	12-3-2009	Adopt	1-1-2010	337-010-0060	6-15-2010	Repeal	7-1-2010
333-270-0030	12-3-2009	Adopt	1-1-2010	337-010-0061	6-15-2010	Repeal	7-1-2010
333-270-0040	12-3-2009	Adopt	1-1-2010	337-010-0065	6-15-2010	Repeal	7-1-2010
333-270-0050	12-3-2009	Adopt	1-1-2010	337-010-0075	6-15-2010	Repeal	7-1-2010
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333-300-0000	12-21-2009	Repeal	2-1-2010	337-021-0005	6-15-2010	Amend	7-1-2010
333-540-0005	7-1-2010	Adopt	8-1-2010	337-021-0010	6-15-2010	Amend	7-1-2010
333-540-0010	7-1-2010	Adopt	8-1-2010	337-021-0020	6-15-2010	Amend	7-1-2010
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333-540-0040	7-1-2010	Adopt	8-1-2010	337-030-0010	6-15-2010	Adopt	7-1-2010
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333-540-0050	7-1-2010	Adopt	8-1-2010	337-030-0020	6-15-2010	Adopt	7-1-2010
333-540-0055	7-1-2010	Adopt	8-1-2010	337-030-0025	6-15-2010	Adopt	7-1-2010
333-540-0060	7-1-2010	Adopt	8-1-2010	339-005-0000	3-1-2010	Amend	2-1-2010
333-540-0065	7-1-2010	Adopt	8-1-2010	340-045-0033	1-22-2010	Amend	3-1-2010
333-540-0070	7-1-2010	Adopt	8-1-2010	340-045-0075	9-1-2010	Amend	10-1-2010
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333-540-0080	7-1-2010	Adopt	8-1-2010	340-054-0010	5-4-2010	Amend(T)	6-1-2010
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333-540-0090	7-1-2010	Adopt	8-1-2010	340-054-0025	5-4-2010	Amend(T)	6-1-2010
334-001-0055	4-12-2010	Adopt	5-1-2010	340-054-0025	10-27-2010	Amend	12-1-2010
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335-070-0065	11-16-2009	Amend	1-1-2010	340-071-0140	1-4-2010	Amend	2-1-2010
335-095-0030	8-11-2010	Amend(T)	9-1-2010	340-071-0140	9-1-2010	Amend	10-1-2010
335-095-0040	8-11-2010	Amend(T)	9-1-2010	340-093-0030	5-14-2010	Amend	6-1-2010
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337-001-0000	6-15-2010	Amend	7-1-2010	340-093-0280	5-14-2010	Adopt	6-1-2010
337-001-0005	6-15-2010	Amend	7-1-2010	340-093-0290	5-14-2010	Adopt	6-1-2010
337-010-0006	6-15-2010	Amend	7-1-2010	340-097-0120	5-14-2010	Amend	6-1-2010
337-010-0007	6-15-2010	Adopt	7-1-2010	340-200-0020	5-21-2010	Amend	7-1-2010
337-010-0008	6-15-2010	Amend	7-1-2010	340-200-0020	9-1-2010	Amend(T)	10-1-2010
337-010-0009	6-15-2010	Adopt	7-1-2010	340-200-0025	5-21-2010	Amend	7-1-2010
337-010-0010	6-15-2010	Amend	7-1-2010	340-200-0040	12-16-2009	Amend	2-1-2010

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340-200-0040	5-21-2010	Amend	7-1-2010	340-252-0060	3-5-2010	Amend	4-1-2010
340-202-0060	5-21-2010	Amend	7-1-2010	340-252-0070	3-5-2010	Amend	4-1-2010
340-202-0090	5-21-2010	Amend	7-1-2010	340-252-0080	3-5-2010	Repeal	4-1-2010
340-202-0130	5-21-2010	Amend	7-1-2010	340-252-0090	3-5-2010	Repeal	4-1-2010
340-202-0210	9-1-2010	Amend(T)	10-1-2010	340-252-0100	3-5-2010	Repeal	4-1-2010
340-204-0010	5-21-2010	Amend	7-1-2010	340-252-0110	3-5-2010	Repeal	4-1-2010
340-204-0030	5-21-2010	Amend	7-1-2010	340-252-0120	3-5-2010	Repeal	4-1-2010
340-206-0010	5-21-2010	Amend	7-1-2010	340-252-0130	3-5-2010	Repeal	4-1-2010
340-206-0030	5-21-2010	Amend	7-1-2010	340-252-0140	3-5-2010	Repeal	4-1-2010
340-209-0030	12-16-2009	Amend	2-1-2010	340-252-0150	3-5-2010	Repeal	4-1-2010
340-210-0100	12-16-2009	Amend	2-1-2010	340-252-0160	3-5-2010	Repeal	4-1-2010
340-210-0110	12-16-2009	Amend	2-1-2010	340-252-0170	3-5-2010	Repeal	4-1-2010
340-210-0120	12-16-2009	Amend	2-1-2010	340-252-0180	3-5-2010	Repeal	4-1-2010
340-215-0010	10-27-2010	Amend	12-1-2010	340-252-0190	3-5-2010	Repeal	4-1-2010
340-215-0020	10-27-2010	Amend	12-1-2010	340-252-0200	3-5-2010	Repeal	4-1-2010
340-215-0030	10-27-2010	Amend	12-1-2010	340-252-0210	3-5-2010	Repeal	4-1-2010
340-215-0040	10-27-2010	Amend	12-1-2010	340-252-0220	3-5-2010	Repeal	4-1-2010
340-215-0050	1-1-2010	Adopt(T)	2-1-2010	340-252-0230	3-5-2010	Amend	4-1-2010
340-215-0060	10-27-2010	Adopt	12-1-2010	340-252-0240	3-5-2010	Repeal	4-1-2010
340-216-0020	12-16-2009	Amend	2-1-2010	340-252-0250	3-5-2010	Repeal	4-1-2010
340-216-0020	1-1-2010	Amend(T)	2-1-2010	340-252-0260	3-5-2010	Repeal	4-1-2010
340-216-0020	9-1-2010	Amend(T)	10-1-2010	340-252-0270	3-5-2010	Repeal	4-1-2010
340-216-0020	10-27-2010	Amend	12-1-2010	340-252-0280	3-5-2010	Repeal	4-1-2010
340-216-0060	12-16-2009	Amend	2-1-2010	340-252-0290	3-5-2010	Repeal	4-1-2010
340-216-0062	12-16-2009	Adopt	2-1-2010	340-266-0010	8-27-2010	Amend	10-1-2010
340-216-0064	12-16-2009	Amend	2-1-2010	340-266-0020	8-27-2010	Amend	10-1-2010
340-220-0050	1-1-2010	Amend(T)	2-1-2010	340-266-0030	8-27-2010	Amend	10-1-2010
340-220-0050	10-27-2010	Amend	12-1-2010	340-266-0040	8-27-2010	Amend	10-1-2010
340-224-0010	9-1-2010	Amend(T)	10-1-2010	340-266-0050	8-27-2010	Amend	10-1-2010
340-224-0050	9-1-2010	Amend(T)	10-1-2010	340-266-0060	8-27-2010	Amend	10-1-2010
340-224-0070	9-1-2010	Amend(T)	10-1-2010	340-266-0065	8-27-2010	Adopt	10-1-2010
340-225-0020	9-1-2010	Amend(T)	10-1-2010	340-266-0070	8-27-2010	Amend	10-1-2010
340-225-0030	9-1-2010	Amend(T)	10-1-2010	340-266-0075	8-27-2010	Adopt	10-1-2010
340-225-0045	9-1-2010	Amend(T)	10-1-2010	340-266-0080	8-27-2010	Amend	10-1-2010
340-225-0050	9-1-2010	Amend(T)	10-1-2010	340-266-0090	8-27-2010	Amend	10-1-2010
340-225-0060	9-1-2010	Amend(T)	10-1-2010	340-266-0100	8-27-2010	Amend	10-1-2010
340-225-0090	9-1-2010	Amend(T)	10-1-2010	340-266-0110	8-27-2010	Amend	10-1-2010
340-228-0606	12-16-2009	Amend	2-1-2010	340-266-0130	8-27-2010	Amend	10-1-2010
340-228-0621	12-16-2009	Amend	2-1-2010	340-266-0140	8-27-2010	Adopt	10-1-2010
340-228-0623	12-16-2009	Amend	2-1-2010	345-001-0010	11-24-2009	Amend	1-1-2010
340-228-0625	12-16-2009	Amend	2-1-2010	345-001-0220	5-11-2010	Amend	6-1-2010
340-228-0627	12-16-2009	Amend	2-1-2010	345-024-0590	11-24-2009	Amend	1-1-2010
340-228-0639	12-16-2009	Adopt	2-1-2010	350-090-0010	6-1-2010	Repeal	6-1-2010
340-238-0040	12-16-2009	Amend	2-1-2010	350-090-0020	6-1-2010	Repeal	6-1-2010
340-244-0030	12-16-2009	Amend	2-1-2010	350-090-0030	6-1-2010	Repeal	6-1-2010
340-244-0220	12-16-2009	Amend	2-1-2010	350-090-0040	6-1-2010	Repeal	6-1-2010
340-244-0238	12-16-2009	Amend	2-1-2010	350-090-0050	6-1-2010	Repeal	6-1-2010
340-244-0240	12-16-2009	Amend	2-1-2010	350-090-0060	6-1-2010	Repeal	6-1-2010
340-244-0242	12-16-2009	Amend	2-1-2010	350-090-0070	6-1-2010	Repeal	6-1-2010
340-244-0246	12-16-2009	Amend	2-1-2010	350-090-0080	6-1-2010	Repeal	6-1-2010
340-246-0090	8-31-2010	Amend	10-1-2010	350-090-0090	6-1-2010	Repeal	6-1-2010
340-246-0090	10-19-2010	Amend	12-1-2010	350-090-0100	6-1-2010	Repeal	6-1-2010
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340-252-0030	3-5-2010	Amend	4-1-2010	350-090-0120	6-1-2010	Repeal	6-1-2010
340-252-0040	3-5-2010	Repeal	4-1-2010	350-090-0130	6-1-2010	Repeal	6-1-2010



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350-110-0030	6-1-2010	Repeal	6-1-2010	350-110-0590	6-1-2010	Repeal	6-1-2010
350-110-0040	6-1-2010	Repeal	6-1-2010	350-110-0600	6-1-2010	Repeal	6-1-2010
350-110-0050	6-1-2010	Repeal	6-1-2010	350-110-0610	6-1-2010	Repeal	6-1-2010
350-110-0060	6-1-2010	Repeal	6-1-2010	350-110-0620	6-1-2010	Repeal	6-1-2010
350-110-0070	6-1-2010	Repeal	6-1-2010	407-007-0000	1-1-2010	Amend	2-1-2010
350-110-0080	6-1-2010	Repeal	6-1-2010	407-007-0010	1-1-2010	Amend	2-1-2010
350-110-0090	6-1-2010	Repeal	6-1-2010	407-007-0020	1-1-2010	Amend	2-1-2010
350-110-0100	6-1-2010	Repeal	6-1-2010	407-007-0030	1-1-2010	Amend	2-1-2010
350-110-0110	6-1-2010	Repeal	6-1-2010	407-007-0040	1-1-2010	Amend	2-1-2010
350-110-0120	6-1-2010	Repeal	6-1-2010	407-007-0050	1-1-2010	Amend	2-1-2010
350-110-0130	6-1-2010	Repeal	6-1-2010	407-007-0060	1-1-2010	Amend	2-1-2010
350-110-0140	6-1-2010	Repeal	6-1-2010	407-007-0065	1-1-2010	Adopt	2-1-2010
350-110-0150	6-1-2010	Repeal	6-1-2010	407-007-0070	1-1-2010	Amend	2-1-2010
350-110-0160	6-1-2010	Repeal	6-1-2010	407-007-0075	1-1-2010	Adopt	2-1-2010
350-110-0170	6-1-2010	Repeal	6-1-2010	407-007-0080	1-1-2010	Amend	2-1-2010
350-110-0180	6-1-2010	Repeal	6-1-2010	407-007-0090	1-1-2010	Amend	2-1-2010
350-110-0190	6-1-2010	Repeal	6-1-2010	407-007-0100	1-1-2010	Amend	2-1-2010
350-110-0200	6-1-2010	Repeal	6-1-2010	407-007-0200	1-1-2010	Amend	2-1-2010
350-110-0210	6-1-2010	Repeal	6-1-2010	407-007-0200	10-31-2010	Amend	12-1-2010
350-110-0220	6-1-2010	Repeal	6-1-2010	407-007-0210	1-1-2010	Amend	2-1-2010
350-110-0230	6-1-2010	Repeal	6-1-2010	407-007-0210	8-12-2010	Amend(T)	9-1-2010
350-110-0240	6-1-2010	Repeal	6-1-2010	407-007-0210	10-31-2010	Amend	12-1-2010
350-110-0250	6-1-2010	Repeal	6-1-2010	407-007-0210(T)	10-31-2010	Repeal	12-1-2010
350-110-0260	6-1-2010	Repeal	6-1-2010	407-007-0220	1-1-2010	Amend	2-1-2010
350-110-0270	6-1-2010	Repeal	6-1-2010	407-007-0220	10-31-2010	Amend	12-1-2010
350-110-0280	6-1-2010	Repeal	6-1-2010	407-007-0230	1-1-2010	Amend	2-1-2010
350-110-0290	6-1-2010	Repeal	6-1-2010	407-007-0230	10-31-2010	Amend	12-1-2010
350-110-0300	6-1-2010	Repeal	6-1-2010	407-007-0240	1-1-2010	Amend	2-1-2010
350-110-0310	6-1-2010	Repeal	6-1-2010	407-007-0240	10-31-2010	Amend	12-1-2010
350-110-0320	6-1-2010	Repeal	6-1-2010	407-007-0250	1-1-2010	Amend	2-1-2010
350-110-0330	6-1-2010	Repeal	6-1-2010	407-007-0250	10-31-2010	Amend	12-1-2010
350-110-0340	6-1-2010	Repeal	6-1-2010	407-007-0275	5-5-2010	Adopt(T)	6-1-2010
350-110-0350	6-1-2010	Repeal	6-1-2010	407-007-0275	10-31-2010	Adopt	12-1-2010
350-110-0360	6-1-2010	Repeal	6-1-2010	407-007-0275(T)	10-31-2010	Repeal	12-1-2010
350-110-0370	6-1-2010	Repeal	6-1-2010	407-007-0280	1-1-2010	Amend	2-1-2010
350-110-0380	6-1-2010	Repeal	6-1-2010	407-007-0280	10-31-2010	Amend	12-1-2010
350-110-0390	6-1-2010	Repeal	6-1-2010	407-007-0290	1-1-2010	Amend	2-1-2010
350-110-0400	6-1-2010	Repeal	6-1-2010	407-007-0290	10-31-2010	Amend	12-1-2010
350-110-0410	6-1-2010	Repeal	6-1-2010	407-007-0300	1-1-2010	Amend	2-1-2010
350-110-0420	6-1-2010	Repeal	6-1-2010	407-007-0300	10-31-2010	Amend	12-1-2010
350-110-0430	6-1-2010	Repeal	6-1-2010	407-007-0315	1-1-2010	Adopt	2-1-2010
350-110-0440	6-1-2010	Repeal	6-1-2010	407-007-0315	10-31-2010	Amend	12-1-2010
350-110-0450	6-1-2010	Repeal	6-1-2010	407-007-0320	1-1-2010	Amend	2-1-2010
350-110-0460	6-1-2010	Repeal	6-1-2010	407-007-0320	10-31-2010	Amend	12-1-2010
350-110-0470	6-1-2010	Repeal	6-1-2010	407-007-0325	1-1-2010	Adopt	2-1-2010
350-110-0480	6-1-2010	Repeal	6-1-2010	407-007-0330	1-1-2010	Amend	2-1-2010
350-110-0490	6-1-2010	Repeal	6-1-2010	407-007-0330	10-31-2010	Amend	12-1-2010
350-110-0500	6-1-2010	Repeal	6-1-2010	407-007-0340	1-1-2010	Amend	2-1-2010
350-110-0510	6-1-2010	Repeal	6-1-2010	407-007-0340	10-31-2010	Amend	12-1-2010
350-110-0520	6-1-2010	Repeal	6-1-2010	407-007-0350	1-1-2010	Amend	2-1-2010
350-110-0530	6-1-2010	Repeal	6-1-2010	407-007-0355	1-1-2010	Repeal	2-1-2010
350-110-0540	6-1-2010	Repeal	6-1-2010	407-007-0370	1-1-2010	Amend	2-1-2010
350-110-0550	6-1-2010	Repeal	6-1-2010	407-007-0400	3-29-2010	Adopt	5-1-2010
350-110-0560	6-1-2010	Repeal	6-1-2010	407-007-0400(T)	3-29-2010	Repeal	5-1-2010
350-110-0570	6-1-2010	Repeal	6-1-2010	407-007-0410	3-29-2010	Adopt	5-1-2010

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407-007-0420	3-29-2010	Adopt	5-1-2010	409-024-0110	7-1-2010	Adopt	8-1-2010
407-007-0420(T)	3-29-2010	Repeal	5-1-2010	409-024-0120	7-1-2010	Adopt	8-1-2010
407-007-0430	3-29-2010	Adopt	5-1-2010	409-024-0130	7-1-2010	Adopt	8-1-2010
407-007-0430(T)	3-29-2010	Repeal	5-1-2010	409-025-0100	3-1-2010	Adopt	4-1-2010
407-007-0440	1-8-2010	Adopt(T)	2-1-2010	409-025-0110	3-1-2010	Adopt	4-1-2010
407-007-0440	3-29-2010	Adopt	5-1-2010	409-025-0120	3-1-2010	Adopt	4-1-2010
407-007-0440(T)	3-29-2010	Repeal	5-1-2010	409-025-0130	3-1-2010	Adopt	4-1-2010
407-007-0450	3-29-2010	Adopt	5-1-2010	409-025-0140	3-1-2010	Adopt	4-1-2010
407-007-0450(T)	3-29-2010	Repeal	5-1-2010	409-025-0150	3-1-2010	Adopt	4-1-2010
407-007-0460	3-29-2010	Adopt	5-1-2010	409-025-0160	3-1-2010	Adopt	4-1-2010
407-007-0460(T)	3-29-2010	Repeal	5-1-2010	409-025-0170	3-1-2010	Adopt	4-1-2010
407-043-0010	1-1-2010	Amend	2-1-2010	409-026-0100	1-1-2010	Adopt	2-1-2010
407-043-0010(T)	1-1-2010	Repeal	2-1-2010	409-026-0110	1-1-2010	Adopt	2-1-2010
407-045-0250	6-29-2010	Amend	8-1-2010	409-026-0120	1-1-2010	Adopt	2-1-2010
407-045-0260	1-1-2010	Amend(T)	2-1-2010	409-026-0120	1-1-2010	Adopt	2-1-2010
407-045-0260	6-29-2010	Amend	8-1-2010	409-026-0140	1-1-2010	Adopt	2-1-2010
407-045-0260	8-5-2010	Amend(T)	9-1-2010	409-030-0065	4-21-2010	Amend(T)	6-1-2010
407-045-0260(T)	6-29-2010	Repeal	8-1-2010	409-030-0065	10-1-2010	Amend	11-1-2010
407-045-0280	6-29-2010	Amend	8-1-2010	409-030-0065(T)	10-1-2010	Repeal	11-1-2010
407-045-0290	1-1-2010	Amend(T)	2-1-2010	409-040-0100	1-1-2010	Adopt	2-1-2010
407-045-0290	6-29-2010	Amend	8-1-2010	409-040-0105	1-1-2010	Adopt	2-1-2010
407-045-0290(T)	6-29-2010	Repeal	8-1-2010	409-040-0110	1-1-2010	Adopt	2-1-2010
407-045-0300	6-29-2010	Amend	8-1-2010	409-040-0115	1-1-2010	Adopt	2-1-2010
407-045-0310	6-29-2010	Amend	8-1-2010	410-050-0861	7-1-2010	Amend	8-1-2010
407-045-0320	6-29-2010	Amend	8-1-2010	410-120-0030	1-1-2010	Amend	1-1-2010
407-045-0330	6-29-2010	Amend	8-1-2010	410-120-0030	7-1-2010	Amend	8-1-2010
407-045-0340	6-29-2010	Amend	8-1-2010	410-120-0030	9-1-2010	Amend	10-1-2010
407-045-0350	1-1-2010	Amend(T)	2-1-2010	410-120-0030(T)	1-1-2010	Repeal	1-1-2010
407-045-0350	6-29-2010	Amend	8-1-2010	410-120-0045	7-1-2010	Adopt	7-1-2010
407-045-0350(T)	6-29-2010	Repeal	8-1-2010	410-120-1200	1-1-2010	Amend	1-1-2010
407-045-0360	6-29-2010	Amend	8-1-2010	410-120-1210	1-1-2010	Amend	1-1-2010
407-045-0370	6-29-2010	Adopt	8-1-2010	410-120-1230	1-1-2010	Amend	1-1-2010
407-045-0800	7-1-2010	Amend	8-1-2010	410-120-1295	12-4-2009	Amend(T)	1-1-2010
407-045-0810	7-1-2010	Amend	8-1-2010	410-120-1295	1-1-2010	Amend	1-1-2010
407-045-0820	7-1-2010	Amend	8-1-2010	410-120-1295	3-26-2010	Amend	5-1-2010
407-045-0820	7-12-2010	Amend(T)	8-1-2010	410-120-1295(T)	12-4-2009	Suspend	1-1-2010
407-045-0830	7-1-2010	Amend	8-1-2010	410-120-1340	1-1-2010	Amend	1-1-2010
407-045-0850	7-1-2010	Amend	8-1-2010	410-120-1380	1-1-2010	Amend	1-1-2010
407-045-0860	7-1-2010	Amend	8-1-2010	410-120-1505	9-1-2010	Am. & Ren.	10-1-2010
407-045-0870	7-1-2010	Amend	8-1-2010	410-120-1570	1-1-2010	Amend	1-1-2010
407-045-0880	7-1-2010	Amend	8-1-2010	410-120-1600	1-1-2010	Amend	1-1-2010
407-045-0890	7-1-2010	Amend	8-1-2010	410-121-0000	1-1-2010	Amend	1-1-2010
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407-045-0950	7-1-2010	Amend	8-1-2010	410-121-0040	7-1-2010	Amend	7-1-2010
407-045-0960	7-1-2010	Amend	8-1-2010	410-121-0060	1-1-2010	Amend	1-1-2010
407-045-0970	7-1-2010	Amend	8-1-2010	410-121-0100	1-1-2010	Amend	1-1-2010
407-045-0980	7-1-2010	Amend	8-1-2010	410-121-0100	7-1-2010	Amend	7-1-2010
409-015-0012	10-1-2010	Amend	11-1-2010	410-121-0135	1-1-2010	Amend	1-1-2010
409-015-0015	10-1-2010	Amend	11-1-2010	410-121-0144	7-1-2010	Repeal	7-1-2010
409-023-0000	7-1-2010	Amend	8-1-2010	410-121-0145	2-5-2010	Amend	3-1-2010
409-023-0010	7-1-2010	Amend	8-1-2010	410-121-0146	4-1-2010	Amend(T)	5-1-2010

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410-121-0146	7-1-2010	Amend	7-1-2010	410-136-0245	1-1-2010	Adopt	1-1-2010
410-121-0147	7-1-2010	Amend	7-1-2010	410-136-0245	4-1-2010	Amend(T)	5-1-2010
410-121-0152	10-18-2010	Adopt(T)	12-1-2010	410-136-0245	7-1-2010	Amend	8-1-2010
410-121-0185	7-1-2010	Amend	7-1-2010	410-138-0000	7-1-2010	Amend	8-1-2010
410-121-0420	1-1-2010	Amend	1-1-2010	410-138-0005	7-1-2010	Amend	8-1-2010
410-122-0010	7-1-2010	Amend	7-1-2010	410-138-0007	7-1-2010	Amend	8-1-2010
410-122-0020	7-1-2010	Amend	7-1-2010	410-138-0009	1-1-2010	Amend	1-1-2010
410-122-0040	7-1-2010	Amend	7-1-2010	410-138-0009	7-1-2010	Amend	8-1-2010
410-122-0055	7-1-2010	Amend	7-1-2010	410-138-0020	1-1-2010	Amend	1-1-2010
410-122-0080	7-1-2010	Amend	7-1-2010	410-138-0020	7-1-2010	Amend	8-1-2010
410-122-0080	10-1-2010	Amend(T)	11-1-2010	410-138-0040	7-1-2010	Amend	8-1-2010
410-122-0080	10-7-2010	Amend(T)	11-1-2010	410-138-0060	7-1-2010	Amend	8-1-2010
410-122-0080	10-13-2010	Amend(T)	11-1-2010	410-138-0080	7-1-2010	Amend	8-1-2010
410-122-0080(T)	10-7-2010	Suspend	11-1-2010	410-138-0300	11-16-2009	Amend(T)	1-1-2010
410-122-0080(T)	10-13-2010	Suspend	11-1-2010	410-138-0300	1-1-2010	Amend	1-1-2010
410-122-0180	10-1-2010	Amend(T)	11-1-2010	410-138-0300	7-1-2010	Amend	8-1-2010
410-122-0182	1-1-2010	Amend	1-1-2010	410-138-0300(T)	1-1-2010	Repeal	1-1-2010
410-122-0184	7-1-2010	Amend	7-1-2010	410-138-0320	1-1-2010	Repeal	1-1-2010
410-122-0202	7-1-2010	Amend	7-1-2010	410-138-0340	11-16-2009	Suspend	1-1-2010
410-122-0203	1-1-2010	Amend	1-1-2010	410-138-0340	1-1-2010	Repeal	1-1-2010
410-122-0203	7-1-2010	Amend	7-1-2010	410-138-0360	11-16-2009	Amend(T)	1-1-2010
410-122-0205	7-1-2010	Amend	7-1-2010	410-138-0360	1-1-2010	Amend	1-1-2010
410-122-0207	7-1-2010	Amend	7-1-2010	410-138-0360	7-1-2010	Amend	8-1-2010
410-122-0208	7-1-2010	Amend	7-1-2010	410-138-0360(T)	1-1-2010	Repeal	1-1-2010
410-122-0210	7-1-2010	Amend	7-1-2010	410-138-0380	11-16-2009	Amend(T)	1-1-2010
410-122-0211	7-1-2010	Amend	7-1-2010	410-138-0380	1-1-2010	Amend	1-1-2010
410-122-0280	7-1-2010	Amend	7-1-2010	410-138-0380	7-1-2010	Amend	8-1-2010
410-122-0325	7-1-2010	Amend	7-1-2010	410-138-0380(T)	1-1-2010	Repeal	1-1-2010
410-122-0340	7-1-2010	Amend	7-1-2010	410-138-0390	11-16-2009	Adopt(T)	1-1-2010
410-122-0540	7-1-2010	Amend	7-1-2010	410-138-0390	1-1-2010	Adopt	1-1-2010
410-122-0560	7-1-2010	Amend	7-1-2010	410-138-0390	7-1-2010	Amend	8-1-2010
410-122-0625	7-1-2010	Amend	7-1-2010	410-138-0390(T)	1-1-2010	Repeal	1-1-2010
410-122-0630	7-1-2010	Amend	7-1-2010	410-138-0400	7-1-2010	Adopt	8-1-2010
410-122-0655	7-1-2010	Amend	7-1-2010	410-138-0420	7-1-2010	Adopt	8-1-2010
410-122-0658	7-1-2010	Amend	7-1-2010	410-138-0440	7-1-2010	Adopt	8-1-2010
410-122-0660	1-1-2010	Amend	1-1-2010	410-138-0460	7-1-2010	Adopt	8-1-2010
410-122-0662	1-1-2010	Amend	1-1-2010	410-138-0500	7-1-2010	Amend	8-1-2010
410-122-0662	7-1-2010	Amend	7-1-2010	410-138-0520	1-1-2010	Repeal	1-1-2010
410-122-0680	7-1-2010	Amend	7-1-2010	410-138-0530	7-1-2010	Repeal	8-1-2010
410-122-0720	7-1-2010	Amend	7-1-2010	410-138-0540	7-1-2010	Amend	8-1-2010
410-123-1000	1-1-2010	Amend	1-1-2010	410-138-0560	1-1-2010	Amend	1-1-2010
410-123-1000	7-1-2010	Amend	7-1-2010	410-138-0560	7-1-2010	Amend	8-1-2010
410-123-1160	1-1-2010	Amend	1-1-2010	410-138-0600	7-1-2010	Amend	8-1-2010
410-123-1160	7-1-2010	Amend	7-1-2010	410-138-0610	7-1-2010	Repeal	8-1-2010
410-123-1220	1-1-2010	Amend	1-1-2010	410-138-0620	1-1-2010	Repeal	1-1-2010
410-123-1220	7-1-2010	Amend	7-1-2010	410-138-0640	7-1-2010	Amend	8-1-2010
410-123-1260	1-1-2010	Amend	1-1-2010	410-138-0660	7-1-2010	Amend	8-1-2010
410-123-1260	7-1-2010	Amend	7-1-2010	410-138-0680	1-1-2010	Amend	1-1-2010
410-129-0220	10-1-2010	Amend(T)	11-1-2010	410-138-0700	7-1-2010	Amend	8-1-2010
410-130-0200	7-1-2010	Amend	7-1-2010	410-138-0710	7-1-2010	Amend	8-1-2010
410-130-0220	7-1-2010	Amend	7-1-2010	410-138-0720	1-1-2010	Repeal	1-1-2010
410-130-0245	7-1-2010	Amend	7-1-2010	410-138-0740	7-1-2010	Amend	8-1-2010
410-130-0255	7-1-2010	Amend	7-1-2010	410-138-0760	7-1-2010	Amend	8-1-2010
410-130-0595	4-15-2010	Amend(T)	5-1-2010	410-138-0780	7-1-2010	Amend	8-1-2010
410-130-0595	9-1-2010	Amend	10-1-2010	410-140-0050	1-1-2010	Amend	1-1-2010
410-130-0595(T)	9-1-2010	Repeal	10-1-2010	410-140-0115	1-1-2010	Repeal	1-1-2010



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410-140-0160	1-1-2010	Amend	1-1-2010	411-001-0120	1-1-2010	Amend	2-1-2010
410-140-0200	1-1-2010	Amend	1-1-2010	411-020-0000	7-1-2010	Amend	8-1-2010
410-140-0260	1-1-2010	Amend	1-1-2010	411-020-0002	1-1-2010	Amend(T)	2-1-2010
410-141-0000	1-1-2010	Amend	1-1-2010	411-020-0002	7-1-2010	Amend	8-1-2010
410-141-0000	7-1-2010	Amend	7-1-2010	411-020-0002(T)	7-1-2010	Repeal	8-1-2010
410-141-0070	7-1-2010	Amend	7-1-2010	411-020-0010	7-1-2010	Amend	8-1-2010
410-141-0160	7-1-2010	Amend	7-1-2010	411-020-0015	7-1-2010	Amend	8-1-2010
410-141-0200	7-1-2010	Amend	7-1-2010	411-020-0020	1-1-2010	Amend(T)	2-1-2010
410-141-0220	7-1-2010	Amend	7-1-2010	411-020-0020	7-1-2010	Amend	8-1-2010
410-141-0261	1-1-2010	Amend	1-1-2010	411-020-0020(T)	7-1-2010	Repeal	8-1-2010
410-141-0263	1-1-2010	Amend	1-1-2010	411-020-0025	1-1-2010	Adopt(T)	2-1-2010
410-141-0264	1-1-2010	Amend	1-1-2010	411-020-0025	7-1-2010	Adopt	8-1-2010
410-141-0300	7-1-2010	Amend	7-1-2010	411-020-0025(T)	7-1-2010	Repeal	8-1-2010
410-141-0405	1-1-2010	Amend	1-1-2010	411-020-0030	1-1-2010	Amend(T)	2-1-2010
410-141-0405	7-1-2010	Amend	7-1-2010	411-020-0030	7-1-2010	Amend	8-1-2010
410-141-0407	7-1-2010	Amend	7-1-2010	411-020-0030(T)	7-1-2010	Repeal	8-1-2010
410-141-0420	1-1-2010	Amend	1-1-2010	411-020-0040	7-1-2010	Amend	8-1-2010
410-141-0420	7-1-2010	Amend	7-1-2010	411-020-0060	7-1-2010	Amend	8-1-2010
410-141-0480	6-3-2010	Amend(T)	7-1-2010	411-020-0070	7-1-2010	Amend	8-1-2010
410-141-0480	9-1-2010	Amend	10-1-2010	411-020-0080	7-1-2010	Amend	8-1-2010
410-141-0480(T)	9-1-2010	Repeal	10-1-2010	411-020-0085	1-1-2010	Adopt(T)	2-1-2010
410-141-0520	1-1-2010	Amend(T)	1-1-2010	411-020-0085	7-1-2010	Adopt	8-1-2010
410-141-0520	1-15-2010	Amend(T)	2-1-2010	411-020-0085(T)	7-1-2010	Repeal	8-1-2010
410-141-0520	3-17-2010	Amend	4-1-2010	411-020-0090	7-1-2010	Amend	8-1-2010
410-141-0520	4-1-2010	Amend(T)	5-1-2010	411-020-0100	1-1-2010	Amend(T)	2-1-2010
410-141-0520	4-26-2010	Amend	6-1-2010	411-020-0100	7-1-2010	Amend	8-1-2010
410-141-0520	10-1-2010	Amend(T)	11-1-2010	411-020-0100(T)	7-1-2010	Repeal	8-1-2010
410-141-0520(T)	1-1-2010	Suspend	1-1-2010	411-020-0110	7-1-2010	Amend	8-1-2010
410-141-0520(T)	1-15-2010	Suspend	2-1-2010	411-020-0120	1-1-2010	Amend(T)	2-1-2010
410-141-0520(T)	3-17-2010	Repeal	4-1-2010	411-020-0120	7-1-2010	Amend	8-1-2010
410-141-0520(T)	4-26-2010	Repeal	6-1-2010	411-020-0120(T)	7-1-2010	Repeal	8-1-2010
410-141-0740	7-1-2010	Amend	7-1-2010	411-020-0130	7-1-2010	Amend	8-1-2010
410-146-0021	1-1-2010	Amend	1-1-2010	411-021-0000	7-1-2010	Repeal	8-1-2010
410-146-0085	1-1-2010	Amend	1-1-2010	411-021-0005	7-1-2010	Repeal	8-1-2010
410-146-0240	1-1-2010	Amend	1-1-2010	411-021-0010	7-1-2010	Repeal	8-1-2010
410-146-0340	1-1-2010	Repeal	1-1-2010	411-021-0015	7-1-2010	Repeal	8-1-2010
410-147-0120	1-1-2010	Amend	1-1-2010	411-021-0020	7-1-2010	Repeal	8-1-2010
410-147-0320	1-1-2010	Amend	1-1-2010	411-021-0025	7-1-2010	Repeal	8-1-2010
410-147-0365	5-1-2010	Amend(T)	5-1-2010	411-026-0000	8-1-2010	Amend	9-1-2010
410-147-0365	7-1-2010	Amend	8-1-2010	411-026-0010	8-1-2010	Amend	9-1-2010
410-147-0365(T)	7-1-2010	Repeal	8-1-2010	411-026-0020	8-1-2010	Amend	9-1-2010
410-147-0400	1-1-2010	Amend	1-1-2010	411-026-0030	8-1-2010	Amend	9-1-2010
410-147-0620	1-1-2010	Repeal	1-1-2010	411-026-0040	8-1-2010	Repeal	9-1-2010
410-149-0000	1-1-2010	Repeal	1-1-2010	411-026-0050	8-1-2010	Amend	9-1-2010
410-149-0020	1-1-2010	Repeal	1-1-2010	411-026-0060	8-1-2010	Amend	9-1-2010
410-149-0040	1-1-2010	Repeal	1-1-2010	411-026-0070	8-1-2010	Amend	9-1-2010
410-149-0060	1-1-2010	Repeal	1-1-2010	411-026-0080	8-1-2010	Amend	9-1-2010
410-149-0080	1-1-2010	Repeal	1-1-2010	411-031-0020	5-30-2010	Amend	7-1-2010
410-150-0080	1-1-2010	Amend	1-1-2010	411-031-0020	7-1-2010	Amend(T)	8-1-2010
410-150-0120	1-1-2010	Repeal	1-1-2010	411-031-0030	5-30-2010	Amend	7-1-2010
410-150-0160	1-1-2010	Repeal	1-1-2010	411-031-0040	12-1-2009	Amend(T)	1-1-2010
410-150-0240	1-1-2010	Repeal	1-1-2010	411-031-0040	5-30-2010	Amend	7-1-2010
411-001-0100	1-1-2010	Amend	2-1-2010	411-031-0040	7-1-2010	Amend(T)	8-1-2010
411-001-0110	1-1-2010	Amend	2-1-2010	411-031-0040(T)	5-30-2010	Repeal	7-1-2010
411-001-0115	1-1-2010	Adopt	2-1-2010	411-031-0050	5-30-2010	Amend	7-1-2010

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411-032-0001	7-1-2010	Amend(T)	8-1-2010	411-054-0005	7-1-2010	Amend	8-1-2010
411-032-0001	7-30-2010	Amend(T)	9-1-2010	411-054-0005	10-5-2010	Amend(T)	11-1-2010
411-032-0001(T)	7-1-2010	Suspend	8-1-2010	411-054-0012	10-5-2010	Amend(T)	11-1-2010
411-032-0001(T)	7-30-2010	Suspend	9-1-2010	411-054-0013	7-1-2010	Amend	8-1-2010
411-034-0000	6-30-2010	Amend(T)	8-1-2010	411-054-0016	1-1-2010	Amend(T)	2-1-2010
411-034-0000	7-29-2010	Amend(T)	9-1-2010	411-054-0016	7-1-2010	Amend	8-1-2010
411-034-0000(T)	7-29-2010	Suspend	9-1-2010	411-054-0016(T)	7-1-2010	Repeal	8-1-2010
411-050-0400	1-1-2010	Amend(T)	2-1-2010	411-054-0025	1-1-2010	Amend(T)	2-1-2010
411-050-0400	7-1-2010	Amend	8-1-2010	411-054-0025	3-11-2010	Amend(T)	4-1-2010
411-050-0400(T)	7-1-2010	Repeal	8-1-2010	411-054-0025	7-1-2010	Amend	8-1-2010
411-050-0405	7-1-2010	Amend	8-1-2010	411-054-0025(T)	3-11-2010	Suspend	4-1-2010
411-050-0408	7-1-2010	Amend	8-1-2010	411-054-0025(T)	7-1-2010	Repeal	8-1-2010
411-050-0410	1-1-2010	Amend(T)	2-1-2010	411-054-0065	1-1-2010	Amend(T)	2-1-2010
411-050-0410	7-1-2010	Amend	8-1-2010	411-054-0065	7-1-2010	Amend	8-1-2010
411-050-0410(T)	7-1-2010	Repeal	8-1-2010	411-054-0065(T)	7-1-2010	Repeal	8-1-2010
411-050-0412	1-1-2010	Amend(T)	2-1-2010	411-054-0105	1-1-2010	Amend(T)	2-1-2010
411-050-0412	3-11-2010	Amend(T)	4-1-2010	411-054-0105	7-1-2010	Amend	8-1-2010
411-050-0412	7-1-2010	Amend	8-1-2010	411-054-0105(T)	7-1-2010	Repeal	8-1-2010
411-050-0412(T)	3-11-2010	Suspend	4-1-2010	411-054-0120	1-1-2010	Amend(T)	2-1-2010
411-050-0412(T)	7-1-2010	Repeal	8-1-2010	411-054-0120	7-1-2010	Amend	8-1-2010
411-050-0415	1-1-2010	Amend(T)	2-1-2010	411-054-0120(T)	7-1-2010	Repeal	8-1-2010
411-050-0415	7-1-2010	Amend	8-1-2010	411-054-0133	1-1-2010	Adopt(T)	2-1-2010
411-050-0415(T)	7-1-2010	Repeal	8-1-2010	411-054-0133	7-1-2010	Adopt	8-1-2010
411-050-0420	1-1-2010	Amend(T)	2-1-2010	411-054-0133(T)	7-1-2010	Repeal	8-1-2010
411-050-0420	7-1-2010	Amend	8-1-2010	411-057-0000	11-1-2010	Repeal	10-1-2010
411-050-0420(T)	7-1-2010	Repeal	8-1-2010	411-057-0010	11-1-2010	Repeal	10-1-2010
411-050-0430	7-1-2010	Amend	8-1-2010	411-057-0020	11-1-2010	Repeal	10-1-2010
411-050-0435	7-1-2010	Amend	8-1-2010	411-057-0030	11-1-2010	Repeal	10-1-2010
411-050-0440	1-1-2010	Amend(T)	2-1-2010	411-057-0040	11-1-2010	Repeal	10-1-2010
411-050-0440	7-1-2010	Amend	8-1-2010	411-057-0045	11-1-2010	Repeal	10-1-2010
411-050-0440(T)	7-1-2010	Repeal	8-1-2010	411-057-0050	11-1-2010	Repeal	10-1-2010
411-050-0443	7-1-2010	Amend	8-1-2010	411-057-0060	11-1-2010	Repeal	10-1-2010
411-050-0444	1-1-2010	Amend(T)	2-1-2010	411-057-0100	11-1-2010	Adopt	10-1-2010
411-050-0444	7-1-2010	Amend	8-1-2010	411-057-0110	11-1-2010	Adopt	10-1-2010
411-050-0444(T)	7-1-2010	Repeal	8-1-2010	411-057-0120	11-1-2010	Adopt	10-1-2010
411-050-0445	7-1-2010	Amend	8-1-2010	411-057-0130	11-1-2010	Adopt	10-1-2010
411-050-0447	7-1-2010	Amend	8-1-2010	411-057-0140	11-1-2010	Adopt	10-1-2010
411-050-0455	1-1-2010	Amend(T)	2-1-2010	411-057-0150	11-1-2010	Adopt	10-1-2010
411-050-0455	7-1-2010	Amend	8-1-2010	411-057-0160	11-1-2010	Adopt	10-1-2010
411-050-0455(T)	7-1-2010	Repeal	8-1-2010	411-057-0170	11-1-2010	Adopt	10-1-2010
411-050-0460	1-1-2010	Amend(T)	2-1-2010	411-057-0180	11-1-2010	Adopt	10-1-2010
411-050-0460	7-1-2010	Amend	8-1-2010	411-057-0190	11-1-2010	Adopt	10-1-2010
411-050-0460(T)	7-1-2010	Repeal	8-1-2010	411-070-0000	12-1-2009	Amend	1-1-2010
411-050-0465	7-1-2010	Amend	8-1-2010	411-070-0005	12-1-2009	Amend	1-1-2010
411-050-0480	1-1-2010	Amend(T)	2-1-2010	411-070-0005(T)	12-1-2009	Repeal	1-1-2010
411-050-0480	7-1-2010	Amend	8-1-2010	411-070-0010	12-1-2009	Amend	1-1-2010
411-050-0480(T)	7-1-2010	Repeal	8-1-2010	411-070-0025	12-1-2009	Amend	1-1-2010
411-050-0481	1-1-2010	Amend(T)	2-1-2010	411-070-0027	12-1-2009	Amend	1-1-2010
411-050-0481	7-1-2010	Amend	8-1-2010	411-070-0029	12-1-2009	Amend	1-1-2010
411-050-0481(T)	7-1-2010	Repeal	8-1-2010	411-070-0033	12-1-2009	Amend	1-1-2010
411-050-0487	1-1-2010	Amend(T)	2-1-2010	411-070-0035	12-1-2009	Amend	1-1-2010
411-050-0487	7-1-2010	Amend	8-1-2010	411-070-0040	12-1-2009	Amend	1-1-2010
411-050-0487(T)	7-1-2010	Repeal	8-1-2010	411-070-0043	12-1-2009	Amend	1-1-2010
411-050-0490	7-1-2010	Amend	8-1-2010	411-070-0080	12-1-2009	Amend	1-1-2010
411-050-0491	7-1-2010	Amend	8-1-2010	411-070-0110	12-1-2009	Amend	1-1-2010

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411-070-0130	12-1-2009	Amend	1-1-2010	411-305-0020	1-1-2010	Amend(T)	2-1-2010
411-070-0300	12-1-2009	Amend	1-1-2010	411-305-0020	7-1-2010	Amend	8-1-2010
411-070-0350	12-1-2009	Amend	1-1-2010	411-305-0020(T)	7-1-2010	Repeal	8-1-2010
411-070-0359	12-1-2009	Amend	1-1-2010	411-305-0023	1-1-2010	Amend(T)	2-1-2010
411-070-0415	12-1-2009	Amend	1-1-2010	411-305-0023	7-1-2010	Amend	8-1-2010
411-070-0417	12-1-2009	Amend	1-1-2010	411-305-0023(T)	7-1-2010	Repeal	8-1-2010
411-070-0430	12-1-2009	Amend	1-1-2010	411-305-0050	7-1-2010	Amend	8-1-2010
411-070-0442	12-1-2009	Amend	1-1-2010	411-305-0090	7-1-2010	Amend	8-1-2010
411-070-0442(T)	12-1-2009	Repeal	1-1-2010	411-305-0110	1-1-2010	Amend(T)	2-1-2010
411-070-0452	12-1-2009	Amend	1-1-2010	411-305-0110	7-1-2010	Amend	8-1-2010
411-070-0470	12-1-2009	Amend	1-1-2010	411-305-0110(T)	7-1-2010	Repeal	8-1-2010
411-085-0005	1-1-2010	Amend(T)	2-1-2010	411-305-0115	1-1-2010	Amend(T)	2-1-2010
411-085-0005	7-1-2010	Amend	8-1-2010	411-305-0115	3-18-2010	Amend(T)	5-1-2010
411-085-0005(T)	7-1-2010	Repeal	8-1-2010	411-305-0115	7-1-2010	Amend	8-1-2010
411-085-0020	1-1-2010	Amend	2-1-2010	411-305-0115(T)	3-18-2010	Suspend	5-1-2010
411-085-0020	1-1-2010	Amend(T)	2-1-2010	411-305-0115(T)	7-1-2010	Repeal	8-1-2010
411-085-0020	7-1-2010	Amend	8-1-2010	411-305-0140	1-1-2010	Amend(T)	2-1-2010
411-085-0020(T)	7-1-2010	Repeal	8-1-2010	411-305-0140	3-18-2010	Amend(T)	5-1-2010
411-089-0030	1-1-2010	Amend(T)	2-1-2010	411-305-0140	7-1-2010	Amend	8-1-2010
411-089-0030	7-1-2010	Amend	8-1-2010	411-305-0140(T)	3-18-2010	Suspend	5-1-2010
411-089-0030(T)	7-1-2010	Repeal	8-1-2010	411-305-0140(T)	7-1-2010	Repeal	8-1-2010
411-089-0070	7-1-2010	Adopt	8-1-2010	411-308-0010	12-28-2009	Adopt	2-1-2010
411-089-0075	1-1-2010	Adopt(T)	2-1-2010	411-308-0010(T)	12-28-2009	Repeal	2-1-2010
411-089-0075	7-1-2010	Adopt	8-1-2010	411-308-0020	12-28-2009	Adopt	2-1-2010
411-089-0075(T)	7-1-2010	Repeal	8-1-2010	411-308-0020	1-1-2010	Amend(T)	2-1-2010
411-089-0140	1-1-2010	Amend(T)	2-1-2010	411-308-0020	7-1-2010	Amend	8-1-2010
411-089-0140	7-1-2010	Amend	8-1-2010	411-308-0020(T)	12-28-2009	Repeal	2-1-2010
411-089-0140(T)	7-1-2010	Repeal	8-1-2010	411-308-0020(T)	7-1-2010	Repeal	8-1-2010
411-089-0150	1-1-2010	Suspend	2-1-2010	411-308-0030	12-28-2009	Adopt	2-1-2010
411-089-0150	7-1-2010	Repeal	8-1-2010	411-308-0030	1-1-2010	Amend(T)	2-1-2010
411-300-0110	1-1-2010	Amend(T)	2-1-2010	411-308-0030	7-1-2010	Amend	8-1-2010
411-300-0110	7-1-2010	Amend	8-1-2010	411-308-0030(T)	12-28-2009	Repeal	2-1-2010
411-300-0110(T)	7-1-2010	Repeal	8-1-2010	411-308-0030(T)	7-1-2010	Repeal	8-1-2010
411-300-0155	1-1-2010	Amend(T)	2-1-2010	411-308-0040	12-28-2009	Adopt	2-1-2010
411-300-0155	3-18-2010	Amend(T)	5-1-2010	411-308-0040(T)	12-28-2009	Repeal	2-1-2010
411-300-0155	7-1-2010	Amend	8-1-2010	411-308-0050	12-28-2009	Adopt	2-1-2010
411-300-0155(T)	3-18-2010	Suspend	5-1-2010	411-308-0050(T)	12-28-2009	Repeal	2-1-2010
411-300-0155(T)	7-1-2010	Repeal	8-1-2010	411-308-0060	12-28-2009	Adopt	2-1-2010
411-300-0170	1-1-2010	Amend(T)	2-1-2010	411-308-0060(T)	12-28-2009	Repeal	2-1-2010
411-300-0170	3-18-2010	Amend(T)	5-1-2010	411-308-0070	12-28-2009	Adopt	2-1-2010
411-300-0170	7-1-2010	Amend	8-1-2010	411-308-0070(T)	12-28-2009	Repeal	2-1-2010
411-300-0170(T)	3-18-2010	Suspend	5-1-2010	411-308-0080	12-28-2009	Adopt	2-1-2010
411-300-0170(T)	7-1-2010	Repeal	8-1-2010	411-308-0080(T)	12-28-2009	Repeal	2-1-2010
411-300-0200	1-1-2010	Amend(T)	2-1-2010	411-308-0090	12-28-2009	Adopt	2-1-2010
411-300-0200	3-18-2010	Amend(T)	5-1-2010	411-308-0090	1-1-2010	Amend(T)	2-1-2010
411-300-0200	7-1-2010	Amend	8-1-2010	411-308-0090	7-1-2010	Amend	8-1-2010
411-300-0200(T)	3-18-2010	Suspend	5-1-2010	411-308-0090(T)	12-28-2009	Repeal	2-1-2010
411-300-0200(T)	7-1-2010	Repeal	8-1-2010	411-308-0090(T)	7-1-2010	Repeal	8-1-2010
411-300-0220	1-1-2010	Amend(T)	2-1-2010	411-308-0100	12-28-2009	Adopt	2-1-2010
411-300-0220	7-1-2010	Amend	8-1-2010	411-308-0100	1-1-2010	Amend(T)	2-1-2010
411-300-0220(T)	7-1-2010	Repeal	8-1-2010	411-308-0100	7-1-2010	Amend	8-1-2010
411-305-0005	7-9-2010	Adopt(T)	8-1-2010	411-308-0100(T)	12-28-2009	Repeal	2-1-2010
411-305-0005(T)	7-29-2010	Suspend	9-1-2010	411-308-0100(T)	7-1-2010	Repeal	8-1-2010
411-305-0010	1-1-2010	Amend(T)	2-1-2010	411-308-0110	12-28-2009	Adopt	2-1-2010
411-305-0010	7-1-2010	Amend	8-1-2010	411-308-0110	1-1-2010	Amend(T)	2-1-2010

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411-308-0110	7-1-2010	Amend	8-1-2010	411-330-0010	1-1-2010	Amend(T)	2-1-2010
411-308-0110(T)	12-28-2009	Repeal	2-1-2010	411-330-0010	7-1-2010	Amend	8-1-2010
411-308-0110(T)	3-18-2010	Suspend	5-1-2010	411-330-0010(T)	7-1-2010	Repeal	8-1-2010
411-308-0110(T)	7-1-2010	Repeal	8-1-2010	411-330-0020	1-1-2010	Amend(T)	2-1-2010
411-308-0120	12-28-2009	Adopt	2-1-2010	411-330-0020	7-1-2010	Amend	8-1-2010
411-308-0120(T)	12-28-2009	Repeal	2-1-2010	411-330-0020(T)	7-1-2010	Repeal	8-1-2010
411-308-0130	12-28-2009	Adopt	2-1-2010	411-330-0060	1-1-2010	Amend(T)	2-1-2010
411-308-0130	1-1-2010	Amend(T)	2-1-2010	411-330-0060	3-18-2010	Amend(T)	5-1-2010
411-308-0130	3-18-2010	Amend(T)	5-1-2010	411-330-0060	7-1-2010	Amend	8-1-2010
411-308-0130	7-1-2010	Amend	8-1-2010	411-330-0060(T)	3-18-2010	Suspend	5-1-2010
411-308-0130(T)	12-28-2009	Repeal	2-1-2010	411-330-0060(T)	7-1-2010	Repeal	8-1-2010
411-308-0130(T)	3-18-2010	Suspend	5-1-2010	411-330-0070	1-1-2010	Amend(T)	2-1-2010
411-308-0130(T)	7-1-2010	Repeal	8-1-2010	411-330-0070	3-18-2010	Amend(T)	5-1-2010
411-308-0140	12-28-2009	Adopt	2-1-2010	411-330-0070	7-1-2010	Amend	8-1-2010
411-308-0140(T)	12-28-2009	Repeal	2-1-2010	411-330-0070(T)	3-18-2010	Suspend	5-1-2010
411-308-0150	12-28-2009	Adopt	2-1-2010	411-330-0070(T)	7-1-2010	Repeal	8-1-2010
411-308-0150(T)	12-28-2009	Repeal	2-1-2010	411-330-0100	1-1-2010	Amend(T)	2-1-2010
411-320-0020	1-1-2010	Amend(T)	2-1-2010	411-330-0100	7-1-2010	Amend	8-1-2010
411-320-0020	7-1-2010	Amend	8-1-2010	411-330-0100(T)	7-1-2010	Repeal	8-1-2010
411-320-0020	7-4-2010	Amend(T)	8-1-2010	411-330-0120	1-1-2010	Amend(T)	2-1-2010
411-320-0020(T)	7-1-2010	Repeal	8-1-2010	411-330-0120	7-1-2010	Amend	8-1-2010
411-320-0030	1-1-2010	Amend(T)	2-1-2010	411-330-0120(T)	7-1-2010	Repeal	8-1-2010
411-320-0030	3-18-2010	Amend(T)	5-1-2010	411-330-0140	1-1-2010	Amend(T)	2-1-2010
411-320-0030	7-1-2010	Amend	8-1-2010	411-330-0140	7-1-2010	Amend	8-1-2010
411-320-0030(T)	3-18-2010	Suspend	5-1-2010	411-330-0140(T)	7-1-2010	Repeal	8-1-2010
411-320-0030(T)	7-1-2010	Repeal	8-1-2010	411-330-0160	1-1-2010	Amend(T)	2-1-2010
411-320-0080	7-4-2010	Amend(T)	8-1-2010	411-330-0160	7-1-2010	Amend	8-1-2010
411-320-0140	1-1-2010	Amend(T)	2-1-2010	411-330-0160(T)	7-1-2010	Repeal	8-1-2010
411-320-0140	7-1-2010	Amend	8-1-2010	411-335-0020	1-1-2010	Amend(T)	2-1-2010
411-320-0140(T)	7-1-2010	Repeal	8-1-2010	411-335-0020	7-1-2010	Amend	8-1-2010
411-320-0175	7-4-2010	Amend(T)	8-1-2010	411-335-0020(T)	7-1-2010	Repeal	8-1-2010
411-325-0020	1-1-2010	Amend(T)	2-1-2010	411-335-0030	1-1-2010	Amend(T)	2-1-2010
411-325-0020	7-1-2010	Amend	8-1-2010	411-335-0030	3-18-2010	Amend(T)	5-1-2010
411-325-0020(T)	7-1-2010	Repeal	8-1-2010	411-335-0030	7-1-2010	Amend	8-1-2010
411-325-0100	1-1-2010	Amend(T)	2-1-2010	411-335-0030(T)	3-18-2010	Suspend	5-1-2010
411-325-0100	7-1-2010	Amend	8-1-2010	411-335-0030(T)	7-1-2010	Repeal	8-1-2010
411-325-0100(T)	7-1-2010	Repeal	8-1-2010	411-335-0100	1-1-2010	Amend(T)	2-1-2010
411-325-0160	1-1-2010	Amend(T)	2-1-2010	411-335-0100	7-1-2010	Amend	8-1-2010
411-325-0160	3-18-2010	Amend(T)	5-1-2010	411-335-0100(T)	7-1-2010	Repeal	8-1-2010
411-325-0160	7-1-2010	Amend	8-1-2010	411-340-0020	1-1-2010	Amend(T)	2-1-2010
411-325-0160(T)	3-18-2010	Suspend	5-1-2010	411-340-0020	7-1-2010	Amend	8-1-2010
411-325-0160(T)	7-1-2010	Repeal	8-1-2010	411-340-0020(T)	7-1-2010	Repeal	8-1-2010
411-325-0190	1-1-2010	Amend(T)	2-1-2010	411-340-0030	1-1-2010	Amend(T)	2-1-2010
411-325-0190	7-1-2010	Amend	8-1-2010	411-340-0030	7-1-2010	Amend	8-1-2010
411-325-0190(T)	7-1-2010	Repeal	8-1-2010	411-340-0030(T)	7-1-2010	Repeal	8-1-2010
411-328-0560	1-1-2010	Amend(T)	2-1-2010	411-340-0040	1-1-2010	Amend(T)	2-1-2010
411-328-0560	7-1-2010	Amend	8-1-2010	411-340-0040	7-1-2010	Amend	8-1-2010
411-328-0560(T)	7-1-2010	Repeal	8-1-2010	411-340-0040(T)	7-1-2010	Repeal	8-1-2010
411-328-0610	1-1-2010	Amend(T)	2-1-2010	411-340-0050	1-1-2010	Amend(T)	2-1-2010
411-328-0610	7-1-2010	Amend	8-1-2010	411-340-0050	7-1-2010	Amend	8-1-2010
411-328-0610(T)	7-1-2010	Repeal	8-1-2010	411-340-0050(T)	7-1-2010	Repeal	8-1-2010
411-328-0670	1-1-2010	Amend(T)	2-1-2010	411-340-0070	1-1-2010	Amend(T)	2-1-2010
411-328-0670	3-18-2010	Amend(T)	5-1-2010	411-340-0070	3-18-2010	Amend(T)	5-1-2010
411-328-0670	7-1-2010	Amend	8-1-2010	411-340-0070	7-1-2010	Amend	8-1-2010
411-328-0670(T)	3-18-2010	Suspend	5-1-2010	411-340-0070(T)	3-18-2010	Suspend	5-1-2010

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411-340-0080	1-1-2010	Amend(T)	2-1-2010	411-346-0210	7-1-2010	Amend	8-1-2010
411-340-0080	7-1-2010	Amend	8-1-2010	411-346-0220	1-1-2010	Amend(T)	2-1-2010
411-340-0080(T)	7-1-2010	Repeal	8-1-2010	411-346-0220	3-18-2010	Amend(T)	5-1-2010
411-340-0130	1-1-2010	Amend(T)	2-1-2010	411-346-0220	7-1-2010	Amend	8-1-2010
411-340-0130	7-1-2010	Amend	8-1-2010	411-346-0220(T)	3-18-2010	Suspend	5-1-2010
411-340-0130(T)	7-1-2010	Repeal	8-1-2010	411-346-0220(T)	7-1-2010	Repeal	8-1-2010
411-340-0140	1-1-2010	Amend(T)	2-1-2010	411-346-0230	7-1-2010	Amend	8-1-2010
411-340-0140	3-18-2010	Amend(T)	5-1-2010	411-350-0020	1-1-2010	Amend(T)	2-1-2010
411-340-0140	7-1-2010	Amend	8-1-2010	411-350-0020	7-1-2010	Amend	8-1-2010
411-340-0140(T)	3-18-2010	Suspend	5-1-2010	411-350-0020(T)	7-1-2010	Repeal	8-1-2010
411-340-0140(T)	7-1-2010	Repeal	8-1-2010	411-350-0050	1-1-2010	Amend(T)	2-1-2010
411-340-0160	1-1-2010	Amend(T)	2-1-2010	411-350-0050	7-1-2010	Amend	8-1-2010
411-340-0160	3-18-2010	Amend(T)	5-1-2010	411-350-0050(T)	7-1-2010	Repeal	8-1-2010
411-340-0160	7-1-2010	Amend	8-1-2010	411-350-0080	1-1-2010	Amend(T)	2-1-2010
411-340-0160(T)	3-18-2010	Suspend	5-1-2010	411-350-0080	3-18-2010	Amend(T)	5-1-2010
411-340-0160(T)	7-1-2010	Repeal	8-1-2010	411-350-0080	7-1-2010	Amend	8-1-2010
411-345-0020	1-1-2010	Amend(T)	2-1-2010	411-350-0080(T)	3-18-2010	Suspend	5-1-2010
411-345-0020	7-1-2010	Amend	8-1-2010	411-350-0080(T)	7-1-2010	Repeal	8-1-2010
411-345-0020(T)	7-1-2010	Repeal	8-1-2010	411-350-0110	1-1-2010	Amend(T)	2-1-2010
411-345-0080	1-1-2010	Amend(T)	2-1-2010	411-350-0110	3-18-2010	Amend(T)	5-1-2010
411-345-0080	7-1-2010	Amend	8-1-2010	411-350-0110	7-1-2010	Amend	8-1-2010
411-345-0080(T)	7-1-2010	Repeal	8-1-2010	411-350-0110(T)	3-18-2010	Suspend	5-1-2010
411-345-0100	1-1-2010	Amend(T)	2-1-2010	411-350-0110(T)	7-1-2010	Repeal	8-1-2010
411-345-0100	7-1-2010	Amend	8-1-2010	411-350-0120	1-1-2010	Amend(T)	2-1-2010
411-345-0100(T)	7-1-2010	Repeal	8-1-2010	411-350-0120	7-1-2010	Amend	8-1-2010
411-345-0210	1-1-2010	Amend(T)	2-1-2010	411-350-0120(T)	7-1-2010	Repeal	8-1-2010
411-345-0210	3-18-2010	Amend(T)	5-1-2010	411-355-0010	1-1-2010	Amend(T)	2-1-2010
411-345-0210	7-1-2010	Amend	8-1-2010	411-355-0010	7-1-2010	Amend	8-1-2010
411-345-0210(T)	3-18-2010	Suspend	5-1-2010	411-355-0010(T)	7-1-2010	Repeal	8-1-2010
411-345-0210(T)	7-1-2010	Repeal	8-1-2010	411-355-0040	1-1-2010	Amend(T)	2-1-2010
411-345-0230	1-1-2010	Amend(T)	2-1-2010	411-355-0040	7-1-2010	Amend	8-1-2010
411-345-0230	7-1-2010	Amend	8-1-2010	411-355-0040(T)	7-1-2010	Repeal	8-1-2010
411-345-0230(T)	7-1-2010	Repeal	8-1-2010	411-355-0050	1-1-2010	Amend(T)	2-1-2010
411-345-0290	1-1-2010	Amend(T)	2-1-2010	411-355-0050	3-18-2010	Amend(T)	5-1-2010
411-345-0290	7-1-2010	Amend	8-1-2010	411-355-0050	7-1-2010	Amend	8-1-2010
411-345-0290(T)	7-1-2010	Repeal	8-1-2010	411-355-0050(T)	3-18-2010	Suspend	5-1-2010
411-346-0100	7-1-2010	Amend	8-1-2010	411-355-0050(T)	7-1-2010	Repeal	8-1-2010
411-346-0110	1-1-2010	Amend(T)	2-1-2010	411-355-0060	1-1-2010	Amend(T)	2-1-2010
411-346-0110	7-1-2010	Amend	8-1-2010	411-355-0060	7-1-2010	Amend	8-1-2010
411-346-0110(T)	7-1-2010	Repeal	8-1-2010	411-355-0060(T)	7-1-2010	Repeal	8-1-2010
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411-346-0140	7-1-2010	Amend	8-1-2010	411-355-0090	7-1-2010	Amend	8-1-2010
411-346-0150	1-1-2010	Amend(T)	2-1-2010	411-355-0090(T)	3-18-2010	Suspend	5-1-2010
411-346-0150	3-18-2010	Amend(T)	5-1-2010	411-355-0090(T)	7-1-2010	Repeal	8-1-2010
411-346-0150	7-1-2010	Amend	8-1-2010	411-355-0120	1-1-2010	Amend(T)	2-1-2010
411-346-0150(T)	3-18-2010	Suspend	5-1-2010	411-355-0120	7-1-2010	Amend	8-1-2010
411-346-0150(T)	7-1-2010	Repeal	8-1-2010	411-355-0120(T)	7-1-2010	Repeal	8-1-2010
411-346-0160	7-1-2010	Amend	8-1-2010	411-360-0010	7-1-2010	Amend	8-1-2010
411-346-0165	7-1-2010	Amend	8-1-2010	411-360-0020	1-1-2010	Amend(T)	2-1-2010
411-346-0170	7-1-2010	Amend	8-1-2010	411-360-0020	7-1-2010	Amend	8-1-2010
411-346-0180	1-1-2010	Amend(T)	2-1-2010	411-360-0020(T)	7-1-2010	Repeal	8-1-2010
411-346-0180	7-1-2010	Amend	8-1-2010	411-360-0030	7-1-2010	Amend	8-1-2010
411-346-0180(T)	7-1-2010	Repeal	8-1-2010	411-360-0040	1-1-2010	Amend(T)	2-1-2010
411-346-0190	7-1-2010	Amend	8-1-2010	411-360-0040	3-18-2010	Amend(T)	5-1-2010

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411-360-0040	7-1-2010	Amend	8-1-2010	413-010-0300	7-1-2010	Amend	8-1-2010
411-360-0040(T)	3-18-2010	Suspend	5-1-2010	413-010-0310	7-1-2010	Amend	8-1-2010
411-360-0040(T)	7-1-2010	Repeal	8-1-2010	413-010-0320	7-1-2010	Amend	8-1-2010
411-360-0050	1-1-2010	Amend(T)	2-1-2010	413-010-0330	7-1-2010	Amend	8-1-2010
411-360-0050	7-1-2010	Amend	8-1-2010	413-010-0340	7-1-2010	Amend	8-1-2010
411-360-0050(T)	7-1-2010	Repeal	8-1-2010	413-010-0500	12-29-2009	Amend	2-1-2010
411-360-0060	7-1-2010	Amend	8-1-2010	413-010-0505	12-29-2009	Adopt	2-1-2010
411-360-0070	7-1-2010	Amend	8-1-2010	413-010-0510	12-29-2009	Adopt	2-1-2010
411-360-0070	8-27-2010	Amend(T)	10-1-2010	413-010-0515	12-29-2009	Adopt	2-1-2010
411-360-0080	7-1-2010	Amend	8-1-2010	413-010-0520	12-29-2009	Adopt	2-1-2010
411-360-0090	1-1-2010	Amend(T)	2-1-2010	413-010-0525	12-29-2009	Adopt	2-1-2010
411-360-0090	3-18-2010	Amend(T)	5-1-2010	413-010-0530	12-29-2009	Adopt	2-1-2010
411-360-0090	7-1-2010	Amend	8-1-2010	413-010-0535	12-29-2009	Adopt	2-1-2010
411-360-0090(T)	3-18-2010	Suspend	5-1-2010	413-015-0115	6-15-2010	Amend(T)	7-1-2010
411-360-0090(T)	7-1-2010	Repeal	8-1-2010	413-015-0115	11-15-2010	Amend	12-1-2010
411-360-0100	7-1-2010	Amend	8-1-2010	413-015-0115(T)	11-15-2010	Repeal	12-1-2010
411-360-0110	1-1-2010	Amend(T)	2-1-2010	413-015-0415	1-1-2010	Amend(T)	2-1-2010
411-360-0110	3-18-2010	Amend(T)	5-1-2010	413-015-0415	4-2-2010	Amend	5-1-2010
411-360-0110	7-1-2010	Amend	8-1-2010	413-015-0415(T)	4-2-2010	Repeal	5-1-2010
411-360-0110(T)	3-18-2010	Suspend	5-1-2010	413-015-0420	2-12-2010	Amend(T)	3-1-2010
411-360-0110(T)	7-1-2010	Repeal	8-1-2010	413-015-0420	4-2-2010	Amend	5-1-2010
411-360-0120	7-1-2010	Amend	8-1-2010	413-015-0420(T)	4-2-2010	Repeal	5-1-2010
411-360-0130	7-1-2010	Amend	8-1-2010	413-015-1105	6-15-2010	Amend(T)	7-1-2010
411-360-0140	7-1-2010	Amend	8-1-2010	413-015-1105	11-15-2010	Amend	12-1-2010
411-360-0150	7-1-2010	Amend	8-1-2010	413-015-1105(T)	11-15-2010	Repeal	12-1-2010
411-360-0160	7-1-2010	Amend	8-1-2010	413-015-1110	6-15-2010	Amend(T)	7-1-2010
411-360-0170	7-1-2010	Amend	8-1-2010	413-015-1110	11-15-2010	Amend	12-1-2010
411-360-0180	7-1-2010	Amend	8-1-2010	413-015-1110(T)	11-15-2010	Repeal	12-1-2010
411-360-0190	7-1-2010	Amend	8-1-2010	413-015-1120	6-15-2010	Amend(T)	7-1-2010
411-360-0200	7-1-2010	Amend	8-1-2010	413-015-1120	11-15-2010	Amend	12-1-2010
411-360-0210	1-1-2010	Amend(T)	2-1-2010	413-015-1120(T)	11-15-2010	Repeal	12-1-2010
411-360-0210	7-1-2010	Amend	8-1-2010	413-015-1200	7-1-2010	Adopt	8-1-2010
411-360-0210(T)	7-1-2010	Repeal	8-1-2010	413-015-1210	7-1-2010	Adopt	8-1-2010
411-360-0220	7-1-2010	Amend	8-1-2010	413-015-1220	7-1-2010	Adopt	8-1-2010
411-360-0230	7-1-2010	Amend	8-1-2010	413-015-1230	7-1-2010	Adopt	8-1-2010
411-360-0240	7-1-2010	Amend	8-1-2010	413-020-0200	12-29-2009	Amend	2-1-2010
411-360-0250	7-1-2010	Amend	8-1-2010	413-020-0210	12-29-2009	Amend	2-1-2010
411-360-0260	7-1-2010	Amend	8-1-2010	413-020-0230	12-29-2009	Amend	2-1-2010
411-360-0270	1-1-2010	Amend(T)	2-1-2010	413-020-0233	12-29-2009	Amend	2-1-2010
411-360-0270	3-18-2010	Amend(T)	5-1-2010	413-020-0236	12-29-2009	Amend	2-1-2010
411-360-0270	7-1-2010	Amend	8-1-2010	413-020-0240	12-29-2009	Amend	2-1-2010
411-360-0270(T)	3-18-2010	Suspend	5-1-2010	413-020-0245	12-29-2009	Amend	2-1-2010
411-360-0270(T)	7-1-2010	Repeal	8-1-2010	413-020-0255	12-29-2009	Amend	2-1-2010
411-360-0275	7-1-2010	Amend	8-1-2010	413-040-0000	12-29-2009	Amend	2-1-2010
411-360-0280	7-1-2010	Amend	8-1-2010	413-040-0005	12-29-2009	Amend	2-1-2010
411-360-0290	7-1-2010	Amend	8-1-2010	413-040-0006	12-29-2009	Amend	2-1-2010
411-360-0300	7-1-2010	Amend	8-1-2010	413-040-0008	12-29-2009	Amend	2-1-2010
411-360-0310	7-1-2010	Amend	8-1-2010	413-040-0009	12-29-2009	Amend	2-1-2010
411-540-0005(T)	7-1-2010	Repeal	8-1-2010	413-040-0010	12-29-2009	Amend	2-1-2010
413-010-0055	7-19-2010	Amend(T)	9-1-2010	413-040-0011	12-29-2009	Amend	2-1-2010
413-010-0081	7-1-2010	Amend(T)	8-1-2010	413-040-0013	12-29-2009	Amend	2-1-2010
413-010-0082	7-1-2010	Amend(T)	8-1-2010	413-040-0016	12-29-2009	Amend	2-1-2010
413-010-0083	7-1-2010	Amend(T)	8-1-2010	413-040-0017	12-29-2009	Amend	2-1-2010
413-010-0084	7-1-2010	Suspend	8-1-2010	413-040-0024	12-29-2009	Amend	2-1-2010
413-010-0085	7-1-2010	Amend(T)	8-1-2010	413-040-0032	12-29-2009	Amend	2-1-2010
413-010-0086	7-1-2010	Amend(T)	8-1-2010	413-040-0240	3-15-2010	Amend(T)	4-1-2010

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413-040-0240	9-2-2010	Amend	10-1-2010	413-070-0930	12-16-2009	Am. & Ren.(T)	2-1-2010
413-040-0240	11-3-2010	Amend(T)	12-1-2010	413-070-0930	6-15-2010	Am. & Ren.	7-1-2010
413-040-0240(T)	9-2-2010	Repeal	10-1-2010	413-070-0935	12-16-2009	Am. & Ren.(T)	2-1-2010
413-070-0060	7-1-2010	Amend	8-1-2010	413-070-0935	6-15-2010	Am. & Ren.	7-1-2010
413-070-0063	7-1-2010	Amend	8-1-2010	413-070-0937	12-16-2009	Am. & Ren.(T)	2-1-2010
413-070-0066	7-1-2010	Amend	8-1-2010	413-070-0937	6-15-2010	Am. & Ren.	7-1-2010
413-070-0067	7-1-2010	Suspend	8-1-2010	413-070-0939	2-1-2010	Amend(T)	3-1-2010
413-070-0067	10-1-2010	Repeal	11-1-2010	413-070-0939(T)	2-1-2010	Suspend	3-1-2010
413-070-0069	7-1-2010	Amend	8-1-2010	413-070-0940	12-16-2009	Am. & Ren.(T)	2-1-2010
413-070-0072	7-1-2010	Amend	8-1-2010	413-070-0940	6-15-2010	Am. & Ren.	7-1-2010
413-070-0075	7-1-2010	Amend	8-1-2010	413-070-0945	12-16-2009	Am. & Ren.(T)	2-1-2010
413-070-0078	7-1-2010	Amend	8-1-2010	413-070-0945	6-15-2010	Am. & Ren.	7-1-2010
413-070-0081	7-1-2010	Amend	8-1-2010	413-070-0949	2-1-2010	Amend(T)	3-1-2010
413-070-0087	7-1-2010	Amend	8-1-2010	413-070-0949(T)	2-1-2010	Suspend	3-1-2010
413-070-0090	7-1-2010	Repeal	8-1-2010	413-070-0955	12-16-2009	Am. & Ren.(T)	2-1-2010
413-070-0092	7-1-2010	Repeal	8-1-2010	413-070-0955	6-15-2010	Am. & Ren.	7-1-2010
413-070-0093	7-1-2010	Repeal	8-1-2010	413-070-0960	12-16-2009	Am. & Ren.(T)	2-1-2010
413-070-0400	6-30-2010	Amend	8-1-2010	413-070-0960	6-15-2010	Am. & Ren.	7-1-2010
413-070-0410	6-30-2010	Amend	8-1-2010	413-070-0964	2-1-2010	Amend(T)	3-1-2010
413-070-0430	6-30-2010	Amend	8-1-2010	413-070-0964(T)	2-1-2010	Suspend	3-1-2010
413-070-0440	6-30-2010	Repeal	8-1-2010	413-070-0965	12-16-2009	Am. & Ren.(T)	2-1-2010
413-070-0450	6-30-2010	Amend	8-1-2010	413-070-0965	6-15-2010	Am. & Ren.	7-1-2010
413-070-0470	6-30-2010	Amend	8-1-2010	413-070-0969	12-16-2009	Adopt(T)	2-1-2010
413-070-0480	6-30-2010	Amend	8-1-2010	413-070-0969	6-15-2010	Adopt	7-1-2010
413-070-0490	6-30-2010	Amend	8-1-2010	413-070-0970	12-16-2009	Amend(T)	2-1-2010
413-070-0520	7-1-2010	Amend(T)	8-1-2010	413-070-0970	6-15-2010	Amend	7-1-2010
413-070-0524	7-1-2010	Amend(T)	8-1-2010	413-070-0974	2-1-2010	Amend(T)	3-1-2010
413-070-0536	7-1-2010	Amend(T)	8-1-2010	413-070-0974(T)	2-1-2010	Suspend	3-1-2010
413-070-0540	7-1-2010	Amend(T)	8-1-2010	413-070-0979	6-15-2010	Adopt	7-1-2010
413-070-0550	7-1-2010	Amend(T)	8-1-2010	413-080-0000	12-29-2009	Repeal	2-1-2010
413-070-0600	12-29-2009	Amend	2-1-2010	413-080-0010	12-29-2009	Repeal	2-1-2010
413-070-0620	12-29-2009	Amend	2-1-2010	413-080-0020	12-29-2009	Repeal	2-1-2010
413-070-0625	12-29-2009	Amend	2-1-2010	413-080-0030	12-29-2009	Repeal	2-1-2010
413-070-0630	12-29-2009	Amend	2-1-2010	413-080-0040	12-29-2009	Amend	2-1-2010
413-070-0640	12-29-2009	Amend	2-1-2010	413-080-0050	12-29-2009	Amend	2-1-2010
413-070-0645	12-29-2009	Amend	2-1-2010	413-080-0052	12-29-2009	Amend	2-1-2010
413-070-0900	12-16-2009	Amend(T)	2-1-2010	413-080-0055	12-29-2009	Amend	2-1-2010
413-070-0900	6-15-2010	Amend	7-1-2010	413-080-0059	12-29-2009	Amend	2-1-2010
413-070-0905	12-16-2009	Amend(T)	2-1-2010	413-080-0063	12-29-2009	Amend	2-1-2010
413-070-0905	2-1-2010	Amend(T)	3-1-2010	413-080-0067	12-29-2009	Amend	2-1-2010
413-070-0905	6-15-2010	Amend	7-1-2010	413-090-0000	12-29-2009	Amend	2-1-2010
413-070-0905(T)	2-1-2010	Suspend	3-1-2010	413-090-0005	12-29-2009	Amend	2-1-2010
413-070-0909	12-16-2009	Amend(T)	2-1-2010	413-090-0010	12-29-2009	Amend	2-1-2010
413-070-0909	6-15-2010	Amend	7-1-2010	413-090-0021	12-29-2009	Adopt	2-1-2010
413-070-0915	12-16-2009	Amend(T)	2-1-2010	413-090-0030	12-29-2009	Amend	2-1-2010
413-070-0915	6-15-2010	Repeal	7-1-2010	413-090-0040	12-29-2009	Amend	2-1-2010
413-070-0917	12-16-2009	Amend(T)	2-1-2010	413-090-0050	12-29-2009	Amend	2-1-2010
413-070-0917	6-15-2010	Amend	7-1-2010	413-090-0100	12-29-2009	Amend	2-1-2010
413-070-0919	12-16-2009	Adopt(T)	2-1-2010	413-090-0110	12-29-2009	Amend	2-1-2010
413-070-0919	6-15-2010	Adopt	7-1-2010	413-090-0120	12-29-2009	Amend	2-1-2010
413-070-0920	12-16-2009	Am. & Ren.(T)	2-1-2010	413-090-0130	12-29-2009	Amend	2-1-2010
413-070-0920	6-15-2010	Am. & Ren.	7-1-2010	413-090-0133	12-29-2009	Adopt	2-1-2010
413-070-0925	12-16-2009	Amend(T)	2-1-2010	413-090-0135	12-29-2009	Adopt	2-1-2010
413-070-0925	2-1-2010	Amend(T)	3-1-2010	413-090-0136	12-29-2009	Adopt	2-1-2010
413-070-0925	6-15-2010	Amend	7-1-2010	413-090-0140	12-29-2009	Amend	2-1-2010
413-070-0925(T)	2-1-2010	Suspend	3-1-2010	413-090-0150	12-29-2009	Amend	2-1-2010

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413-090-0160	12-29-2009	Repeal	2-1-2010	413-120-0190	7-1-2010	Amend(T)	8-1-2010
413-090-0170	12-29-2009	Repeal	2-1-2010	413-120-0195	7-1-2010	Amend(T)	8-1-2010
413-090-0180	12-29-2009	Repeal	2-1-2010	413-120-0200	7-1-2010	Suspend	8-1-2010
413-090-0190	12-29-2009	Repeal	2-1-2010	413-120-0210	7-1-2010	Suspend	8-1-2010
413-090-0200	12-29-2009	Repeal	2-1-2010	413-120-0220	7-1-2010	Amend(T)	8-1-2010
413-090-0210	12-29-2009	Amend	2-1-2010	413-120-0225	7-1-2010	Adopt(T)	8-1-2010
413-100-0000	6-15-2010	Amend	7-1-2010	413-120-0230	7-1-2010	Suspend	8-1-2010
413-100-0010	6-15-2010	Amend	7-1-2010	413-120-0240	7-1-2010	Amend(T)	8-1-2010
413-100-0020	12-16-2009	Amend(T)	2-1-2010	413-120-0243	7-1-2010	Adopt(T)	8-1-2010
413-100-0020	6-15-2010	Amend	7-1-2010	413-120-0246	7-1-2010	Adopt(T)	8-1-2010
413-100-0030	6-15-2010	Amend	7-1-2010	413-120-0250	7-1-2010	Suspend	8-1-2010
413-100-0060	6-15-2010	Amend	7-1-2010	413-120-0255	7-1-2010	Suspend	8-1-2010
413-100-0070	6-15-2010	Amend	7-1-2010	413-120-0260	7-1-2010	Suspend	8-1-2010
413-100-0080	6-15-2010	Amend	7-1-2010	413-120-0265	7-1-2010	Suspend	8-1-2010
413-100-0090	6-15-2010	Amend	7-1-2010	413-120-0270	7-1-2010	Suspend	8-1-2010
413-100-0110	6-15-2010	Amend	7-1-2010	413-120-0275	7-1-2010	Suspend	8-1-2010
413-100-0120	6-15-2010	Amend	7-1-2010	413-120-0280	7-1-2010	Suspend	8-1-2010
413-100-0130	6-15-2010	Amend	7-1-2010	413-120-0285	7-1-2010	Suspend	8-1-2010
413-100-0135	6-15-2010	Amend	7-1-2010	413-120-0290	7-1-2010	Suspend	8-1-2010
413-100-0150	6-15-2010	Amend	7-1-2010	413-120-0300	7-1-2010	Suspend	8-1-2010
413-100-0160	6-15-2010	Amend	7-1-2010	413-120-0310	7-1-2010	Suspend	8-1-2010
413-100-0170	6-15-2010	Amend	7-1-2010	413-120-0500	7-1-2010	Amend(T)	8-1-2010
413-100-0180	6-15-2010	Amend	7-1-2010	413-120-0510	7-1-2010	Amend(T)	8-1-2010
413-100-0190	6-15-2010	Amend	7-1-2010	413-120-0520	7-1-2010	Suspend	8-1-2010
413-100-0210	6-15-2010	Amend	7-1-2010	413-120-0521	7-1-2010	Adopt(T)	8-1-2010
413-100-0230	6-15-2010	Amend	7-1-2010	413-120-0530	7-1-2010	Suspend	8-1-2010
413-100-0240	6-15-2010	Amend	7-1-2010	413-120-0540	7-1-2010	Suspend	8-1-2010
413-100-0250	6-15-2010	Amend	7-1-2010	413-120-0541	7-1-2010	Adopt(T)	8-1-2010
413-100-0270	6-15-2010	Amend	7-1-2010	413-120-0550	7-1-2010	Am. & Ren.(T)	8-1-2010
413-100-0320	6-15-2010	Amend	7-1-2010	413-120-0551	7-1-2010	Adopt(T)	8-1-2010
413-100-0335	12-16-2009	Adopt(T)	2-1-2010	413-120-0560	7-1-2010	Adopt(T)	8-1-2010
413-100-0335	6-15-2010	Adopt	7-1-2010	413-120-0570	7-1-2010	Adopt(T)	8-1-2010
413-100-0345	12-16-2009	Adopt(T)	2-1-2010	413-120-0590	7-1-2010	Adopt(T)	8-1-2010
413-100-0345	6-15-2010	Adopt	7-1-2010	413-120-0595	7-1-2010	Adopt(T)	8-1-2010
413-110-0100	7-1-2010	Amend(T)	8-1-2010	413-120-0700	7-1-2010	Adopt(T)	8-1-2010
413-110-0110	7-1-2010	Amend(T)	8-1-2010	413-120-0710	7-1-2010	Adopt(T)	8-1-2010
413-110-0120	7-1-2010	Suspend	8-1-2010	413-120-0720	7-1-2010	Adopt(T)	8-1-2010
413-110-0130	7-1-2010	Amend(T)	8-1-2010	413-120-0730	7-1-2010	Adopt(T)	8-1-2010
413-110-0132	7-1-2010	Adopt(T)	8-1-2010	413-120-0740	7-1-2010	Adopt(T)	8-1-2010
413-110-0140	7-1-2010	Amend(T)	8-1-2010	413-120-0745	7-1-2010	Adopt(T)	8-1-2010
413-110-0150	7-1-2010	Adopt(T)	8-1-2010	413-120-0750	7-1-2010	Adopt(T)	8-1-2010
413-120-0000	7-1-2010	Amend(T)	8-1-2010	413-120-0760	7-1-2010	Adopt(T)	8-1-2010
413-120-0010	7-1-2010	Amend(T)	8-1-2010	413-120-0800	7-1-2010	Amend(T)	8-1-2010
413-120-0015	7-1-2010	Suspend	8-1-2010	413-120-0810	7-1-2010	Amend(T)	8-1-2010
413-120-0020	7-1-2010	Amend(T)	8-1-2010	413-120-0820	7-1-2010	Suspend	8-1-2010
413-120-0030	7-1-2010	Suspend	8-1-2010	413-120-0830	7-1-2010	Amend(T)	8-1-2010
413-120-0033	7-1-2010	Amend(T)	8-1-2010	413-120-0840	7-1-2010	Adopt(T)	8-1-2010
413-120-0035	7-1-2010	Amend(T)	8-1-2010	413-120-0850	7-1-2010	Adopt(T)	8-1-2010
413-120-0040	7-1-2010	Amend(T)	8-1-2010	413-120-0860	7-1-2010	Adopt(T)	8-1-2010
413-120-0045	7-1-2010	Am. & Ren.(T)	8-1-2010	413-120-0870	7-1-2010	Adopt(T)	8-1-2010
413-120-0050	7-1-2010	Adopt(T)	8-1-2010	413-120-0900	6-30-2010	Adopt(T)	8-1-2010
413-120-0053	7-1-2010	Adopt(T)	8-1-2010	413-120-0905	6-30-2010	Adopt(T)	8-1-2010
413-120-0057	7-1-2010	Adopt(T)	8-1-2010	413-120-0910	6-30-2010	Adopt(T)	8-1-2010
413-120-0060	7-1-2010	Amend(T)	8-1-2010	413-120-0920	6-30-2010	Adopt(T)	8-1-2010
413-120-0075	7-1-2010	Am. & Ren.(T)	8-1-2010	413-120-0925	6-30-2010	Adopt(T)	8-1-2010
413-120-0080	7-1-2010	Suspend	8-1-2010	413-120-0930	6-30-2010	Adopt(T)	8-1-2010



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413-120-0945	6-30-2010	Adopt(T)	8-1-2010	414-061-0120	7-1-2010	Amend	8-1-2010
413-120-0950	6-30-2010	Adopt(T)	8-1-2010	414-205-0000	1-1-2010	Amend(T)	2-1-2010
413-120-0960	6-30-2010	Adopt(T)	8-1-2010	414-205-0000	7-1-2010	Amend	8-1-2010
413-120-0970	6-30-2010	Adopt(T)	8-1-2010	414-205-0010	1-1-2010	Amend(T)	2-1-2010
413-120-0980	6-30-2010	Adopt(T)	8-1-2010	414-205-0010	7-1-2010	Amend	8-1-2010
413-130-0000	12-29-2009	Amend	2-1-2010	414-205-0020	1-1-2010	Amend(T)	2-1-2010
413-130-0010	12-29-2009	Amend	2-1-2010	414-205-0020	7-1-2010	Amend	8-1-2010
413-130-0020	12-29-2009	Amend	2-1-2010	414-205-0035	1-1-2010	Amend(T)	2-1-2010
413-130-0030	12-29-2009	Amend	2-1-2010	414-205-0040	1-1-2010	Amend(T)	2-1-2010
413-130-0040	12-29-2009	Amend	2-1-2010	414-205-0040	7-1-2010	Amend	8-1-2010
413-130-0045	12-29-2009	Adopt	2-1-2010	414-205-0055	1-1-2010	Amend(T)	2-1-2010
413-130-0050	12-29-2009	Amend	2-1-2010	414-205-0065	1-1-2010	Amend(T)	2-1-2010
413-130-0060	12-29-2009	Amend	2-1-2010	414-205-0065	7-1-2010	Amend	8-1-2010
413-130-0070	12-29-2009	Amend	2-1-2010	414-205-0075	1-1-2010	Amend(T)	2-1-2010
413-130-0075	12-29-2009	Amend	2-1-2010	414-205-0075	7-1-2010	Amend	8-1-2010
413-130-0080	12-29-2009	Amend	2-1-2010	414-205-0085	1-1-2010	Amend(T)	2-1-2010
413-130-0090	12-29-2009	Amend	2-1-2010	414-205-0090	1-1-2010	Amend(T)	2-1-2010
413-130-0100	12-29-2009	Amend	2-1-2010	414-205-0100	1-1-2010	Amend(T)	2-1-2010
413-130-0110	12-29-2009	Amend	2-1-2010	414-205-0110	1-1-2010	Amend(T)	2-1-2010
413-130-0115	12-29-2009	Amend	2-1-2010	414-205-0120	1-1-2010	Amend(T)	2-1-2010
413-130-0120	12-29-2009	Repeal	2-1-2010	414-205-0130	1-1-2010	Amend(T)	2-1-2010
413-130-0125	12-29-2009	Amend	2-1-2010	414-205-0140	1-1-2010	Amend(T)	2-1-2010
413-130-0127	12-29-2009	Repeal	2-1-2010	414-205-0150	1-1-2010	Amend(T)	2-1-2010
413-130-0130	12-29-2009	Amend	2-1-2010	414-205-0160	1-1-2010	Amend(T)	2-1-2010
413-130-0150	7-1-2010	Suspend	8-1-2010	414-205-0170	1-1-2010	Amend(T)	2-1-2010
413-130-0160	7-1-2010	Suspend	8-1-2010	414-205-0170	7-1-2010	Amend	8-1-2010
413-130-0170	7-1-2010	Suspend	8-1-2010	414-300-0000	1-1-2010	Amend(T)	2-1-2010
413-130-0180	7-1-2010	Suspend	8-1-2010	414-300-0000	7-1-2010	Amend	8-1-2010
413-200-0210	7-1-2010	Repeal	8-1-2010	414-300-0005	1-1-2010	Amend(T)	2-1-2010
413-200-0220	7-1-2010	Repeal	8-1-2010	414-300-0005	7-1-2010	Amend	8-1-2010
414-061-0000	1-1-2010	Amend(T)	2-1-2010	414-300-0010	1-1-2010	Amend(T)	2-1-2010
414-061-0000	7-1-2010	Amend	8-1-2010	414-300-0010	7-1-2010	Amend	8-1-2010
414-061-0010	1-1-2010	Amend(T)	2-1-2010	414-300-0015	1-1-2010	Amend(T)	2-1-2010
414-061-0010	7-1-2010	Amend	8-1-2010	414-300-0015	7-1-2010	Amend	8-1-2010
414-061-0020	1-1-2010	Amend(T)	2-1-2010	414-300-0020	1-1-2010	Amend(T)	2-1-2010
414-061-0020	7-1-2010	Amend	8-1-2010	414-300-0020	7-1-2010	Amend	8-1-2010
414-061-0030	1-1-2010	Amend(T)	2-1-2010	414-300-0030	1-1-2010	Amend(T)	2-1-2010
414-061-0030	7-1-2010	Amend	8-1-2010	414-300-0030	7-1-2010	Amend	8-1-2010
414-061-0040	1-1-2010	Amend(T)	2-1-2010	414-300-0040	1-1-2010	Amend(T)	2-1-2010
414-061-0040	7-1-2010	Amend	8-1-2010	414-300-0040	7-1-2010	Amend	8-1-2010
414-061-0050	1-1-2010	Amend(T)	2-1-2010	414-300-0050	1-1-2010	Amend(T)	2-1-2010
414-061-0050	7-1-2010	Amend	8-1-2010	414-300-0060	1-1-2010	Amend(T)	2-1-2010
414-061-0060	1-1-2010	Amend(T)	2-1-2010	414-300-0060	7-1-2010	Amend	8-1-2010
414-061-0060	7-1-2010	Amend	8-1-2010	414-300-0070	1-1-2010	Amend(T)	2-1-2010
414-061-0065	7-1-2010	Adopt	8-1-2010	414-300-0070	7-1-2010	Amend	8-1-2010
414-061-0070	1-1-2010	Amend(T)	2-1-2010	414-300-0080	1-1-2010	Amend(T)	2-1-2010
414-061-0070	7-1-2010	Amend	8-1-2010	414-300-0080	7-1-2010	Amend	8-1-2010
414-061-0080	1-1-2010	Amend(T)	2-1-2010	414-300-0090	1-1-2010	Amend(T)	2-1-2010
414-061-0080	7-1-2010	Amend	8-1-2010	414-300-0100	1-1-2010	Amend(T)	2-1-2010
414-061-0090	1-1-2010	Amend(T)	2-1-2010	414-300-0110	1-1-2010	Amend(T)	2-1-2010
414-061-0090	7-1-2010	Amend	8-1-2010	414-300-0115	1-1-2010	Amend(T)	2-1-2010
414-061-0100	1-1-2010	Amend(T)	2-1-2010	414-300-0120	1-1-2010	Amend(T)	2-1-2010
414-061-0100	7-1-2010	Amend	8-1-2010	414-300-0120	7-1-2010	Amend	8-1-2010
414-061-0110	1-1-2010	Amend(T)	2-1-2010	414-300-0130	1-1-2010	Amend(T)	2-1-2010
414-061-0110	7-1-2010	Amend	8-1-2010	414-300-0130	7-1-2010	Amend	8-1-2010

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414-300-0150	1-1-2010	Amend(T)	2-1-2010	414-350-0120	1-1-2010	Amend(T)	2-1-2010
414-300-0160	1-1-2010	Amend(T)	2-1-2010	414-350-0130	1-1-2010	Amend(T)	2-1-2010
414-300-0170	1-1-2010	Amend(T)	2-1-2010	414-350-0140	1-1-2010	Amend(T)	2-1-2010
414-300-0180	1-1-2010	Amend(T)	2-1-2010	414-350-0150	1-1-2010	Amend(T)	2-1-2010
414-300-0190	1-1-2010	Amend(T)	2-1-2010	414-350-0160	1-1-2010	Amend(T)	2-1-2010
414-300-0200	1-1-2010	Amend(T)	2-1-2010	414-350-0170	1-1-2010	Amend(T)	2-1-2010
414-300-0210	1-1-2010	Amend(T)	2-1-2010	414-350-0180	1-1-2010	Amend(T)	2-1-2010
414-300-0215	1-1-2010	Amend(T)	2-1-2010	414-350-0190	1-1-2010	Amend(T)	2-1-2010
414-300-0220	1-1-2010	Amend(T)	2-1-2010	414-350-0200	1-1-2010	Amend(T)	2-1-2010
414-300-0230	1-1-2010	Amend(T)	2-1-2010	414-350-0210	1-1-2010	Amend(T)	2-1-2010
414-300-0240	1-1-2010	Amend(T)	2-1-2010	414-350-0220	1-1-2010	Amend(T)	2-1-2010
414-300-0250	1-1-2010	Amend(T)	2-1-2010	414-350-0230	1-1-2010	Amend(T)	2-1-2010
414-300-0260	1-1-2010	Amend(T)	2-1-2010	414-350-0235	1-1-2010	Amend(T)	2-1-2010
414-300-0270	1-1-2010	Amend(T)	2-1-2010	414-350-0240	1-1-2010	Amend(T)	2-1-2010
414-300-0280	1-1-2010	Amend(T)	2-1-2010	414-350-0250	1-1-2010	Amend(T)	2-1-2010
414-300-0290	1-1-2010	Amend(T)	2-1-2010	414-350-0375	1-1-2010	Amend(T)	2-1-2010
414-300-0295	1-1-2010	Amend(T)	2-1-2010	414-350-0380	1-1-2010	Amend(T)	2-1-2010
414-300-0300	1-1-2010	Amend(T)	2-1-2010	414-350-0390	1-1-2010	Amend(T)	2-1-2010
414-300-0310	1-1-2010	Amend(T)	2-1-2010	414-350-0400	1-1-2010	Amend(T)	2-1-2010
414-300-0320	1-1-2010	Amend(T)	2-1-2010	414-350-0400	7-1-2010	Amend	8-1-2010
414-300-0330	1-1-2010	Amend(T)	2-1-2010	414-350-0405	1-1-2010	Adopt(T)	2-1-2010
414-300-0340	1-1-2010	Amend(T)	2-1-2010	414-350-0405	7-1-2010	Adopt	8-1-2010
414-300-0350	1-1-2010	Amend(T)	2-1-2010	414-425-0000	7-1-2010	Adopt	8-1-2010
414-300-0360	1-1-2010	Amend(T)	2-1-2010	414-425-0010	7-1-2010	Adopt	8-1-2010
414-300-0360	7-1-2010	Amend	8-1-2010	414-425-0020	7-1-2010	Adopt	8-1-2010
414-300-0380	1-1-2010	Amend(T)	2-1-2010	414-425-0025	7-1-2010	Adopt	8-1-2010
414-300-0390	1-1-2010	Amend(T)	2-1-2010	414-425-0030	7-1-2010	Adopt	8-1-2010
414-300-0390	7-1-2010	Amend	8-1-2010	414-425-0040	7-1-2010	Adopt	8-1-2010
414-300-0400	1-1-2010	Amend(T)	2-1-2010	414-450-0000	7-1-2010	Adopt	8-1-2010
414-300-0410	1-1-2010	Amend(T)	2-1-2010	414-450-0010	7-1-2010	Adopt	8-1-2010
414-300-0410	7-1-2010	Amend	8-1-2010	414-450-0020	7-1-2010	Adopt	8-1-2010
414-300-0415	1-1-2010	Adopt(T)	2-1-2010	414-450-0025	7-1-2010	Adopt	8-1-2010
414-300-0415	7-1-2010	Adopt	8-1-2010	414-450-0030	7-1-2010	Adopt	8-1-2010
414-350-0000	1-1-2010	Amend(T)	2-1-2010	414-450-0040	7-1-2010	Adopt	8-1-2010
414-350-0000	7-1-2010	Amend	8-1-2010	415-051-0000	3-4-2010	Repeal	4-1-2010
414-350-0010	1-1-2010	Amend(T)	2-1-2010	415-051-0005	5-6-2010	Repeal	6-1-2010
414-350-0010	7-1-2010	Amend	8-1-2010	415-051-0010	3-4-2010	Repeal	4-1-2010
414-350-0020	1-1-2010	Amend(T)	2-1-2010	415-051-0015	3-4-2010	Repeal	4-1-2010
414-350-0020	7-1-2010	Amend	8-1-2010	415-051-0020	3-4-2010	Repeal	4-1-2010
414-350-0030	1-1-2010	Amend(T)	2-1-2010	415-051-0025	3-4-2010	Repeal	4-1-2010
414-350-0030	7-1-2010	Amend	8-1-2010	415-051-0030	3-4-2010	Repeal	4-1-2010
414-350-0040	1-1-2010	Amend(T)	2-1-2010	415-051-0035	3-4-2010	Repeal	4-1-2010
414-350-0040	7-1-2010	Amend	8-1-2010	415-051-0037	3-4-2010	Repeal	4-1-2010
414-350-0050	1-1-2010	Amend(T)	2-1-2010	415-051-0040	3-4-2010	Repeal	4-1-2010
414-350-0050	7-1-2010	Amend	8-1-2010	415-051-0045	3-4-2010	Repeal	4-1-2010
414-350-0060	1-1-2010	Amend(T)	2-1-2010	415-051-0050	3-4-2010	Repeal	4-1-2010
414-350-0070	1-1-2010	Amend(T)	2-1-2010	415-051-0055	3-4-2010	Repeal	4-1-2010
414-350-0080	1-1-2010	Amend(T)	2-1-2010	415-051-0057	3-4-2010	Repeal	4-1-2010
414-350-0080	7-1-2010	Amend	8-1-2010	415-051-0060	3-4-2010	Repeal	4-1-2010
414-350-0090	1-1-2010	Amend(T)	2-1-2010	415-051-0065	3-4-2010	Repeal	4-1-2010
414-350-0090	7-1-2010	Amend	8-1-2010	415-051-0067	3-4-2010	Repeal	4-1-2010
414-350-0100	1-1-2010	Amend(T)	2-1-2010	415-051-0069	3-4-2010	Repeal	4-1-2010
414-350-0100	7-1-2010	Amend	8-1-2010	415-051-0072	3-4-2010	Repeal	4-1-2010
414-350-0110	1-1-2010	Amend(T)	2-1-2010	415-051-0075	3-4-2010	Repeal	4-1-2010
414-350-0110	7-1-2010	Amend	8-1-2010	415-051-0077	3-4-2010	Repeal	4-1-2010

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415-051-0090	3-4-2010	Repeal	4-1-2010	415-057-0090	5-6-2010	Adopt	6-1-2010
415-051-0100	3-4-2010	Repeal	4-1-2010	415-057-0100	5-6-2010	Adopt	6-1-2010
415-051-0105	3-4-2010	Repeal	4-1-2010	415-057-0110	5-6-2010	Adopt	6-1-2010
415-051-0110	3-4-2010	Repeal	4-1-2010	415-057-0120	5-6-2010	Adopt	6-1-2010
415-051-0130	3-4-2010	Repeal	4-1-2010	415-057-0130	5-6-2010	Adopt	6-1-2010
415-051-0140	3-4-2010	Repeal	4-1-2010	415-057-0140	5-6-2010	Adopt	6-1-2010
415-051-0155	3-4-2010	Repeal	4-1-2010	415-057-0150	5-6-2010	Adopt	6-1-2010
415-051-0165	3-4-2010	Repeal	4-1-2010	415-060-0030	1-1-2010	Amend	1-1-2010
415-052-0100	12-3-2009	Adopt	1-1-2010	415-065-0005	7-1-2010	Adopt	8-1-2010
415-052-0105	12-3-2009	Adopt	1-1-2010	415-065-0010	7-1-2010	Adopt	8-1-2010
415-052-0110	12-3-2009	Adopt	1-1-2010	415-065-0015	7-1-2010	Adopt	8-1-2010
415-054-0045	9-20-2010	Suspend	11-1-2010	415-065-0020	7-1-2010	Adopt	8-1-2010
415-054-0050	9-20-2010	Suspend	11-1-2010	415-065-0025	7-1-2010	Adopt	8-1-2010
415-054-0055	9-20-2010	Suspend	11-1-2010	415-065-0030	7-1-2010	Adopt	8-1-2010
415-054-0060	9-20-2010	Suspend	11-1-2010	415-065-0035	7-1-2010	Adopt	8-1-2010
415-054-0070	9-20-2010	Suspend	11-1-2010	415-065-0040	7-1-2010	Adopt	8-1-2010
415-054-0075	9-20-2010	Suspend	11-1-2010	415-065-0045	7-1-2010	Adopt	8-1-2010
415-054-0076	9-20-2010	Suspend	11-1-2010	415-065-0050	7-1-2010	Adopt	8-1-2010
415-054-0080	9-20-2010	Suspend	11-1-2010	415-065-0055	7-1-2010	Adopt	8-1-2010
415-054-0090	9-20-2010	Suspend	11-1-2010	415-065-0060	7-1-2010	Adopt	8-1-2010
415-054-0100	9-20-2010	Suspend	11-1-2010	415-065-0065	7-1-2010	Adopt	8-1-2010
415-054-0200	9-20-2010	Suspend	11-1-2010	415-065-0070	7-1-2010	Adopt	8-1-2010
415-054-0210	9-20-2010	Suspend	11-1-2010	416-040-0005	10-25-2010	Adopt	11-1-2010
415-054-0220	9-20-2010	Suspend	11-1-2010	416-040-0010	10-25-2010	Adopt	11-1-2010
415-054-0230	9-20-2010	Suspend	11-1-2010	416-040-0015	10-25-2010	Adopt	11-1-2010
415-054-0240	9-20-2010	Suspend	11-1-2010	416-040-0020	10-25-2010	Adopt	11-1-2010
415-054-0300	9-20-2010	Suspend	11-1-2010	416-060-0005	10-25-2010	Adopt	11-1-2010
415-054-0310	9-20-2010	Suspend	11-1-2010	416-060-0010	10-25-2010	Adopt	11-1-2010
415-054-0320	9-20-2010	Suspend	11-1-2010	416-060-0015	10-25-2010	Adopt	11-1-2010
415-054-0330	9-20-2010	Suspend	11-1-2010	416-060-0020	10-25-2010	Adopt	11-1-2010
415-054-0340	9-20-2010	Suspend	11-1-2010	416-060-0025	10-25-2010	Adopt	11-1-2010
415-054-0350	9-20-2010	Suspend	11-1-2010	416-060-0030	10-25-2010	Adopt	11-1-2010
415-054-0360	9-20-2010	Suspend	11-1-2010	416-060-0035	10-25-2010	Adopt	11-1-2010
415-054-0370	9-20-2010	Suspend	11-1-2010	416-060-0040	10-25-2010	Adopt	11-1-2010
415-054-0400	9-20-2010	Adopt(T)	11-1-2010	416-150-0030	10-25-2010	Repeal	11-1-2010
415-054-0410	9-20-2010	Adopt(T)	11-1-2010	416-470-0000	2-19-2010	Amend	3-1-2010
415-054-0420	9-20-2010	Adopt(T)	11-1-2010	416-470-0010	2-19-2010	Amend	3-1-2010
415-054-0430	9-20-2010	Adopt(T)	11-1-2010	416-470-0020	2-19-2010	Amend	3-1-2010
415-054-0440	9-20-2010	Adopt(T)	11-1-2010	416-470-0030	2-19-2010	Amend	3-1-2010
415-054-0450	9-20-2010	Adopt(T)	11-1-2010	416-470-0040	2-19-2010	Amend	3-1-2010
415-054-0460	9-20-2010	Adopt(T)	11-1-2010	416-470-0050	2-19-2010	Amend	3-1-2010
415-054-0470	9-20-2010	Adopt(T)	11-1-2010	416-470-0060	2-19-2010	Repeal	3-1-2010
415-054-0480	9-20-2010	Adopt(T)	11-1-2010	416-470-0070	2-19-2010	Repeal	3-1-2010
415-054-0490	9-20-2010	Adopt(T)	11-1-2010	416-470-0080	2-19-2010	Repeal	3-1-2010
415-054-0500	9-20-2010	Adopt(T)	11-1-2010	416-470-0090	2-19-2010	Repeal	3-1-2010
415-054-0510	9-20-2010	Adopt(T)	11-1-2010	416-470-0100	2-19-2010	Repeal	3-1-2010
415-054-0520	9-20-2010	Adopt(T)	11-1-2010	416-490-0000	2-19-2010	Amend	3-1-2010
415-057-0000	5-6-2010	Adopt	6-1-2010	416-490-0010	2-19-2010	Amend	3-1-2010
415-057-0010	5-6-2010	Adopt	6-1-2010	416-490-0020	2-19-2010	Amend	3-1-2010
415-057-0020	5-6-2010	Adopt	6-1-2010	416-490-0030	2-19-2010	Amend	3-1-2010
415-057-0030	5-6-2010	Adopt	6-1-2010	416-490-0031	2-19-2010	Adopt	3-1-2010
415-057-0040	5-6-2010	Adopt	6-1-2010	416-490-0032	2-19-2010	Adopt	3-1-2010
415-057-0050	5-6-2010	Adopt	6-1-2010	416-490-0033	2-19-2010	Adopt	3-1-2010
415-057-0060	5-6-2010	Adopt	6-1-2010	416-490-0034	2-19-2010	Adopt	3-1-2010
415-057-0070	5-6-2010	Adopt	6-1-2010	416-490-0035	2-19-2010	Adopt	3-1-2010

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416-490-0050	2-19-2010	Amend	3-1-2010	436-009-0180	7-1-2010	Adopt	7-1-2010
416-530-0090	12-16-2009	Amend	1-1-2010	436-009-0185	7-1-2010	Adopt	7-1-2010
416-800-0000	6-25-2010	Amend	7-1-2010	436-010-0008	1-1-2010	Amend	1-1-2010
416-800-0010	6-25-2010	Amend	7-1-2010	436-010-0225	7-1-2010	Adopt	7-1-2010
416-800-0020	6-25-2010	Amend	7-1-2010	436-010-0240	1-1-2010	Amend	1-1-2010
416-800-0031	6-25-2010	Adopt	7-1-2010	436-010-0265	1-1-2010	Amend	1-1-2010
416-800-0041	6-25-2010	Adopt	7-1-2010	436-010-0280	1-1-2010	Amend	1-1-2010
416-800-0045	6-25-2010	Adopt	7-1-2010	436-010-0330	7-1-2010	Amend	7-1-2010
416-800-0050	6-25-2010	Adopt	7-1-2010	436-015-0090	7-1-2010	Amend	7-1-2010
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416-800-0060	6-25-2010	Repeal	7-1-2010	436-030-0003	1-1-2010	Amend	1-1-2010
416-800-0065	6-25-2010	Adopt	7-1-2010	436-030-0005	1-1-2010	Amend	1-1-2010
416-800-0070	6-25-2010	Amend	7-1-2010	436-030-0007	1-1-2010	Amend	1-1-2010
416-800-0080	6-25-2010	Adopt	7-1-2010	436-030-0009	1-1-2010	Repeal	1-1-2010
416-800-0090	6-25-2010	Adopt	7-1-2010	436-030-0015	1-1-2010	Amend	1-1-2010
416-800-0095	6-25-2010	Adopt	7-1-2010	436-030-0017	1-1-2010	Amend	1-1-2010
436-001-0003	1-1-2010	Amend	1-1-2010	436-030-0020	1-1-2010	Amend	1-1-2010
436-001-0019	1-1-2010	Amend	1-1-2010	436-030-0034	1-1-2010	Amend	1-1-2010
436-001-0265	1-1-2010	Am. & Ren.	1-1-2010	436-030-0065	1-1-2010	Amend	1-1-2010
436-001-0265	1-1-2010	Am. & Ren.	1-1-2010	436-030-0115	1-1-2010	Amend	1-1-2010
436-001-0420	1-1-2010	Adopt	1-1-2010	436-030-0135	1-1-2010	Amend	1-1-2010
436-001-0430	1-1-2010	Adopt	1-1-2010	436-030-0145	1-1-2010	Amend	1-1-2010
436-001-0440	1-1-2010	Adopt	1-1-2010	436-030-0155	1-1-2010	Amend	1-1-2010
436-009-0002	7-1-2010	Amend	7-1-2010	436-030-0165	1-1-2010	Amend	1-1-2010
436-009-0003	7-1-2010	Amend	7-1-2010	436-030-0185	1-1-2010	Amend	1-1-2010
436-009-0004	7-1-2010	Amend	7-1-2010	436-030-0580	1-1-2010	Amend	1-1-2010
436-009-0005	7-1-2010	Amend	7-1-2010	436-035-0002	6-1-2010	Amend	6-1-2010
436-009-0008	7-1-2010	Amend	7-1-2010	436-035-0003	6-1-2010	Amend	6-1-2010
436-009-0010	1-1-2010	Amend	1-1-2010	436-035-0005	6-1-2010	Amend	6-1-2010
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436-009-0070	1-1-2010	Amend	1-1-2010	436-035-0190	6-1-2010	Amend	6-1-2010
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436-009-0165	7-1-2010	Adopt	7-1-2010	436-060-0012	1-1-2010	Adopt	1-1-2010
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436-060-0035	1-1-2010	Amend	1-1-2010	436-120-0005	11-15-2010	Amend	10-1-2010
436-060-0095	1-1-2010	Amend	1-1-2010	436-120-0007	1-1-2010	Amend	1-1-2010
436-060-0105	1-1-2010	Amend	1-1-2010	436-120-0008	1-1-2010	Amend	1-1-2010
436-060-0135	1-1-2010	Amend	1-1-2010	436-120-0008	11-15-2010	Amend	10-1-2010
436-060-0137	1-1-2010	Amend	1-1-2010	436-120-0115	11-15-2010	Amend	10-1-2010
436-060-0140	1-1-2010	Amend	1-1-2010	436-120-0165	11-15-2010	Amend	10-1-2010
436-060-0147	1-1-2010	Amend	1-1-2010	436-120-0320	1-1-2010	Am. & Ren.	1-1-2010
436-060-0150	1-1-2010	Amend	1-1-2010	436-120-0320	1-1-2010	Am. & Ren.	1-1-2010
436-060-0153	1-1-2010	Amend	1-1-2010	436-120-0320	1-1-2010	Am. & Ren.	1-1-2010
436-060-0155	1-1-2010	Amend	1-1-2010	436-120-0320	1-1-2010	Am. & Ren.	1-1-2010
436-060-0180	1-1-2010	Amend	1-1-2010	436-120-0320	1-1-2010	Am. & Ren.	1-1-2010
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436-060-0500	1-1-2010	Amend	1-1-2010	436-120-0350	1-1-2010	Am. & Ren.	1-1-2010
436-060-0510	1-1-2010	Amend	1-1-2010	436-120-0360	1-1-2010	Am. & Ren.	1-1-2010
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436-105-0003	1-1-2010	Amend	1-1-2010	436-120-0410	1-1-2010	Amend	1-1-2010
436-105-0005	1-1-2010	Amend	1-1-2010	436-120-0430	11-15-2010	Amend	10-1-2010
436-105-0500	1-1-2010	Amend	1-1-2010	436-120-0440	1-1-2010	Amend	1-1-2010
436-105-0520	1-1-2010	Amend	1-1-2010	436-120-0440	11-15-2010	Am. & Ren.	10-1-2010
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436-105-0550	1-1-2010	Amend	1-1-2010	436-120-0440	11-15-2010	Am. & Ren.	10-1-2010
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436-110-0005	10-12-2010	Amend	10-1-2010	436-120-0500	11-15-2010	Amend	10-1-2010
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436-110-0290	10-12-2010	Amend	10-1-2010	436-120-0800	1-1-2010	Amend	1-1-2010
436-110-0310	1-1-2010	Amend	1-1-2010	436-120-0810	1-1-2010	Amend	1-1-2010
436-110-0325	1-1-2010	Amend	1-1-2010	436-120-0820	1-1-2010	Amend	1-1-2010
436-110-0325	10-12-2010	Amend	10-1-2010	436-120-0820	11-15-2010	Amend	10-1-2010
436-110-0330	1-1-2010	Amend	1-1-2010	436-120-0830	1-1-2010	Amend	1-1-2010
436-110-0335	1-1-2010	Amend	1-1-2010	436-120-0830	11-15-2010	Amend	10-1-2010
436-110-0335	10-12-2010	Amend	10-1-2010	436-120-0840	1-1-2010	Amend	1-1-2010
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436-110-0336	4-15-2010	Amend(T)	5-1-2010	436-120-0915	1-1-2010	Amend	1-1-2010
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436-110-0350	10-12-2010	Amend	10-1-2010	436-160-0005	1-1-2011	Amend	11-1-2010
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436-160-0355	1-1-2011	Renumber	11-1-2010	440-015-0020	2-1-2010	Repeal	3-1-2010
436-160-0360	1-1-2011	Renumber	11-1-2010	440-015-0030	2-1-2010	Repeal	3-1-2010
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436-160-0445	1-1-2011	Adopt	11-1-2010	440-015-0105	2-1-2010	Adopt	3-1-2010
436-162-0001	1-1-2011	Adopt	11-1-2010	440-015-0110	2-1-2010	Adopt	3-1-2010
436-162-0002	1-1-2011	Adopt	11-1-2010	440-015-0115	2-1-2010	Adopt	3-1-2010
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436-162-0004	1-1-2011	Adopt	11-1-2010	440-045-0025	1-1-2011	Amend	11-1-2010
436-162-0005	1-1-2011	Adopt	11-1-2010	441-002-0005	5-1-2010	Repeal	6-1-2010
436-162-0006	1-1-2011	Adopt	11-1-2010	441-002-0010	5-1-2010	Repeal	6-1-2010
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441-730-0205	6-4-2010	Amend	7-1-2010	441-860-0050	1-4-2010	Amend	2-1-2010
441-730-0246	12-7-2009	Amend	1-1-2010	441-860-0060	1-4-2010	Amend	2-1-2010
441-730-0246	6-4-2010	Amend	7-1-2010	441-860-0070	1-4-2010	Amend	2-1-2010
441-730-0246(T)	12-7-2009	Repeal	1-1-2010	441-860-0080	1-4-2010	Amend	2-1-2010
441-730-0255	6-4-2010	Amend	7-1-2010	441-860-0085	3-22-2010	Adopt	5-1-2010
441-730-0260	6-4-2010	Amend	7-1-2010	441-860-0090	3-22-2010	Amend	5-1-2010
441-730-0271	6-4-2010	Repeal	7-1-2010	441-860-0101	1-1-2010	Adopt	1-1-2010
441-730-0272	6-4-2010	Repeal	7-1-2010	441-860-0130	1-4-2010	Amend	2-1-2010
441-730-0275	6-4-2010	Repeal	7-1-2010	441-860-0400	1-1-2010	Adopt	1-1-2010
441-730-0280	6-4-2010	Amend	7-1-2010	441-865-0010	1-4-2010	Amend	2-1-2010
441-730-0310	6-4-2010	Repeal	7-1-2010	441-865-0020	1-4-2010	Amend	2-1-2010
441-730-0320	3-22-2010	Amend	5-1-2010	441-865-0025	1-4-2010	Amend	2-1-2010
441-730-0320	6-4-2010	Amend	7-1-2010	441-865-0025	3-22-2010	Amend	5-1-2010
441-735-0000	6-4-2010	Adopt	7-1-2010	441-865-0030	1-4-2010	Amend	2-1-2010
441-735-0010	6-4-2010	Adopt	7-1-2010	441-865-0040	1-4-2010	Amend	2-1-2010
441-735-0015	6-4-2010	Adopt	7-1-2010	441-865-0050	1-4-2010	Amend	2-1-2010
441-735-0025	6-4-2010	Adopt	7-1-2010	441-865-0060	3-22-2010	Amend	5-1-2010
441-735-0030	6-4-2010	Adopt	7-1-2010	441-865-0080	1-4-2010	Amend	2-1-2010
441-735-0050	6-4-2010	Adopt	7-1-2010	441-865-0090	1-4-2010	Amend	2-1-2010
441-735-0060	6-4-2010	Adopt	7-1-2010	441-870-0030	1-4-2010	Amend	2-1-2010
441-735-0070	6-4-2010	Adopt	7-1-2010	441-870-0040	1-4-2010	Amend	2-1-2010
441-735-0080	6-4-2010	Adopt	7-1-2010	441-870-0050	1-4-2010	Amend	2-1-2010
441-735-0100	6-4-2010	Adopt	7-1-2010	441-870-0070	1-4-2010	Amend	2-1-2010
441-735-0110	6-4-2010	Adopt	7-1-2010	441-870-0080	1-4-2010	Amend	2-1-2010
441-735-0120	6-4-2010	Adopt	7-1-2010	441-870-0080	3-22-2010	Amend	5-1-2010
441-735-0130	6-4-2010	Adopt	7-1-2010	441-870-0081	3-22-2010	Adopt	5-1-2010
441-735-0140	6-4-2010	Adopt	7-1-2010	441-875-0010	1-4-2010	Repeal	2-1-2010
441-735-0160	6-4-2010	Adopt	7-1-2010	441-875-0020	1-4-2010	Amend	2-1-2010
441-735-0165	6-4-2010	Adopt	7-1-2010	441-875-0030	1-4-2010	Amend	2-1-2010
441-735-0205	6-4-2010	Adopt	7-1-2010	441-875-0040	1-4-2010	Amend	2-1-2010
441-735-0240	6-4-2010	Adopt	7-1-2010	441-880-0010	1-4-2010	Amend	2-1-2010
441-735-0250	6-4-2010	Adopt	7-1-2010	441-880-0020	1-4-2010	Am. & Ren.	2-1-2010
441-735-0255	6-4-2010	Adopt	7-1-2010	441-880-0021	1-4-2010	Adopt	2-1-2010
441-735-0271	6-4-2010	Adopt	7-1-2010	441-880-0022	1-4-2010	Adopt	2-1-2010
441-735-0272	6-4-2010	Adopt	7-1-2010	441-880-0030	1-4-2010	Amend	2-1-2010
441-735-0275	6-4-2010	Adopt	7-1-2010	441-880-0040	1-4-2010	Amend	2-1-2010
441-735-0280	6-4-2010	Adopt	7-1-2010	441-880-0050	1-4-2010	Am. & Ren.	2-1-2010
441-735-0310	6-4-2010	Adopt	7-1-2010	441-880-0200	1-4-2010	Adopt	2-1-2010
441-735-0320	6-4-2010	Adopt	7-1-2010	441-880-0205	1-4-2010	Adopt	2-1-2010
441-740-0000	5-6-2010	Amend	6-1-2010	441-880-0210	1-4-2010	Adopt	2-1-2010
441-740-0010	5-6-2010	Amend	6-1-2010	441-880-0300	1-4-2010	Adopt	2-1-2010
441-740-0015	5-6-2010	Amend	6-1-2010	441-880-0310	1-4-2010	Adopt	2-1-2010
441-740-0050	5-6-2010	Repeal	6-1-2010	441-885-0010	1-4-2010	Amend	2-1-2010
441-850-0005	1-4-2010	Amend	2-1-2010	441-910-0000	1-1-2010	Amend	2-1-2010
441-850-0035	1-4-2010	Amend	2-1-2010	441-910-0005	1-1-2010	Adopt	2-1-2010

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441-910-0020	1-1-2010	Repeal	2-1-2010	442-010-0080	3-23-2010	Adopt(T)	5-1-2010
441-910-0030	1-1-2010	Amend	2-1-2010	442-010-0080	8-31-2010	Adopt	10-1-2010
441-910-0040	1-1-2010	Repeal	2-1-2010	442-010-0080(T)	8-31-2010	Repeal	10-1-2010
441-910-0050	1-1-2010	Amend	2-1-2010	442-010-0090	3-23-2010	Adopt(T)	5-1-2010
441-910-0055	1-1-2010	Amend	2-1-2010	442-010-0090	8-31-2010	Adopt	10-1-2010
441-910-0080	1-1-2010	Amend	2-1-2010	442-010-0090(T)	8-31-2010	Repeal	10-1-2010
441-910-0090	1-1-2010	Repeal	2-1-2010	442-010-0100	3-23-2010	Adopt(T)	5-1-2010
441-910-0091	1-1-2010	Adopt	2-1-2010	442-010-0100	8-31-2010	Adopt	10-1-2010
441-910-0092	1-1-2010	Amend	2-1-2010	442-010-0100(T)	8-31-2010	Repeal	10-1-2010
441-910-0092(T)	1-1-2010	Repeal	2-1-2010	442-010-0110	3-23-2010	Adopt(T)	5-1-2010
441-910-0093	1-1-2010	Repeal	2-1-2010	442-010-0110	8-31-2010	Adopt	10-1-2010
441-910-0094	1-1-2010	Adopt	2-1-2010	442-010-0110(T)	8-31-2010	Repeal	10-1-2010
441-910-0095	1-1-2010	Repeal	2-1-2010	442-010-0120	3-23-2010	Adopt(T)	5-1-2010
441-910-0099	1-1-2010	Adopt	2-1-2010	442-010-0120	8-31-2010	Adopt	10-1-2010
441-910-0110	1-1-2010	Repeal	2-1-2010	442-010-0120(T)	8-31-2010	Repeal	10-1-2010
441-910-0120	1-1-2010	Repeal	2-1-2010	442-010-0130	3-23-2010	Adopt(T)	5-1-2010
441-910-0135	1-1-2010	Adopt	2-1-2010	442-010-0130	8-31-2010	Adopt	10-1-2010
441-910-0145	1-1-2010	Adopt	2-1-2010	442-010-0130(T)	8-31-2010	Repeal	10-1-2010
441-910-0150	1-1-2010	Adopt	2-1-2010	442-010-0140	3-23-2010	Adopt(T)	5-1-2010
441-910-0151	1-1-2010	Adopt	2-1-2010	442-010-0140	8-31-2010	Adopt	10-1-2010
441-910-0200	1-1-2010	Adopt	2-1-2010	442-010-0140(T)	8-31-2010	Repeal	10-1-2010
441-910-9000(T)	1-6-2010	Suspend	2-1-2010	442-010-0150	3-23-2010	Adopt(T)	5-1-2010
441-910-9001(T)	1-6-2010	Suspend	2-1-2010	442-010-0150	8-31-2010	Adopt	10-1-2010
442-005-0010	1-7-2010	Amend(T)	2-1-2010	442-010-0150(T)	8-31-2010	Repeal	10-1-2010
442-005-0010	7-22-2010	Amend	9-1-2010	442-010-0160	3-23-2010	Adopt(T)	5-1-2010
442-005-0030	10-11-2010	Amend(T)	11-1-2010	442-010-0160	8-31-2010	Adopt	10-1-2010
442-005-0050	1-7-2010	Amend(T)	2-1-2010	442-010-0160(T)	8-31-2010	Repeal	10-1-2010
442-005-0050	7-22-2010	Amend	9-1-2010	442-010-0170	3-23-2010	Adopt(T)	5-1-2010
442-005-0060	1-7-2010	Amend(T)	2-1-2010	442-010-0170	8-31-2010	Adopt	10-1-2010
442-005-0060	7-22-2010	Amend	9-1-2010	442-010-0170(T)	8-31-2010	Repeal	10-1-2010
442-005-0060	9-2-2010	Amend	10-1-2010	442-010-0180	3-23-2010	Adopt(T)	5-1-2010
442-005-0100	1-7-2010	Amend(T)	2-1-2010	442-010-0180	8-31-2010	Adopt	10-1-2010
442-005-0100	7-22-2010	Amend	9-1-2010	442-010-0180(T)	8-31-2010	Repeal	10-1-2010
442-010-0010	3-23-2010	Adopt(T)	5-1-2010	442-010-0190	3-23-2010	Adopt(T)	5-1-2010
442-010-0010	8-31-2010	Adopt	10-1-2010	442-010-0190	8-31-2010	Adopt	10-1-2010
442-010-0010(T)	8-31-2010	Repeal	10-1-2010	442-010-0190(T)	8-31-2010	Repeal	10-1-2010
442-010-0020	3-23-2010	Adopt(T)	5-1-2010	443-002-0070	2-9-2010	Amend	3-1-2010
442-010-0020	8-31-2010	Adopt	10-1-2010	443-002-0090	2-9-2010	Amend	3-1-2010
442-010-0020(T)	8-31-2010	Repeal	10-1-2010	443-002-0190	9-29-2010	Amend(T)	11-1-2010
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442-010-0030	8-31-2010	Adopt	10-1-2010	459-009-0120	5-28-2010	Repeal	7-1-2010
442-010-0030(T)	8-31-2010	Repeal	10-1-2010	459-009-0200	8-2-2010	Amend	9-1-2010
442-010-0040	3-23-2010	Adopt(T)	5-1-2010	459-010-0010	5-28-2010	Amend	7-1-2010
442-010-0040	8-31-2010	Adopt	10-1-2010	459-010-0014	5-28-2010	Amend	7-1-2010
442-010-0040(T)	8-31-2010	Repeal	10-1-2010	459-010-0042	5-28-2010	Repeal	7-1-2010
442-010-0050	3-23-2010	Adopt(T)	5-1-2010	459-011-0050	5-28-2010	Amend	7-1-2010
442-010-0050	8-31-2010	Adopt	10-1-2010	459-014-0100	5-28-2010	Repeal	7-1-2010
442-010-0050(T)	8-31-2010	Repeal	10-1-2010	459-015-0001	5-28-2010	Amend	7-1-2010
442-010-0055	8-31-2010	Adopt	10-1-2010	459-015-0005	5-28-2010	Amend	7-1-2010
442-010-0055(T)	8-31-2010	Repeal	10-1-2010	459-015-0030	8-2-2010	Amend	9-1-2010
442-010-0060	3-23-2010	Adopt(T)	5-1-2010	459-015-0055	8-2-2010	Amend	9-1-2010
442-010-0060	8-31-2010	Adopt	10-1-2010	459-015-0060	6-17-2010	Repeal	8-1-2010
442-010-0060(T)	8-31-2010	Repeal	10-1-2010	459-017-0060	12-1-2009	Amend	1-1-2010
442-010-0070	3-23-2010	Adopt(T)	5-1-2010	459-030-0025	8-2-2010	Amend	9-1-2010
442-010-0070	8-31-2010	Adopt	10-1-2010	459-035-0000	4-5-2010	Amend(T)	5-1-2010



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459-035-0001	9-29-2010	Amend	11-1-2010	461-115-0050(T)	1-1-2010	Repeal	2-1-2010
459-035-0020	4-5-2010	Amend(T)	5-1-2010	461-115-0071	1-1-2010	Amend	2-1-2010
459-035-0020	9-29-2010	Amend	11-1-2010	461-115-0071	7-15-2010	Amend(T)	8-1-2010
459-035-0030	4-5-2010	Amend(T)	5-1-2010	461-115-0090	1-1-2010	Amend	2-1-2010
459-035-0030	9-29-2010	Amend	11-1-2010	461-115-0230	1-1-2010	Amend(T)	2-1-2010
459-035-0040	4-5-2010	Amend(T)	5-1-2010	461-115-0230	4-1-2010	Amend	5-1-2010
459-035-0040	9-29-2010	Amend	11-1-2010	461-115-0230	4-1-2010	Amend(T)	5-1-2010
459-045-0000	5-28-2010	Repeal	7-1-2010	461-115-0230	7-1-2010	Amend	8-1-2010
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459-045-0010	5-28-2010	Amend	7-1-2010	461-115-0430	1-1-2010	Amend(T)	2-1-2010
459-045-0012	5-28-2010	Adopt	7-1-2010	461-115-0430	4-1-2010	Amend	5-1-2010
459-045-0014	5-28-2010	Adopt	7-1-2010	461-115-0430	4-1-2010	Amend(T)	5-1-2010
459-045-0020	5-28-2010	Amend	7-1-2010	461-115-0430	7-1-2010	Amend	8-1-2010
459-045-0030	5-28-2010	Amend	7-1-2010	461-115-0430(T)	4-1-2010	Repeal	5-1-2010
459-045-0032	5-28-2010	Adopt	7-1-2010	461-115-0530	7-1-2010	Amend(T)	8-1-2010
459-045-0034	5-28-2010	Adopt	7-1-2010	461-115-0530	10-1-2010	Amend	11-1-2010
459-045-0040	5-28-2010	Amend	7-1-2010	461-115-0530(T)	10-1-2010	Repeal	11-1-2010
459-045-0050	5-28-2010	Amend	7-1-2010	461-115-0651	4-1-2010	Amend	5-1-2010
459-045-0060	5-28-2010	Amend	7-1-2010	461-115-0690	4-1-2010	Amend	5-1-2010
459-045-0080	5-28-2010	Amend	7-1-2010	461-115-0705	1-1-2010	Amend	2-1-2010
459-045-0090	5-28-2010	Amend	7-1-2010	461-115-0705	1-1-2010	Amend(T)	2-1-2010
459-075-0150	5-28-2010	Amend	7-1-2010	461-115-0705	5-28-2010	Amend(T)	7-1-2010
459-076-0060	6-17-2010	Repeal	8-1-2010	461-115-0705	7-1-2010	Amend	8-1-2010
459-080-0260	9-29-2010	Adopt	11-1-2010	461-115-0705	7-1-2010	Amend(T)	8-1-2010
461-001-0015	4-1-2010	Amend	5-1-2010	461-115-0705	10-1-2010	Amend	11-1-2010
461-025-0310	1-1-2010	Amend	2-1-2010	461-115-0705	11-1-2010	Amend(T)	12-1-2010
461-025-0311	8-16-2010	Amend(T)	10-1-2010	461-115-0705(T)	1-1-2010	Repeal	2-1-2010
461-101-0010	1-1-2010	Amend	2-1-2010	461-115-0705(T)	5-28-2010	Suspend	7-1-2010
461-101-0010	1-1-2010	Amend(T)	2-1-2010	461-115-0705(T)	10-1-2010	Repeal	11-1-2010
461-101-0010	7-1-2010	Amend	8-1-2010	461-120-0010	1-1-2010	Amend(T)	2-1-2010
461-101-0010	8-16-2010	Amend(T)	10-1-2010	461-120-0010	7-1-2010	Amend	8-1-2010
461-101-0010(T)	1-1-2010	Repeal	2-1-2010	461-120-0125	1-1-2010	Amend	2-1-2010
461-105-0006	1-1-2010	Adopt	2-1-2010	461-120-0125	1-1-2010	Amend(T)	2-1-2010
461-105-0006	4-1-2010	Amend	5-1-2010	461-120-0125	7-1-2010	Amend	8-1-2010
461-105-0006(T)	1-1-2010	Repeal	2-1-2010	461-120-0125(T)	1-1-2010	Repeal	2-1-2010
461-110-0210	1-1-2010	Amend	2-1-2010	461-120-0210	1-1-2010	Amend	2-1-2010
461-110-0210	1-1-2010	Amend(T)	2-1-2010	461-120-0210	1-1-2010	Amend(T)	2-1-2010
461-110-0210	7-1-2010	Amend	8-1-2010	461-120-0210	7-1-2010	Amend	8-1-2010
461-110-0210(T)	1-1-2010	Repeal	2-1-2010	461-120-0210(T)	1-1-2010	Repeal	2-1-2010
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461-110-0400	1-1-2010	Amend(T)	2-1-2010	461-120-0310(T)	1-1-2010	Repeal	2-1-2010
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461-110-0430	10-1-2010	Amend	11-1-2010	461-120-0345	1-1-2010	Amend	2-1-2010
461-110-0530	1-1-2010	Amend(T)	2-1-2010	461-120-0345(T)	1-1-2010	Repeal	2-1-2010
461-110-0530	7-1-2010	Amend	8-1-2010	461-120-0510	1-1-2010	Amend	2-1-2010
461-110-0630	1-1-2010	Amend(T)	2-1-2010	461-120-0510(T)	1-1-2010	Repeal	2-1-2010
461-110-0630	7-1-2010	Amend	8-1-2010	461-125-0170	1-1-2010	Amend	2-1-2010
461-110-0630	8-16-2010	Amend(T)	10-1-2010	461-125-0170(T)	1-1-2010	Repeal	2-1-2010
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461-115-0030	7-1-2010	Amend	8-1-2010	461-135-0095	11-15-2010	Amend(T)	12-1-2010
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461-135-0150	5-1-2010	Amend(T)	6-1-2010	461-135-1125	10-1-2010	Amend	11-1-2010
461-135-0150	10-1-2010	Amend	11-1-2010	461-135-1125	10-1-2010	Amend(T)	11-1-2010
461-135-0150(T)	10-1-2010	Repeal	11-1-2010	461-135-1125(T)	1-1-2010	Repeal	2-1-2010
461-135-0210	8-16-2010	Amend(T)	10-1-2010	461-135-1125(T)	8-16-2010	Suspend	10-1-2010
461-135-0400	7-1-2010	Amend	8-1-2010	461-135-1125(T)	10-1-2010	Repeal	11-1-2010
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461-135-0498	4-1-2010	Adopt	5-1-2010	461-135-1149	7-1-2010	Amend	8-1-2010
461-135-0570	2-5-2010	Amend(T)	3-1-2010	461-135-1149(T)	1-1-2010	Repeal	2-1-2010
461-135-0570	4-1-2010	Amend	5-1-2010	461-135-1175	4-1-2010	Amend(T)	5-1-2010
461-135-0570	4-1-2010	Amend(T)	5-1-2010	461-135-1175	7-1-2010	Amend	8-1-2010
461-135-0570	7-1-2010	Amend	8-1-2010	461-135-1175(T)	7-1-2010	Repeal	8-1-2010
461-135-0570(T)	4-1-2010	Repeal	5-1-2010	461-135-1180	1-1-2010	Repeal	2-1-2010
461-135-0570(T)	7-1-2010	Repeal	8-1-2010	461-135-1185	1-1-2010	Amend	2-1-2010
461-135-0575	4-1-2010	Amend	5-1-2010	461-135-1195	11-16-2009	Amend(T)	1-1-2010
461-135-0730	4-1-2010	Amend	5-1-2010	461-135-1195(T)	4-1-2010	Repeal	5-1-2010
461-135-0832	4-1-2010	Amend	5-1-2010	461-135-1225	1-1-2010	Amend	2-1-2010
461-135-0835	1-1-2010	Amend	2-1-2010	461-135-1230	1-1-2010	Amend	2-1-2010
461-135-0835	4-1-2010	Amend	5-1-2010	461-135-1250	8-16-2010	Amend(T)	10-1-2010
461-135-0835	5-27-2010	Amend(T)	7-1-2010	461-140-0296	10-1-2010	Amend	11-1-2010
461-135-0835	10-1-2010	Amend	11-1-2010	461-145-0022	4-1-2010	Amend	5-1-2010
461-135-0835(T)	10-1-2010	Repeal	11-1-2010	461-145-0040	7-1-2010	Amend	8-1-2010
461-135-0900	5-17-2010	Amend(T)	7-1-2010	461-145-0130	1-1-2010	Amend	2-1-2010
461-135-0900	10-1-2010	Amend	11-1-2010	461-145-0130	1-1-2010	Amend(T)	2-1-2010
461-135-0900(T)	10-1-2010	Repeal	11-1-2010	461-145-0130	4-1-2010	Amend	5-1-2010
461-135-0990	1-1-2010	Amend	2-1-2010	461-145-0130	5-19-2010	Amend(T)	7-1-2010
461-135-0990(T)	1-1-2010	Repeal	2-1-2010	461-145-0130	10-1-2010	Amend	11-1-2010
461-135-1100	12-1-2009	Amend(T)	1-1-2010	461-145-0130(T)	1-1-2010	Repeal	2-1-2010
461-135-1100	1-1-2010	Amend	2-1-2010	461-145-0130(T)	4-1-2010	Repeal	5-1-2010
461-135-1100	1-1-2010	Amend(T)	2-1-2010	461-145-0130(T)	10-1-2010	Repeal	11-1-2010
461-135-1100	4-21-2010	Amend(T)	6-1-2010	461-145-0140	4-22-2010	Amend(T)	6-1-2010
461-135-1100	7-1-2010	Amend	8-1-2010	461-145-0140	10-1-2010	Amend	11-1-2010
461-135-1100	7-1-2010	Amend(T)	8-1-2010	461-145-0140(T)	10-1-2010	Repeal	11-1-2010
461-135-1100	7-15-2010	Amend(T)	8-1-2010	461-145-0143	1-1-2010	Amend	2-1-2010
461-135-1100	8-16-2010	Adopt(T)	10-1-2010	461-145-0143	1-1-2010	Amend(T)	2-1-2010
461-135-1100	8-25-2010	Amend(T)	10-1-2010	461-145-0143	7-1-2010	Amend	8-1-2010
461-135-1100	10-1-2010	Amend	11-1-2010	461-145-0143	7-1-2010	Amend(T)	8-1-2010
461-135-1100	10-1-2010	Amend(T)	11-1-2010	461-145-0143	10-1-2010	Amend	11-1-2010
461-135-1100(T)	12-1-2009	Suspend	1-1-2010	461-145-0143(T)	1-1-2010	Repeal	2-1-2010
461-135-1100(T)	1-1-2010	Repeal	2-1-2010	461-145-0143(T)	10-1-2010	Repeal	11-1-2010
461-135-1100(T)	4-21-2010	Suspend	6-1-2010	461-145-0150	4-1-2010	Amend	5-1-2010
461-135-1100(T)	7-15-2010	Suspend	8-1-2010	461-145-0184	4-1-2010	Adopt	5-1-2010
461-135-1100(T)	8-16-2010	Suspend	10-1-2010	461-145-0220	1-1-2010	Amend	2-1-2010
461-135-1100(T)	8-25-2010	Suspend	10-1-2010	461-145-0260	1-1-2010	Amend	2-1-2010
461-135-1100(T)	10-1-2010	Repeal	11-1-2010	461-145-0320	4-1-2010	Amend	5-1-2010
461-135-1101	1-1-2010	Adopt(T)	2-1-2010	461-145-0320	7-1-2010	Amend	8-1-2010
461-135-1101	7-1-2010	Adopt	8-1-2010	461-145-0360	10-1-2010	Amend	11-1-2010
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461-135-1102	10-1-2010	Amend	11-1-2010	461-145-0550	11-24-2009	Amend(T)	1-1-2010
461-135-1102(T)	10-1-2010	Repeal	11-1-2010	461-145-0550	4-1-2010	Amend	5-1-2010
461-135-1110	7-1-2010	Amend(T)	8-1-2010	461-145-0550(T)	4-1-2010	Repeal	5-1-2010
461-135-1110	10-1-2010	Amend	11-1-2010	461-145-0810	1-1-2010	Amend	2-1-2010
461-135-1110(T)	10-1-2010	Repeal	11-1-2010	461-145-0820	7-1-2010	Amend	8-1-2010
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461-150-0030	10-1-2010	Repeal	11-1-2010	461-160-0580	1-1-2010	Amend	2-1-2010
461-150-0050	10-1-2010	Amend	11-1-2010	461-160-0610	1-1-2010	Amend	2-1-2010
461-150-0055	1-1-2010	Amend	2-1-2010	461-160-0610	10-1-2010	Amend	11-1-2010
461-150-0055	8-16-2010	Amend(T)	10-1-2010	461-160-0620	7-1-2010	Amend	8-1-2010
461-150-0055	11-1-2010	Amend(T)	12-1-2010	461-160-0700	1-1-2010	Amend	2-1-2010
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461-150-0055(T)	11-1-2010	Suspend	12-1-2010	461-160-0700	11-1-2010	Amend(T)	12-1-2010
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461-150-0090	12-1-2009	Amend(T)	1-1-2010	461-160-0700(T)	11-1-2010	Suspend	12-1-2010
461-150-0090	4-1-2010	Amend	5-1-2010	461-160-0855	10-1-2010	Amend	11-1-2010
461-150-0090(T)	4-1-2010	Repeal	5-1-2010	461-165-0010	1-1-2010	Amend	2-1-2010
461-155-0030	8-16-2010	Amend(T)	10-1-2010	461-165-0030	1-1-2010	Amend(T)	2-1-2010
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461-155-0150	10-1-2010	Amend	11-1-2010	461-165-0060	10-1-2010	Amend	11-1-2010
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461-155-0180	3-31-2010	Amend	5-1-2010	461-165-0100	7-1-2010	Amend	8-1-2010
461-155-0180	8-16-2010	Amend(T)	10-1-2010	461-165-0100	10-1-2010	Amend	11-1-2010
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461-155-0225	8-16-2010	Amend(T)	10-1-2010	461-165-0160	10-1-2010	Amend	11-1-2010
461-155-0225	9-15-2010	Amend(T)	10-1-2010	461-165-0180	7-1-2010	Amend	8-1-2010
461-155-0225(T)	1-1-2010	Repeal	2-1-2010	461-165-0180	10-1-2010	Amend	11-1-2010
461-155-0225(T)	9-15-2010	Suspend	10-1-2010	461-165-0190	10-1-2010	Amend	11-1-2010
461-155-0250	1-1-2010	Amend	2-1-2010	461-165-0200	1-1-2010	Amend	2-1-2010
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461-155-0320	8-16-2010	Amend(T)	10-1-2010	461-165-0210	4-1-2010	Amend	5-1-2010
461-155-0360	1-1-2010	Amend	2-1-2010	461-165-0230	1-1-2010	Amend	2-1-2010
461-155-0360(T)	1-1-2010	Repeal	2-1-2010	461-170-0010	1-1-2010	Amend(T)	2-1-2010
461-155-0500	7-1-2010	Amend	8-1-2010	461-170-0010	4-1-2010	Amend	5-1-2010
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461-155-0530	1-1-2010	Amend	2-1-2010	461-170-0010	11-1-2010	Amend(T)	12-1-2010
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461-155-0660	1-1-2010	Amend	2-1-2010	461-170-0011	4-1-2010	Amend(T)	5-1-2010
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461-155-0693	1-1-2010	Adopt	2-1-2010	461-170-0100	10-1-2010	Repeal	11-1-2010
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461-160-0015	1-1-2010	Amend(T)	2-1-2010	461-175-0200(T)	7-1-2010	Repeal	8-1-2010
461-160-0015	7-1-2010	Amend	8-1-2010	461-175-0210	10-1-2010	Amend	11-1-2010
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461-160-0040	10-1-2010	Amend	11-1-2010	461-175-0222	5-27-2010	Amend	7-1-2010
461-160-0400	10-1-2010	Amend	11-1-2010	461-175-0240	10-1-2010	Amend	11-1-2010
461-160-0400	11-1-2010	Amend(T)	12-1-2010	461-175-0250	8-16-2010	Amend(T)	10-1-2010
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461-175-0280	10-1-2010	Amend	11-1-2010	462-120-0090	10-1-2010	Amend	11-1-2010
461-175-0300	7-1-2010	Amend	8-1-2010	462-120-0100	10-1-2010	Amend	11-1-2010
461-175-0305	10-1-2010	Amend	11-1-2010	462-120-0110	10-1-2010	Amend	11-1-2010
461-180-0020	10-1-2010	Amend	11-1-2010	462-120-0120	10-1-2010	Amend	11-1-2010
461-180-0030	10-1-2010	Amend	11-1-2010	462-120-0130	10-1-2010	Repeal	11-1-2010
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461-180-0085	1-1-2010	Amend	2-1-2010	462-130-0030	10-1-2010	Amend	11-1-2010
461-180-0085(T)	1-1-2010	Repeal	2-1-2010	462-130-0040	10-1-2010	Amend	11-1-2010
461-180-0090	1-1-2010	Amend	2-1-2010	462-130-0050	10-1-2010	Amend	11-1-2010
461-180-0090	1-1-2010	Amend(T)	2-1-2010	462-130-0060	10-1-2010	Amend	11-1-2010
461-180-0090	1-26-2010	Amend(T)	3-1-2010	462-140-0025	10-1-2010	Amend	11-1-2010
461-180-0090	7-1-2010	Amend	8-1-2010	462-140-0030	10-1-2010	Amend	11-1-2010
461-180-0090	7-1-2010	Amend(T)	8-1-2010	462-140-0040	10-1-2010	Amend	11-1-2010
461-180-0090	10-1-2010	Amend	11-1-2010	462-140-0050	10-1-2010	Amend	11-1-2010
461-180-0090(T)	1-1-2010	Repeal	2-1-2010	462-140-0060	10-1-2010	Amend	11-1-2010
461-180-0090(T)	1-26-2010	Suspend	3-1-2010	462-140-0070	10-1-2010	Amend	11-1-2010
461-180-0090(T)	10-1-2010	Repeal	11-1-2010	462-140-0080	10-1-2010	Amend	11-1-2010
461-180-0097	10-1-2010	Amend	11-1-2010	462-140-0100	10-1-2010	Amend	11-1-2010
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461-193-1370	1-1-2010	Repeal	2-1-2010	462-150-0060	10-1-2010	Amend	11-1-2010
461-193-1380	1-1-2010	Amend	2-1-2010	462-160-0110	10-1-2010	Amend	11-1-2010
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462-120-0020	10-1-2010	Amend	11-1-2010	462-180-0030	10-1-2010	Repeal	11-1-2010
462-120-0030	10-1-2010	Amend	11-1-2010	462-180-0040	10-1-2010	Repeal	11-1-2010
462-120-0040	10-1-2010	Amend	11-1-2010	462-180-0050	10-1-2010	Repeal	11-1-2010
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462-210-0030	10-1-2010	Amend	11-1-2010	573-041-0037	4-22-2010	Repeal	6-1-2010
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471-007-0220	1-31-2010	Adopt	3-1-2010	573-041-0050	4-22-2010	Repeal	6-1-2010
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471-007-0230	1-31-2010	Adopt	3-1-2010	573-041-0055	4-22-2010	Repeal	6-1-2010
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471-007-0250(T)	1-31-2010	Repeal	3-1-2010	573-041-0085	1-11-2010	Repeal	2-1-2010
471-007-0260	1-31-2010	Adopt	3-1-2010	573-041-0085	4-22-2010	Repeal	6-1-2010
471-007-0260(T)	1-31-2010	Repeal	3-1-2010	573-041-0090	1-11-2010	Repeal	2-1-2010
471-007-0270	1-31-2010	Adopt	3-1-2010	573-041-0090	4-22-2010	Repeal	6-1-2010
471-007-0270(T)	1-31-2010	Repeal	3-1-2010	573-041-0095	1-11-2010	Repeal	2-1-2010
471-007-0280	1-31-2010	Adopt	3-1-2010	573-041-0095	4-22-2010	Repeal	6-1-2010
471-007-0280(T)	1-31-2010	Repeal	3-1-2010	573-041-0096	1-11-2010	Repeal	2-1-2010
471-007-0285	1-31-2010	Adopt	3-1-2010	573-041-0096	4-22-2010	Repeal	6-1-2010
471-007-0285(T)	1-31-2010	Repeal	3-1-2010	573-041-0100	1-11-2010	Repeal	2-1-2010
471-007-0290	1-31-2010	Adopt	3-1-2010	573-041-0100	4-22-2010	Repeal	6-1-2010
471-007-0290(T)	1-31-2010	Repeal	3-1-2010	573-050-0025	6-8-2010	Amend	7-1-2010
471-007-0300	1-31-2010	Adopt	3-1-2010	573-050-0045	6-8-2010	Amend	7-1-2010
471-007-0300(T)	1-31-2010	Repeal	3-1-2010	574-050-0005	1-27-2010	Amend	3-1-2010
471-007-0310	1-31-2010	Adopt	3-1-2010	574-050-0005	8-4-2010	Amend	9-1-2010
471-007-0310(T)	1-31-2010	Repeal	3-1-2010	575-031-0020	10-6-2010	Amend	11-1-2010
471-030-0220	4-14-2010	Adopt	5-1-2010	575-031-0025	11-24-2009	Amend(T)	1-1-2010
471-030-0225	3-3-2010	Adopt(T)	4-1-2010	575-031-0025	10-6-2010	Amend	11-1-2010
471-030-0225	7-16-2010	Adopt	9-1-2010	576-010-0000	7-1-2010	Amend	8-1-2010
471-030-0225(T)	7-16-2010	Repeal	9-1-2010	576-010-0031	8-10-2010	Adopt	9-1-2010
543-060-0020	10-25-2010	Amend	12-1-2010	576-010-0036	8-10-2010	Adopt	9-1-2010
543-060-0030	10-25-2010	Amend	12-1-2010	576-010-0041	8-10-2010	Adopt	9-1-2010
543-060-0070	10-25-2010	Amend	12-1-2010	576-015-0005	7-1-2010	Amend	8-1-2010
543-070-0000	10-25-2010	Amend	12-1-2010	576-015-0010	7-1-2010	Amend	8-1-2010
571-060-0005	7-1-2010	Amend	6-1-2010	576-015-0015	7-1-2010	Repeal	8-1-2010
571-060-0005	7-30-2010	Amend	9-1-2010	576-015-0020	7-1-2010	Amend	8-1-2010
573-040-0005	7-12-2010	Amend	8-1-2010	576-015-0021	7-1-2010	Adopt	8-1-2010
573-041-0005	1-11-2010	Repeal	2-1-2010	576-015-0025	7-1-2010	Amend	8-1-2010
573-041-0005	4-22-2010	Repeal	6-1-2010	576-015-0030	7-1-2010	Amend	8-1-2010
573-041-0010	1-11-2010	Repeal	2-1-2010	576-015-0035	7-1-2010	Amend	8-1-2010
573-041-0010	4-22-2010	Repeal	6-1-2010	576-015-0040	7-1-2010	Amend	8-1-2010
573-041-0020	1-11-2010	Repeal	2-1-2010	576-015-0043	7-1-2010	Amend	8-1-2010
573-041-0020	4-22-2010	Repeal	6-1-2010	576-015-0045	7-1-2010	Amend	8-1-2010
573-041-0025	1-11-2010	Repeal	2-1-2010	576-015-0050	7-1-2010	Amend	8-1-2010
573-041-0025	4-22-2010	Repeal	6-1-2010	576-015-0055	7-1-2010	Amend	8-1-2010
573-041-0027	1-11-2010	Repeal	2-1-2010	576-015-0056	7-1-2010	Amend	8-1-2010
573-041-0027	4-22-2010	Repeal	6-1-2010	576-015-0057	7-1-2010	Amend	8-1-2010
573-041-0030	1-11-2010	Repeal	2-1-2010	576-015-0060	7-1-2010	Amend	8-1-2010
573-041-0030	4-22-2010	Repeal	6-1-2010	576-018-0000	7-1-2010	Repeal	8-1-2010
573-041-0035	1-11-2010	Repeal	2-1-2010	576-018-0010	7-1-2010	Repeal	8-1-2010
573-041-0035	4-22-2010	Repeal	6-1-2010	576-018-0020	7-1-2010	Repeal	8-1-2010

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576-018-0040	7-1-2010	Repeal	8-1-2010	581-016-0900	12-10-2009	Repeal	1-1-2010
576-018-0050	7-1-2010	Repeal	8-1-2010	581-016-0910	12-10-2009	Repeal	1-1-2010
576-018-0060	7-1-2010	Repeal	8-1-2010	581-016-0920	12-10-2009	Repeal	1-1-2010
576-018-0070	7-1-2010	Repeal	8-1-2010	581-016-0930	12-10-2009	Repeal	1-1-2010
576-018-0080	7-1-2010	Repeal	8-1-2010	581-016-0940	12-10-2009	Repeal	1-1-2010
576-018-0090	7-1-2010	Repeal	8-1-2010	581-016-0950	12-10-2009	Repeal	1-1-2010
576-018-0100	7-1-2010	Repeal	8-1-2010	581-016-0960	12-10-2009	Repeal	1-1-2010
576-018-0110	7-1-2010	Repeal	8-1-2010	581-016-0970	12-10-2009	Repeal	1-1-2010
576-018-0120	7-1-2010	Repeal	8-1-2010	581-016-0980	12-10-2009	Repeal	1-1-2010
576-018-0130	7-1-2010	Repeal	8-1-2010	581-016-0990	12-10-2009	Repeal	1-1-2010
576-018-0140	7-1-2010	Repeal	8-1-2010	581-016-1000	12-10-2009	Repeal	1-1-2010
576-018-0150	7-1-2010	Repeal	8-1-2010	581-016-1010	12-10-2009	Repeal	1-1-2010
576-018-0160	7-1-2010	Repeal	8-1-2010	581-016-1020	12-10-2009	Repeal	1-1-2010
576-018-0170	7-1-2010	Repeal	8-1-2010	581-016-1030	12-10-2009	Repeal	1-1-2010
576-018-0180	7-1-2010	Repeal	8-1-2010	581-016-1040	12-10-2009	Repeal	1-1-2010
576-018-0190	7-1-2010	Repeal	8-1-2010	581-016-1050	12-10-2009	Repeal	1-1-2010
576-018-0200	7-1-2010	Repeal	8-1-2010	581-020-0301	12-10-2009	Amend(T)	1-1-2010
576-018-0220	7-1-2010	Repeal	8-1-2010	581-020-0301	6-30-2010	Amend	8-1-2010
576-018-0230	7-1-2010	Repeal	8-1-2010	581-020-0333	12-10-2009	Adopt(T)	1-1-2010
576-018-0240	7-1-2010	Repeal	8-1-2010	581-020-0334	6-30-2010	Adopt	8-1-2010
576-018-0250	7-1-2010	Repeal	8-1-2010	581-020-0335	12-10-2009	Adopt(T)	1-1-2010
576-018-0260	7-1-2010	Repeal	8-1-2010	581-020-0336	6-30-2010	Adopt	8-1-2010
577-060-0020	7-1-2010	Amend(T)	5-1-2010	581-020-0337	12-10-2009	Adopt(T)	1-1-2010
577-060-0020	8-1-2010	Amend	8-1-2010	581-020-0338	6-30-2010	Adopt	8-1-2010
577-060-0020(T)	8-1-2010	Repeal	8-1-2010	581-020-0359	12-10-2009	Amend(T)	1-1-2010
578-041-0030	6-28-2010	Amend(T)	8-1-2010	581-020-0359	6-30-2010	Amend	8-1-2010
578-041-0030	8-30-2010	Amend	10-1-2010	581-020-0362	12-10-2009	Adopt(T)	1-1-2010
578-041-0030(T)	8-30-2010	Repeal	10-1-2010	581-020-0380	6-30-2010	Amend	8-1-2010
579-020-0006	12-15-2009	Amend	1-1-2010	581-021-0037	12-10-2009	Amend	1-1-2010
579-020-0006	5-13-2010	Amend	6-1-2010	581-021-0037	3-18-2010	Amend	5-1-2010
579-020-0006	7-15-2010	Amend	8-1-2010	581-021-0041	5-27-2010	Amend	7-1-2010
580-040-0035	1-19-2010	Amend	3-1-2010	581-021-0041	6-30-2010	Amend(T)	8-1-2010
580-040-0040	2-11-2010	Amend	3-1-2010	581-021-0041	11-15-2010	Amend	12-1-2010
580-040-0040	6-17-2010	Amend	8-1-2010	581-021-0041(T)	11-15-2010	Repeal	12-1-2010
580-040-0040(T)	2-11-2010	Repeal	3-1-2010	581-021-0110	12-10-2009	Amend	1-1-2010
581-001-0053	12-10-2009	Amend	1-1-2010	581-021-0210	11-15-2010	Amend	12-1-2010
581-011-0087	2-8-2010	Amend	3-1-2010	581-021-0500	12-10-2009	Amend	1-1-2010
581-015-2000	12-10-2009	Amend	1-1-2010	581-021-0500	12-10-2009	Amend	1-1-2010
581-015-2090	12-10-2009	Amend	1-1-2010	581-022-0421	6-30-2010	Adopt	8-1-2010
581-015-2270	12-10-2009	Amend	1-1-2010	581-022-0610	12-10-2009	Amend	1-1-2010
581-015-2275	12-10-2009	Amend	1-1-2010	581-022-0610	5-27-2010	Amend	7-1-2010
581-015-2440	12-10-2009	Amend	1-1-2010	581-022-0615	12-10-2009	Amend	1-1-2010
581-015-2570	12-10-2009	Amend	1-1-2010	581-022-0615(T)	12-10-2009	Repeal	1-1-2010
581-015-2571	12-10-2009	Adopt	1-1-2010	581-022-0620	3-18-2010	Adopt	5-1-2010
581-015-2572	12-10-2009	Adopt	1-1-2010	581-022-1130	12-10-2009	Amend	1-1-2010
581-015-2573	12-10-2009	Adopt	1-1-2010	581-022-1133	12-10-2009	Adopt	1-1-2010
581-015-2574	12-10-2009	Adopt	1-1-2010	581-022-1134	12-10-2009	Amend	1-1-2010
581-015-2735	12-10-2009	Amend	1-1-2010	581-022-1135	12-10-2009	Amend	1-1-2010
581-016-0520	12-10-2009	Amend	1-1-2010	581-022-1215	12-10-2009	Adopt	1-1-2010
581-016-0526	12-10-2009	Amend	1-1-2010	581-022-1440	12-10-2009	Amend	1-1-2010
581-016-0536	12-10-2009	Amend	1-1-2010	581-023-0006	12-10-2009	Amend	1-1-2010
581-016-0537	12-10-2009	Amend	1-1-2010	581-023-0018	12-10-2009	Amend	1-1-2010
581-016-0538	12-10-2009	Amend	1-1-2010	581-023-0040	4-26-2010	Amend	6-1-2010
581-016-0541	12-10-2009	Amend	1-1-2010	581-037-0005	6-30-2010	Amend	8-1-2010
581-016-0560	12-10-2009	Amend	1-1-2010	581-037-0006	6-30-2010	Amend	8-1-2010

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581-037-0025	6-30-2010	Amend	8-1-2010	584-052-0030	4-2-2010	Amend	5-1-2010
581-037-0030	6-30-2010	Repeal	8-1-2010	584-060-0012	12-15-2009	Amend	1-1-2010
581-045-0001	2-8-2010	Amend	3-1-2010	584-060-0013	12-15-2009	Amend	1-1-2010
581-045-0003	2-8-2010	Adopt	3-1-2010	584-060-0014	1-28-2010	Amend	3-1-2010
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581-045-0014	11-15-2010	Amend	12-1-2010	584-060-0071	12-18-2009	Amend	2-1-2010
581-045-0018	11-15-2010	Amend	12-1-2010	584-060-0162	1-1-2010	Amend	1-1-2010
581-045-0019	11-15-2010	Amend	12-1-2010	584-060-0162	8-13-2010	Amend(T)	9-1-2010
581-045-0032	11-15-2010	Amend	12-1-2010	584-060-0171	12-15-2009	Amend	1-1-2010
581-045-0062	2-8-2010	Amend	3-1-2010	584-060-0171	8-13-2010	Amend(T)	9-1-2010
581-045-0062	11-15-2010	Amend	12-1-2010	584-060-0181	12-15-2009	Amend	1-1-2010
581-045-0500	2-8-2010	Amend	3-1-2010	584-060-0181	8-13-2010	Amend(T)	9-1-2010
581-045-0522	12-10-2009	Amend	1-1-2010	584-060-0182	8-13-2010	Amend(T)	9-1-2010
581-045-0586	12-10-2009	Amend	1-1-2010	584-060-0190	8-13-2010	Amend(T)	9-1-2010
584-010-0020	12-15-2009	Amend	1-1-2010	584-060-0200	8-13-2010	Amend(T)	9-1-2010
584-017-0200	12-15-2009	Amend	1-1-2010	584-060-0210	8-13-2010	Amend(T)	9-1-2010
584-017-0201	12-15-2009	Amend	1-1-2010	584-060-0210	9-15-2010	Amend	10-1-2010
584-020-0040	7-15-2010	Amend	8-1-2010	584-060-0210(T)	9-15-2010	Repeal	10-1-2010
584-021-0165	12-15-2009	Amend	1-1-2010	584-060-0220	12-15-2009	Adopt	1-1-2010
584-021-0165	8-13-2010	Amend(T)	9-1-2010	584-060-0220	8-13-2010	Amend(T)	9-1-2010
584-023-0005	8-13-2010	Amend(T)	9-1-2010	584-060-0220	10-4-2010	Amend(T)	11-1-2010
584-036-0055	12-15-2009	Amend	1-1-2010	584-060-0220(T)	10-4-2010	Suspend	11-1-2010
584-036-0055	7-15-2010	Amend	8-1-2010	584-065-0030	12-15-2009	Repeal	1-1-2010
584-036-0055	8-13-2010	Amend(T)	9-1-2010	584-065-0035	12-15-2009	Adopt	1-1-2010
584-036-0080	8-31-2010	Amend	10-1-2010	584-065-0040	12-15-2009	Repeal	1-1-2010
584-036-0081	12-15-2009	Amend	1-1-2010	584-070-0001	8-13-2010	Amend(T)	9-1-2010
584-038-0004	8-31-2010	Amend	10-1-2010	584-070-0012	12-15-2009	Amend	1-1-2010
584-038-0190	8-31-2010	Amend	10-1-2010	584-070-0111	12-15-2009	Amend	1-1-2010
584-038-0300	12-15-2009	Amend	1-1-2010	584-070-0111	4-2-2010	Amend	5-1-2010
584-042-0002	3-5-2010	Suspend	4-1-2010	584-070-0111	8-13-2010	Amend(T)	9-1-2010
584-042-0006	3-5-2010	Suspend	4-1-2010	584-070-0112	12-15-2009	Amend	1-1-2010
584-042-0009	3-5-2010	Suspend	4-1-2010	584-070-0112	8-13-2010	Amend(T)	9-1-2010
584-042-0021	3-5-2010	Adopt(T)	4-1-2010	584-070-0132	8-13-2010	Amend(T)	9-1-2010
584-042-0021	7-15-2010	Adopt	8-1-2010	584-070-0310	12-15-2009	Amend	1-1-2010
584-042-0022	8-31-2010	Adopt	10-1-2010	584-070-0310	8-13-2010	Amend(T)	9-1-2010
584-042-0031	3-5-2010	Adopt(T)	4-1-2010	584-080-0012	7-15-2010	Amend	8-1-2010
584-042-0031	8-31-2010	Adopt	10-1-2010	584-080-0022	12-15-2009	Amend	1-1-2010
584-042-0031(T)	8-31-2010	Repeal	10-1-2010	584-080-0031	8-13-2010	Amend(T)	9-1-2010
584-042-0036	7-15-2010	Adopt	8-1-2010	584-080-0151	12-15-2009	Amend	1-1-2010
584-042-0044	3-5-2010	Adopt(T)	4-1-2010	584-080-0152	12-15-2009	Amend	1-1-2010
584-042-0044	7-15-2010	Adopt	8-1-2010	584-080-0153	12-15-2009	Amend	1-1-2010
584-042-0044	8-13-2010	Amend(T)	9-1-2010	584-080-0153	4-2-2010	Amend	5-1-2010
584-042-0051	8-31-2010	Adopt	10-1-2010	584-080-0153	8-13-2010	Amend(T)	9-1-2010
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584-042-0081	7-15-2010	Adopt	8-1-2010	584-080-0171	8-13-2010	Amend(T)	9-1-2010
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584-044-0014	7-15-2010	Amend	8-1-2010	589-007-0700	12-14-2009	Adopt	1-1-2010
584-044-0015	7-15-2010	Amend	8-1-2010	603-010-0056	1-7-2010	Adopt	2-1-2010
584-050-0006	12-15-2009	Amend	1-1-2010	603-011-0212	8-31-2010	Amend	10-1-2010
584-050-0015	4-2-2010	Amend	5-1-2010	603-011-0265	8-31-2010	Amend	10-1-2010
584-050-0030	12-15-2009	Amend	1-1-2010	603-011-0310	8-31-2010	Amend	10-1-2010
584-050-0035	12-15-2009	Amend	1-1-2010	603-011-0367	8-31-2010	Renumber	10-1-2010
584-050-0040	8-31-2010	Amend	10-1-2010	603-011-0369	8-31-2010	Renumber	10-1-2010
584-050-0100	4-2-2010	Amend	5-1-2010	603-011-0371	8-31-2010	Renumber	10-1-2010

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603-011-0374	8-31-2010	Renumber	10-1-2010	603-077-0119	7-12-2010	Adopt	8-1-2010
603-011-0377	8-31-2010	Renumber	10-1-2010	603-077-0125	7-12-2010	Repeal	8-1-2010
603-011-0378	8-31-2010	Renumber	10-1-2010	603-077-0131	7-12-2010	Amend	8-1-2010
603-011-0379	8-31-2010	Renumber	10-1-2010	603-077-0133	7-12-2010	Amend	8-1-2010
603-011-0525	8-31-2010	Amend	10-1-2010	603-077-0135	7-12-2010	Amend	8-1-2010
603-011-0610	2-26-2010	Amend	4-1-2010	603-077-0137	7-12-2010	Amend	8-1-2010
603-011-0615	2-26-2010	Amend	4-1-2010	603-077-0139	7-12-2010	Adopt	8-1-2010
603-011-0620	2-26-2010	Amend	4-1-2010	603-077-0140	7-12-2010	Amend	8-1-2010
603-011-0700	2-10-2010	Amend	3-1-2010	603-077-0145	7-12-2010	Amend	8-1-2010
603-011-0701	2-10-2010	Adopt	3-1-2010	603-077-0155	7-12-2010	Amend	8-1-2010
603-011-0705	2-10-2010	Amend	3-1-2010	603-077-0177	7-12-2010	Amend	8-1-2010
603-011-0706	2-10-2010	Adopt	3-1-2010	607-010-0020	7-1-2010	Amend	7-1-2010
603-011-0725	2-10-2010	Amend	3-1-2010	609-010-0100	5-28-2010	Adopt	7-1-2010
603-027-0105	9-14-2010	Amend	10-1-2010	609-010-0110	5-28-2010	Adopt	7-1-2010
603-027-0180	9-14-2010	Amend	10-1-2010	609-010-0120	5-28-2010	Adopt	7-1-2010
603-027-0206	9-14-2010	Amend	10-1-2010	609-010-0130	5-28-2010	Adopt	7-1-2010
603-027-0220	9-14-2010	Amend	10-1-2010	609-010-0140	5-28-2010	Adopt	7-1-2010
603-027-0400	9-14-2010	Amend	10-1-2010	617-010-0085	6-21-2010	Amend	8-1-2010
603-027-0410	1-1-2010	Amend	2-1-2010	617-040-0010	5-21-2010	Amend	7-1-2010
603-027-0410	9-14-2010	Amend	10-1-2010	629-035-0105	6-22-2010	Amend	8-1-2010
603-027-0410(T)	1-1-2010	Repeal	2-1-2010	629-041-0540	9-29-2010	Amend	11-1-2010
603-027-0420	1-1-2010	Amend	2-1-2010	629-045-0005	5-19-2010	Repeal	7-1-2010
603-027-0420	9-14-2010	Amend	10-1-2010	629-045-0010	5-19-2010	Repeal	7-1-2010
603-027-0420(T)	1-1-2010	Repeal	2-1-2010	629-045-0020	5-19-2010	Adopt	7-1-2010
603-027-0430	1-1-2010	Amend	2-1-2010	629-045-0025	5-19-2010	Adopt	7-1-2010
603-027-0430	9-14-2010	Amend	10-1-2010	629-045-0030	5-19-2010	Adopt	7-1-2010
603-027-0430(T)	1-1-2010	Repeal	2-1-2010	629-045-0035	5-19-2010	Adopt	7-1-2010
603-027-0440	1-1-2010	Amend	2-1-2010	629-045-0040	5-19-2010	Adopt	7-1-2010
603-027-0440(T)	1-1-2010	Repeal	2-1-2010	629-045-0045	5-19-2010	Adopt	7-1-2010
603-027-0490	1-1-2010	Amend	2-1-2010	629-045-0050	5-19-2010	Adopt	7-1-2010
603-027-0490	9-14-2010	Amend	10-1-2010	629-045-0055	5-19-2010	Adopt	7-1-2010
603-027-0490(T)	1-1-2010	Repeal	2-1-2010	629-045-0060	5-19-2010	Adopt	7-1-2010
603-027-0635	9-14-2010	Amend	10-1-2010	629-045-0065	5-19-2010	Adopt	7-1-2010
603-027-0655	9-14-2010	Amend	10-1-2010	632-020-0005	6-22-2010	Amend	8-1-2010
603-027-0680	9-14-2010	Amend	10-1-2010	632-020-0010	6-22-2010	Amend	8-1-2010
603-027-0700	9-14-2010	Amend	10-1-2010	632-020-0015	6-22-2010	Amend	8-1-2010
603-052-0051	1-28-2010	Amend	3-1-2010	632-020-0020	6-22-2010	Amend	8-1-2010
603-052-0127	1-28-2010	Amend	3-1-2010	632-020-0030	6-22-2010	Amend	8-1-2010
603-052-0860	1-21-2010	Amend	3-1-2010	632-020-0031	6-22-2010	Amend	8-1-2010
603-052-0880	1-21-2010	Amend	3-1-2010	632-020-0040	6-22-2010	Amend	8-1-2010
603-052-1150	8-9-2010	Amend	9-1-2010	632-020-0045	6-22-2010	Amend	8-1-2010
603-052-1200	2-4-2010	Amend	3-1-2010	632-020-0055	6-22-2010	Amend	8-1-2010
603-052-1236	2-4-2010	Adopt	3-1-2010	632-020-0060	6-22-2010	Amend	8-1-2010
603-054-0024	1-28-2010	Amend	3-1-2010	632-020-0065	6-22-2010	Amend	8-1-2010
603-056-0305	7-12-2010	Amend	8-1-2010	632-020-0070	6-22-2010	Amend	8-1-2010
603-056-0315	4-21-2010	Amend	6-1-2010	632-020-0090	6-22-2010	Amend	8-1-2010
603-057-0160	12-7-2009	Amend	1-1-2010	632-020-0095	6-22-2010	Amend	8-1-2010
603-076-0101	1-15-2010	Adopt	2-1-2010	632-020-0100	6-22-2010	Amend	8-1-2010
603-076-0106	1-15-2010	Adopt	2-1-2010	632-020-0105	6-22-2010	Amend	8-1-2010
603-077-0101	7-12-2010	Amend	8-1-2010	632-020-0110	6-22-2010	Amend	8-1-2010
603-077-0103	7-12-2010	Amend	8-1-2010	632-020-0115	6-22-2010	Amend	8-1-2010
603-077-0105	7-12-2010	Amend	8-1-2010	632-020-0117	6-22-2010	Amend	8-1-2010
603-077-0110	7-12-2010	Amend	8-1-2010	632-020-0120	6-22-2010	Amend	8-1-2010
603-077-0112	7-12-2010	Amend	8-1-2010	632-020-0125	6-22-2010	Amend	8-1-2010
603-077-0113	7-12-2010	Amend	8-1-2010	632-020-0130	6-22-2010	Amend	8-1-2010



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632-020-0138	6-22-2010	Amend	8-1-2010	635-005-0005	1-1-2010	Amend	2-1-2010
632-020-0145	6-22-2010	Amend	8-1-2010	635-005-0020	9-27-2010	Amend(T)	11-1-2010
632-020-0150	6-22-2010	Amend	8-1-2010	635-005-0020	10-7-2010	Amend(T)	11-1-2010
632-020-0151	6-22-2010	Amend	8-1-2010	635-005-0020(T)	10-7-2010	Suspend	11-1-2010
632-020-0154	6-22-2010	Amend	8-1-2010	635-005-0055	8-10-2010	Amend	9-1-2010
632-020-0155	6-22-2010	Amend	8-1-2010	635-006-0001	1-1-2010	Amend	1-1-2010
632-020-0156	6-22-2010	Amend	8-1-2010	635-006-0020	1-1-2010	Amend	1-1-2010
632-020-0157	6-22-2010	Amend	8-1-2010	635-006-0212	4-27-2010	Amend(T)	6-1-2010
632-020-0158	6-22-2010	Amend	8-1-2010	635-006-0215	4-1-2010	Amend(T)	5-1-2010
632-020-0170	6-22-2010	Amend	8-1-2010	635-006-0215	4-27-2010	Amend(T)	6-1-2010
632-020-0175	6-22-2010	Amend	8-1-2010	635-006-0215(T)	4-27-2010	Suspend	6-1-2010
632-020-0180	6-22-2010	Amend	8-1-2010	635-006-0225	4-27-2010	Amend(T)	6-1-2010
635-001-0035	1-1-2010	Amend	2-1-2010	635-006-0232	1-13-2010	Amend	2-1-2010
635-001-0070	9-10-2010	Adopt	10-1-2010	635-006-0850	1-1-2010	Amend	2-1-2010
635-001-0105	9-3-2010	Amend	10-1-2010	635-006-0890	1-1-2010	Amend	2-1-2010
635-001-0410	7-1-2010	Adopt(T)	8-1-2010	635-006-0910	1-1-2010	Amend	1-1-2010
635-002-0014	5-17-2010	Adopt	7-1-2010	635-006-1025	1-1-2010	Amend	1-1-2010
635-003-0003	5-25-2010	Amend	7-1-2010	635-006-1075	1-1-2010	Amend	1-1-2010
635-003-0085	8-1-2010	Amend	7-1-2010	635-006-1085	1-1-2010	Amend	1-1-2010
635-003-0085	10-15-2010	Amend(T)	11-1-2010	635-007-0605	1-1-2010	Amend	1-1-2010
635-003-0085	10-20-2010	Amend(T)	12-1-2010	635-007-0910	1-1-2010	Amend	1-1-2010
635-003-0085	10-29-2010	Amend(T)	12-1-2010	635-008-0055	8-13-2010	Amend	9-1-2010
635-003-0085(T)	10-20-2010	Suspend	12-1-2010	635-008-0070	8-13-2010	Amend	9-1-2010
635-003-0085(T)	10-29-2010	Suspend	12-1-2010	635-008-0085	8-13-2010	Amend	9-1-2010
635-004-0005	3-15-2010	Amend	4-1-2010	635-008-0145	1-1-2010	Amend	1-1-2010
635-004-0005	4-1-2010	Amend	5-1-2010	635-008-0155	8-13-2010	Amend	9-1-2010
635-004-0009	3-15-2010	Amend	4-1-2010	635-008-0211	8-10-2010	Adopt	9-1-2010
635-004-0009	4-1-2010	Amend	5-1-2010	635-011-0100	1-1-2010	Amend	1-1-2010
635-004-0016	1-1-2010	Amend(T)	2-1-2010	635-011-0170	3-15-2010	Adopt	4-1-2010
635-004-0016	3-15-2010	Amend	4-1-2010	635-012-0020	6-30-2011	Adopt	2-1-2010
635-004-0016	4-1-2010	Amend	5-1-2010	635-012-0020	6-30-2011	Adopt	3-1-2010
635-004-0016(T)	4-1-2010	Repeal	5-1-2010	635-012-0030	6-30-2011	Adopt	2-1-2010
635-004-0017	6-12-2010	Amend(T)	7-1-2010	635-012-0030	6-30-2011	Adopt	3-1-2010
635-004-0017	7-22-2010	Amend(T)	9-1-2010	635-012-0040	6-30-2011	Adopt	2-1-2010
635-004-0017	9-24-2010	Amend(T)	11-1-2010	635-012-0050	6-30-2011	Adopt	2-1-2010
635-004-0017(T)	9-24-2010	Suspend	11-1-2010	635-012-0050	6-30-2011	Adopt	3-1-2010
635-004-0019	3-3-2010	Amend(T)	4-1-2010	635-012-0060	6-30-2011	Adopt	2-1-2010
635-004-0019	5-12-2010	Amend(T)	6-1-2010	635-012-0060	6-30-2011	Adopt	3-1-2010
635-004-0019	7-30-2010	Amend(T)	9-1-2010	635-013-0003	1-1-2010	Amend	1-1-2010
635-004-0019	8-25-2010	Amend(T)	10-1-2010	635-013-0003	5-25-2010	Amend	7-1-2010
635-004-0019	10-4-2010	Amend(T)	11-1-2010	635-013-0004	1-1-2010	Amend	1-1-2010
635-004-0019(T)	5-12-2010	Suspend	6-1-2010	635-013-0007	8-1-2010	Amend	7-1-2010
635-004-0019(T)	7-30-2010	Suspend	9-1-2010	635-013-0009	3-15-2010	Amend(T)	4-1-2010
635-004-0019(T)	8-25-2010	Suspend	10-1-2010	635-013-0009	8-1-2010	Amend	7-1-2010
635-004-0019(T)	10-4-2010	Suspend	11-1-2010	635-013-0009(T)	8-1-2010	Repeal	7-1-2010
635-004-0020	1-1-2010	Amend	2-1-2010	635-014-0080	1-1-2010	Amend	1-1-2010
635-004-0027	1-1-2010	Amend(T)	2-1-2010	635-014-0090	1-1-2010	Amend	1-1-2010
635-004-0033	1-1-2010	Amend	2-1-2010	635-014-0090	4-21-2010	Amend(T)	6-1-2010
635-004-0033	8-1-2010	Amend(T)	9-1-2010	635-014-0090	6-1-2010	Amend(T)	7-1-2010
635-004-0033	10-15-2010	Amend(T)	11-1-2010	635-014-0090	7-1-2010	Amend(T)	8-1-2010
635-004-0033(T)	10-15-2010	Suspend	11-1-2010	635-014-0090	8-1-2010	Amend	7-1-2010
635-004-0036	1-1-2010	Amend	2-1-2010	635-014-0090(T)	6-1-2010	Suspend	7-1-2010
635-004-0066	1-1-2010	Adopt	2-1-2010	635-014-0090(T)	7-1-2010	Suspend	8-1-2010
635-004-0068	1-1-2010	Adopt	2-1-2010	635-016-0080	1-1-2010	Amend	1-1-2010
635-004-0070	1-1-2010	Amend	2-1-2010	635-016-0090	11-19-2009	Amend(T)	1-1-2010

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635-016-0090	1-1-2010	Amend	1-1-2010	635-023-0090	3-11-2010	Amend(T)	4-1-2010
635-016-0090	5-22-2010	Amend(T)	7-1-2010	635-023-0090(T)	3-11-2010	Suspend	4-1-2010
635-016-0090	8-1-2010	Amend	7-1-2010	635-023-0095	1-1-2010	Amend	1-1-2010
635-016-0090	10-10-2010	Amend(T)	11-1-2010	635-023-0095	2-21-2010	Amend(T)	4-1-2010
635-016-0090	10-30-2010	Amend(T)	12-1-2010	635-023-0095	3-1-2010	Amend(T)	4-1-2010
635-016-0090(T)	11-19-2009	Suspend	1-1-2010	635-023-0095	4-1-2010	Amend	5-1-2010
635-016-0090(T)	10-30-2010	Suspend	12-1-2010	635-023-0095	4-29-2010	Amend(T)	6-1-2010
635-017-0080	1-1-2010	Amend	1-1-2010	635-023-0095	5-6-2010	Amend(T)	6-1-2010
635-017-0090	1-1-2010	Amend	1-1-2010	635-023-0095	6-26-2010	Amend(T)	8-1-2010
635-017-0090	5-14-2010	Amend	6-1-2010	635-023-0095	7-15-2010	Amend(T)	8-1-2010
635-017-0090	5-22-2010	Amend(T)	6-1-2010	635-023-0095	8-1-2010	Amend(T)	8-1-2010
635-017-0090	6-18-2010	Amend(T)	8-1-2010	635-023-0095(T)	3-1-2010	Suspend	4-1-2010
635-017-0090	7-1-2010	Amend(T)	8-1-2010	635-023-0095(T)	4-1-2010	Repeal	5-1-2010
635-017-0090	7-8-2010	Amend(T)	8-1-2010	635-023-0095(T)	5-6-2010	Suspend	6-1-2010
635-017-0090	9-1-2010	Amend(T)	10-1-2010	635-023-0095(T)	6-26-2010	Suspend	8-1-2010
635-017-0090	9-23-2010	Amend(T)	11-1-2010	635-023-0095(T)	7-15-2010	Suspend	8-1-2010
635-017-0090(T)	6-18-2010	Suspend	8-1-2010	635-023-0095(T)	8-1-2010	Suspend	8-1-2010
635-017-0090(T)	7-1-2010	Suspend	8-1-2010	635-023-0125	1-1-2010	Amend	1-1-2010
635-017-0090(T)	7-8-2010	Suspend	8-1-2010	635-023-0125	3-1-2010	Amend(T)	4-1-2010
635-017-0090(T)	9-1-2010	Suspend	10-1-2010	635-023-0125	3-2-2010	Amend(T)	4-1-2010
635-017-0090(T)	9-23-2010	Suspend	11-1-2010	635-023-0125	4-24-2010	Amend(T)	6-1-2010
635-017-0095	1-1-2010	Amend	1-1-2010	635-023-0125	4-29-2010	Amend(T)	6-1-2010
635-017-0095	4-1-2010	Amend	5-1-2010	635-023-0125	5-8-2010	Amend(T)	6-1-2010
635-017-0095	7-5-2010	Amend(T)	8-1-2010	635-023-0125(T)	3-2-2010	Suspend	4-1-2010
635-017-0095	11-8-2010	Amend(T)	12-1-2010	635-023-0125(T)	4-24-2010	Suspend	6-1-2010
635-017-0095(T)	11-8-2010	Suspend	12-1-2010	635-023-0125(T)	4-29-2010	Suspend	6-1-2010
635-018-0080	1-1-2010	Amend	1-1-2010	635-023-0125(T)	5-8-2010	Suspend	6-1-2010
635-018-0090	1-1-2010	Amend	1-1-2010	635-023-0125(T)	6-26-2010	Suspend	8-1-2010
635-018-0090	4-1-2010	Amend(T)	3-1-2010	635-023-0128	1-1-2010	Amend	1-1-2010
635-018-0090	4-15-2010	Amend(T)	4-1-2010	635-023-0128	6-16-2010	Amend	7-1-2010
635-018-0090	5-22-2010	Amend(T)	7-1-2010	635-023-0128	6-26-2010	Amend(T)	8-1-2010
635-018-0090	7-1-2010	Amend(T)	8-1-2010	635-023-0130	1-1-2010	Amend	1-1-2010
635-018-0090	8-1-2010	Amend(T)	9-1-2010	635-023-0130	6-16-2010	Amend	7-1-2010
635-018-0090(T)	4-15-2010	Suspend	4-1-2010	635-023-0130	9-22-2010	Amend(T)	11-1-2010
635-018-0090(T)	5-22-2010	Suspend	7-1-2010	635-023-0130	10-15-2010	Amend(T)	11-1-2010
635-018-0090(T)	7-1-2010	Suspend	8-1-2010	635-023-0130(T)	10-15-2010	Suspend	11-1-2010
635-018-0090(T)	8-1-2010	Suspend	9-1-2010	635-023-0134	1-1-2010	Amend	1-1-2010
635-019-0080	1-1-2010	Amend	1-1-2010	635-023-0134	4-24-2010	Amend(T)	5-1-2010
635-019-0090	1-1-2010	Amend	1-1-2010	635-023-0134	7-31-2010	Amend(T)	9-1-2010
635-019-0090	5-22-2010	Amend(T)	6-1-2010	635-023-0134	9-1-2010	Amend(T)	10-1-2010
635-019-0090	7-11-2010	Amend(T)	8-1-2010	635-023-0134(T)	7-31-2010	Suspend	9-1-2010
635-019-0090	7-25-2010	Amend(T)	9-1-2010	635-039-0080	1-1-2010	Amend	1-1-2010
635-019-0090(T)	7-11-2010	Suspend	8-1-2010	635-039-0080	3-15-2010	Amend	4-1-2010
635-019-0090(T)	7-25-2010	Suspend	9-1-2010	635-039-0085	3-15-2010	Amend	4-1-2010
635-021-0080	1-1-2010	Amend	1-1-2010	635-039-0085	4-1-2010	Amend	5-1-2010
635-021-0090	1-1-2010	Amend	1-1-2010	635-039-0085	7-17-2010	Amend(T)	8-1-2010
635-021-0090	5-1-2010	Amend(T)	6-1-2010	635-039-0085	8-13-2010	Amend(T)	9-1-2010
635-021-0090	5-22-2010	Amend(T)	6-1-2010	635-039-0085(T)	8-13-2010	Suspend	9-1-2010
635-021-0090	5-22-2010	Amend(T)	7-1-2010	635-039-0090	1-1-2010	Amend	1-1-2010
635-021-0090	6-11-2010	Amend(T)	7-1-2010	635-039-0090	7-23-2010	Amend(T)	9-1-2010
635-021-0090(T)	5-22-2010	Suspend	7-1-2010	635-041-0005	4-15-2010	Amend(T)	5-1-2010
635-021-0090(T)	5-22-2010	Suspend	7-1-2010	635-041-0015	4-15-2010	Amend(T)	5-1-2010
635-021-0090(T)	6-11-2010	Suspend	7-1-2010	635-041-0020	4-15-2010	Amend(T)	5-1-2010
635-023-0080	1-1-2010	Amend	1-1-2010	635-041-0025	4-15-2010	Amend(T)	5-1-2010
635-023-0090	1-1-2010	Amend	1-1-2010	635-041-0065	2-3-2010	Amend(T)	3-1-2010
635-023-0090	1-1-2010	Amend(T)	2-1-2010				

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635-041-0065	2-26-2010	Amend(T)	4-1-2010	635-042-0130	1-1-2010	Amend(T)	2-1-2010
635-041-0065	3-3-2010	Amend(T)	4-1-2010	635-042-0130	2-8-2010	Amend(T)	3-1-2010
635-041-0065(T)	2-11-2010	Suspend	3-1-2010	635-042-0130	3-11-2010	Amend(T)	4-1-2010
635-041-0065(T)	2-26-2010	Suspend	4-1-2010	635-042-0130(T)	2-8-2010	Suspend	3-1-2010
635-041-0065(T)	3-3-2010	Suspend	4-1-2010	635-042-0130(T)	3-11-2010	Suspend	4-1-2010
635-041-0075	8-1-2010	Amend(T)	9-1-2010	635-042-0135	1-1-2010	Amend(T)	2-1-2010
635-041-0075	8-24-2010	Amend(T)	10-1-2010	635-042-0145	2-22-2010	Amend(T)	4-1-2010
635-041-0075	9-10-2010	Amend(T)	10-1-2010	635-042-0145	2-26-2010	Amend(T)	4-1-2010
635-041-0075	9-27-2010	Amend(T)	11-1-2010	635-042-0145	3-14-2010	Amend(T)	4-1-2010
635-041-0075	10-9-2010	Amend(T)	11-1-2010	635-042-0145	3-24-2010	Amend(T)	5-1-2010
635-041-0075	10-19-2010	Amend(T)	12-1-2010	635-042-0145	4-1-2010	Amend(T)	5-1-2010
635-041-0075(T)	8-24-2010	Suspend	10-1-2010	635-042-0145	4-21-2010	Amend(T)	6-1-2010
635-041-0075(T)	9-10-2010	Suspend	10-1-2010	635-042-0145	5-4-2010	Amend(T)	6-1-2010
635-041-0075(T)	9-27-2010	Suspend	11-1-2010	635-042-0145	5-11-2010	Amend(T)	6-1-2010
635-041-0075(T)	10-9-2010	Suspend	11-1-2010	635-042-0145	5-18-2010	Amend(T)	7-1-2010
635-041-0075(T)	10-19-2010	Suspend	12-1-2010	635-042-0145	8-4-2010	Amend(T)	9-1-2010
635-041-0076	4-27-2010	Amend(T)	6-1-2010	635-042-0145	9-10-2010	Amend(T)	10-1-2010
635-041-0076	4-29-2010	Amend(T)	6-1-2010	635-042-0145(T)	2-26-2010	Suspend	4-1-2010
635-041-0076	5-11-2010	Amend(T)	6-1-2010	635-042-0145(T)	3-14-2010	Suspend	4-1-2010
635-041-0076	5-19-2010	Amend(T)	7-1-2010	635-042-0145(T)	3-24-2010	Suspend	5-1-2010
635-041-0076	5-21-2010	Amend(T)	7-1-2010	635-042-0145(T)	4-1-2010	Suspend	5-1-2010
635-041-0076	6-2-2010	Amend(T)	7-1-2010	635-042-0145(T)	4-21-2010	Suspend	6-1-2010
635-041-0076	6-16-2010	Amend(T)	7-1-2010	635-042-0145(T)	5-4-2010	Suspend	6-1-2010
635-041-0076	6-29-2010	Amend(T)	8-1-2010	635-042-0145(T)	5-11-2010	Suspend	6-1-2010
635-041-0076	7-13-2010	Amend(T)	8-1-2010	635-042-0145(T)	5-18-2010	Suspend	7-1-2010
635-041-0076	7-20-2010	Amend(T)	9-1-2010	635-042-0145(T)	9-10-2010	Suspend	10-1-2010
635-041-0076	7-26-2010	Amend(T)	9-1-2010	635-042-0160	2-21-2010	Amend(T)	4-1-2010
635-041-0076(T)	4-29-2010	Suspend	6-1-2010	635-042-0160	4-21-2010	Amend(T)	6-1-2010
635-041-0076(T)	5-11-2010	Suspend	6-1-2010	635-042-0160	5-4-2010	Amend(T)	6-1-2010
635-041-0076(T)	5-19-2010	Suspend	7-1-2010	635-042-0160	5-11-2010	Amend(T)	6-1-2010
635-041-0076(T)	5-21-2010	Suspend	7-1-2010	635-042-0160	5-18-2010	Amend(T)	7-1-2010
635-041-0076(T)	6-2-2010	Suspend	7-1-2010	635-042-0160	8-4-2010	Amend(T)	9-1-2010
635-041-0076(T)	6-16-2010	Suspend	7-1-2010	635-042-0160	9-10-2010	Amend(T)	10-1-2010
635-041-0076(T)	6-29-2010	Suspend	8-1-2010	635-042-0160(T)	4-21-2010	Suspend	6-1-2010
635-041-0076(T)	7-13-2010	Suspend	8-1-2010	635-042-0160(T)	5-4-2010	Suspend	6-1-2010
635-041-0076(T)	7-20-2010	Suspend	9-1-2010	635-042-0160(T)	5-11-2010	Suspend	6-1-2010
635-041-0076(T)	7-26-2010	Suspend	9-1-2010	635-042-0160(T)	5-18-2010	Suspend	7-1-2010
635-041-0076(T)	8-1-2010	Suspend	9-1-2010	635-042-0160(T)	9-10-2010	Suspend	10-1-2010
635-042-0022	3-30-2010	Amend(T)	5-1-2010	635-042-0170	4-19-2010	Amend(T)	4-1-2010
635-042-0022	4-7-2010	Amend(T)	5-1-2010	635-042-0170	4-21-2010	Amend(T)	6-1-2010
635-042-0022(T)	4-7-2010	Suspend	5-1-2010	635-042-0170	5-4-2010	Amend(T)	6-1-2010
635-042-0027	6-17-2010	Amend(T)	7-1-2010	635-042-0170	5-11-2010	Amend(T)	6-1-2010
635-042-0031	8-3-2010	Amend(T)	9-1-2010	635-042-0170	5-18-2010	Amend(T)	7-1-2010
635-042-0031	8-19-2010	Amend(T)	10-1-2010	635-042-0170	8-4-2010	Amend(T)	9-1-2010
635-042-0031	9-22-2010	Amend(T)	11-1-2010	635-042-0170	9-10-2010	Amend(T)	10-1-2010
635-042-0031	9-24-2010	Amend(T)	11-1-2010	635-042-0170(T)	4-21-2010	Suspend	6-1-2010
635-042-0031(T)	8-19-2010	Suspend	10-1-2010	635-042-0170(T)	5-4-2010	Suspend	6-1-2010
635-042-0031(T)	9-22-2010	Suspend	11-1-2010	635-042-0170(T)	5-11-2010	Suspend	6-1-2010
635-042-0031(T)	9-24-2010	Suspend	11-1-2010	635-042-0170(T)	5-18-2010	Suspend	7-1-2010
635-042-0031(T)	10-5-2010	Suspend	11-1-2010	635-042-0170(T)	9-10-2010	Suspend	10-1-2010
635-042-0060	10-5-2010	Amend(T)	11-1-2010	635-042-0180	2-22-2010	Amend(T)	4-1-2010
635-042-0060	10-14-2010	Amend(T)	11-1-2010	635-042-0180	4-1-2010	Amend(T)	5-1-2010
635-042-0060	10-19-2010	Amend(T)	12-1-2010	635-042-0180	4-21-2010	Amend(T)	6-1-2010
635-042-0060(T)	10-14-2010	Suspend	11-1-2010	635-042-0180	5-4-2010	Amend(T)	6-1-2010
635-042-0060(T)	10-19-2010	Suspend	12-1-2010	635-042-0180	5-11-2010	Amend(T)	6-1-2010

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635-042-0180	9-10-2010	Amend(T)	10-1-2010	635-065-0015	5-12-2010	Amend(T)	6-1-2010
635-042-0180(T)	4-1-2010	Suspend	5-1-2010	635-065-0015	5-18-2010	Amend(T)	7-1-2010
635-042-0180(T)	4-21-2010	Suspend	6-1-2010	635-065-0015	6-15-2010	Amend	7-1-2010
635-042-0180(T)	5-4-2010	Suspend	6-1-2010	635-065-0015(T)	5-12-2010	Suspend	6-1-2010
635-042-0180(T)	5-11-2010	Suspend	6-1-2010	635-065-0015(T)	5-18-2010	Suspend	7-1-2010
635-042-0180(T)	5-18-2010	Suspend	7-1-2010	635-065-0015(T)	6-15-2010	Repeal	7-1-2010
635-042-0180(T)	9-10-2010	Suspend	10-1-2010	635-065-0765	1-25-2010	Amend(T)	3-1-2010
635-043-0051	6-2-2010	Amend(T)	7-1-2010	635-065-0765	2-26-2010	Amend(T)	4-1-2010
635-043-0051	7-9-2010	Amend(T)	8-1-2010	635-065-0765	3-30-2010	Amend(T)	5-1-2010
635-043-0051(T)	7-9-2010	Suspend	8-1-2010	635-065-0765	6-15-2010	Amend	7-1-2010
635-043-0105	1-12-2010	Amend	2-1-2010	635-065-0765(T)	6-15-2010	Repeal	7-1-2010
635-044-0051	1-1-2010	Adopt(T)	2-1-2010	635-067-0000	6-15-2010	Amend	7-1-2010
635-044-0051	5-17-2010	Adopt	7-1-2010	635-067-0000	6-21-2010	Amend(T)	8-1-2010
635-044-0051(T)	5-17-2010	Repeal	7-1-2010	635-067-0016	6-15-2010	Repeal	7-1-2010
635-045-0000	8-13-2010	Amend	9-1-2010	635-068-0000	3-1-2010	Amend	4-1-2010
635-045-0000	10-6-2010	Amend(T)	11-1-2010	635-068-0000	6-15-2010	Amend	7-1-2010
635-048-0080	12-15-2009	Amend	1-1-2010	635-069-0000	2-1-2010	Amend	2-1-2010
635-050-0045	6-15-2010	Amend	7-1-2010	635-069-0000	6-15-2010	Amend	7-1-2010
635-050-0045	9-10-2010	Amend	10-1-2010	635-070-0000	4-1-2010	Amend	4-1-2010
635-050-0050	6-15-2010	Amend	7-1-2010	635-070-0000	4-1-2010	Amend	4-1-2010
635-050-0070	6-15-2010	Amend	7-1-2010	635-070-0000	6-15-2010	Amend	7-1-2010
635-050-0080	6-15-2010	Amend	7-1-2010	635-071-0000	4-1-2010	Amend	4-1-2010
635-050-0090	6-15-2010	Amend	7-1-2010	635-071-0000	4-1-2010	Amend	4-1-2010
635-050-0100	6-15-2010	Amend	7-1-2010	635-071-0000	6-15-2010	Amend	7-1-2010
635-050-0110	6-15-2010	Amend	7-1-2010	635-073-0000	2-1-2010	Amend	2-1-2010
635-050-0120	6-15-2010	Amend	7-1-2010	635-073-0000	6-15-2010	Amend	7-1-2010
635-050-0130	6-15-2010	Amend	7-1-2010	635-073-0065	2-1-2010	Amend	2-1-2010
635-050-0140	6-15-2010	Amend	7-1-2010	635-073-0070	2-1-2010	Amend	2-1-2010
635-050-0150	6-15-2010	Amend	7-1-2010	635-073-0076	6-15-2010	Adopt	7-1-2010
635-050-0170	6-15-2010	Amend	7-1-2010	635-073-0090	8-1-2010	Amend(T)	9-1-2010
635-050-0180	9-10-2010	Amend	10-1-2010	635-075-0020	6-15-2010	Amend	7-1-2010
635-050-0183	6-15-2010	Amend	7-1-2010	635-090-0030	1-1-2010	Amend	1-1-2010
635-050-0189	6-15-2010	Amend	7-1-2010	635-090-0050	1-1-2010	Amend	1-1-2010
635-051-0000	8-13-2010	Amend	9-1-2010	635-110-0000	10-11-2010	Amend	11-1-2010
635-051-0001	8-13-2010	Amend	9-1-2010	635-110-0010	6-29-2010	Amend(T)	8-1-2010
635-052-0000	8-13-2010	Amend	9-1-2010	635-110-0010	10-11-2010	Amend	11-1-2010
635-053-0000	8-13-2010	Amend	9-1-2010	635-110-0010(T)	10-11-2010	Repeal	11-1-2010
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635-053-0025	8-13-2010	Amend	9-1-2010	635-110-0030	10-11-2010	Amend	11-1-2010
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635-055-0035	12-15-2009	Amend	1-1-2010	635-500-0810	8-10-2010	Amend	9-1-2010
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635-058-0000	1-12-2010	Adopt	2-1-2010	635-500-0850	8-10-2010	Amend	9-1-2010
635-058-0010	1-12-2010	Adopt	2-1-2010	635-500-0860	8-10-2010	Amend	9-1-2010
635-058-0020	1-12-2010	Adopt	2-1-2010	635-500-0880	9-3-2010	Amend	10-1-2010
635-059-0000	1-12-2010	Adopt	2-1-2010	635-500-1662	8-10-2010	Amend	9-1-2010
635-059-0010	1-12-2010	Adopt	2-1-2010	635-500-3420	8-10-2010	Amend	9-1-2010
635-059-0050	1-12-2010	Adopt	2-1-2010	635-500-3430	8-10-2010	Amend	9-1-2010
635-060-0000	8-13-2010	Amend	9-1-2010	635-500-3440	8-10-2010	Amend	9-1-2010
635-060-0000	10-6-2010	Amend(T)	11-1-2010	635-500-3450	8-10-2010	Amend	9-1-2010
635-060-0030	5-12-2010	Amend(T)	6-1-2010	635-500-3460	8-10-2010	Amend	9-1-2010

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635-500-6575	8-10-2010	Adopt	9-1-2010	661-010-0040	7-1-2010	Amend	8-1-2010
635-600-0000	1-1-2010	Amend	1-1-2010	661-010-0050	1-1-2010	Amend	2-1-2010
635-600-0005	1-1-2010	Amend	1-1-2010	661-010-0050	7-1-2010	Amend	8-1-2010
635-600-0010	1-1-2010	Amend	1-1-2010	661-010-0052	7-1-2010	Amend	8-1-2010
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641-010-0005	7-1-2010	Amend	7-1-2010	661-010-0067	7-1-2010	Amend	8-1-2010
642-010-0010	7-1-2010	Amend	7-1-2010	661-010-0075	7-1-2010	Amend	8-1-2010
645-010-0015	2-23-2010	Amend(T)	4-1-2010	661-040-0045	7-1-2010	Amend	8-1-2010
647-010-0010	7-1-2010	Amend	6-1-2010	678-010-0050	7-15-2010	Amend	8-1-2010
658-040-0005	7-1-2010	Amend	8-1-2010	678-030-0000	7-15-2010	Amend	8-1-2010
660-027-0040	10-20-2010	Amend	12-1-2010	678-030-0010	7-15-2010	Amend	8-1-2010
660-027-0070	4-30-2010	Amend	6-1-2010	678-030-0020	7-15-2010	Amend	8-1-2010
660-027-0070	10-20-2010	Amend	12-1-2010	678-030-0025	7-15-2010	Adopt	8-1-2010
660-028-0010	1-28-2010	Adopt	3-1-2010	678-030-0027	7-15-2010	Adopt	8-1-2010
660-028-0020	1-28-2010	Adopt	3-1-2010	678-030-0030	7-15-2010	Amend	8-1-2010
660-028-0030	1-28-2010	Adopt	3-1-2010	690-020-0021	1-1-2010	Am. & Ren.	1-1-2010
660-033-0120	12-7-2009	Amend	1-1-2010	690-020-0022	1-1-2010	Amend	1-1-2010
660-033-0120	6-17-2010	Amend	8-1-2010	690-020-0025	1-1-2010	Amend	1-1-2010
660-033-0130	12-7-2009	Amend	1-1-2010	690-020-0029	1-1-2010	Amend	1-1-2010
660-033-0130	6-17-2010	Amend	8-1-2010	690-020-0035	1-1-2010	Amend	1-1-2010
660-033-0130	6-17-2010	Amend(T)	8-1-2010	690-020-0039	1-1-2010	Am. & Ren.	1-1-2010
660-033-0130	9-24-2010	Amend	11-1-2010	690-020-0100	1-1-2010	Adopt	1-1-2010
660-033-0130(T)	9-24-2010	Repeal	11-1-2010	690-020-0200	1-1-2010	Adopt	1-1-2010
660-036-0005	11-25-2009	Adopt	1-1-2010	690-180-0005	11-23-2009	Suspend	1-1-2010
660-041-0000	2-9-2010	Amend	3-1-2010	690-180-0010	11-23-2009	Suspend	1-1-2010
660-041-0000	5-7-2010	Amend(T)	6-1-2010	690-180-0100	11-23-2009	Suspend	1-1-2010
660-041-0000	8-9-2010	Amend	9-1-2010	690-180-0200	11-23-2009	Suspend	1-1-2010
660-041-0010	5-7-2010	Amend(T)	6-1-2010	690-190-0005	11-23-2009	Adopt	1-1-2010
660-041-0010	8-9-2010	Amend	9-1-2010	690-190-0010	11-23-2009	Adopt	1-1-2010
660-041-0020	2-9-2010	Amend	3-1-2010	690-190-0100	11-23-2009	Adopt	1-1-2010
660-041-0080	2-9-2010	Amend	3-1-2010	690-190-0200	11-23-2009	Adopt	1-1-2010
660-041-0080	5-7-2010	Amend(T)	6-1-2010	690-340-0030	12-15-2009	Amend	1-1-2010
660-041-0080	8-9-2010	Amend	9-1-2010	690-382-0400	12-15-2009	Amend	1-1-2010
660-041-0090	5-7-2010	Amend(T)	6-1-2010	690-522-0010	6-9-2010	Adopt	7-1-2010
660-041-0090	8-9-2010	Amend	9-1-2010	690-522-0020	6-9-2010	Adopt	7-1-2010
660-041-0105	5-7-2010	Adopt(T)	6-1-2010	690-522-0030	6-9-2010	Adopt	7-1-2010
660-041-0110	5-7-2010	Amend(T)	6-1-2010	690-522-0040	6-9-2010	Adopt	7-1-2010
660-041-0110	8-9-2010	Amend	9-1-2010	690-522-0050	6-9-2010	Adopt	7-1-2010
660-041-0120	5-7-2010	Amend(T)	6-1-2010	695-045-0120	9-22-2010	Amend	11-1-2010
660-041-0120	8-9-2010	Amend	9-1-2010	695-045-0140	9-22-2010	Amend	11-1-2010
660-041-0170	5-7-2010	Amend(T)	6-1-2010	695-045-0150	9-22-2010	Amend	11-1-2010
660-041-0170	8-9-2010	Amend	9-1-2010	731-005-0410	1-1-2010	Amend(T)	2-1-2010
660-041-0180	8-9-2010	Adopt	9-1-2010	731-005-0410	5-18-2010	Amend	7-1-2010
660-043-0100	5-13-2010	Adopt	6-1-2010	731-005-0410(T)	5-18-2010	Repeal	7-1-2010
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661-010-0025	7-1-2010	Amend	8-1-2010	731-005-0670(T)	5-18-2010	Repeal	7-1-2010
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661-010-0035	7-1-2010	Amend	8-1-2010	731-007-0210(T)	5-18-2010	Repeal	7-1-2010
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731-007-0290	1-1-2010	Amend(T)	2-1-2010	732-005-0010	1-29-2010	Amend	3-1-2010
731-007-0290	5-18-2010	Amend	7-1-2010	732-005-0010(T)	1-29-2010	Repeal	3-1-2010
731-007-0290(T)	5-18-2010	Repeal	7-1-2010	732-005-0016	1-29-2010	Amend	3-1-2010
731-035-0020	11-17-2009	Amend	1-1-2010	732-005-0016(T)	1-29-2010	Repeal	3-1-2010
731-035-0020	7-30-2010	Amend	9-1-2010	732-005-0021	1-29-2010	Amend	3-1-2010
731-035-0040	7-30-2010	Amend	9-1-2010	732-005-0021(T)	1-29-2010	Repeal	3-1-2010
731-035-0050	11-17-2009	Amend	1-1-2010	732-005-0027	1-29-2010	Amend	3-1-2010
731-035-0060	11-17-2009	Amend	1-1-2010	732-005-0027(T)	1-29-2010	Repeal	3-1-2010
731-035-0060	7-30-2010	Amend	9-1-2010	732-005-0031	1-29-2010	Amend	3-1-2010
731-035-0070	11-17-2009	Amend	1-1-2010	732-005-0031(T)	1-29-2010	Repeal	3-1-2010
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731-035-0080	7-30-2010	Amend	9-1-2010	732-005-0036(T)	1-29-2010	Repeal	3-1-2010
731-070-0010	12-22-2009	Amend	2-1-2010	732-005-0046	1-29-2010	Amend	3-1-2010
731-070-0020	12-22-2009	Amend	2-1-2010	732-005-0046(T)	1-29-2010	Repeal	3-1-2010
731-070-0030	12-22-2009	Amend	2-1-2010	732-005-0051	1-29-2010	Amend	3-1-2010
731-070-0050	12-22-2009	Amend	2-1-2010	732-005-0051(T)	1-29-2010	Repeal	3-1-2010
731-070-0055	12-22-2009	Amend	2-1-2010	732-005-0056	1-29-2010	Amend	3-1-2010
731-070-0060	12-22-2009	Amend	2-1-2010	732-005-0056(T)	1-29-2010	Repeal	3-1-2010
731-070-0070	12-22-2009	Am. & Ren.	2-1-2010	732-005-0061	1-29-2010	Amend	3-1-2010
731-070-0080	12-22-2009	Amend	2-1-2010	732-005-0061(T)	1-29-2010	Repeal	3-1-2010
731-070-0110	12-22-2009	Amend	2-1-2010	732-005-0066	1-29-2010	Amend	3-1-2010
731-070-0120	12-22-2009	Amend	2-1-2010	732-005-0066(T)	1-29-2010	Repeal	3-1-2010
731-070-0130	12-22-2009	Amend	2-1-2010	732-005-0076	1-29-2010	Amend	3-1-2010
731-070-0140	12-22-2009	Amend	2-1-2010	732-005-0076(T)	1-29-2010	Repeal	3-1-2010
731-070-0160	12-22-2009	Amend	2-1-2010	732-005-0081	1-29-2010	Amend	3-1-2010
731-070-0170	12-22-2009	Amend	2-1-2010	732-005-0081(T)	1-29-2010	Repeal	3-1-2010
731-070-0180	12-22-2009	Amend	2-1-2010	732-030-0005	1-29-2010	Adopt	3-1-2010
731-070-0190	12-22-2009	Amend	2-1-2010	732-030-0005(T)	1-29-2010	Repeal	3-1-2010
731-070-0200	12-22-2009	Amend	2-1-2010	732-030-0010	1-29-2010	Adopt	3-1-2010
731-070-0210	12-22-2009	Amend	2-1-2010	732-030-0010(T)	1-29-2010	Repeal	3-1-2010
731-070-0220	12-22-2009	Amend	2-1-2010	732-030-0015	1-29-2010	Adopt	3-1-2010
731-070-0240	12-22-2009	Amend	2-1-2010	732-030-0015(T)	1-29-2010	Repeal	3-1-2010
731-070-0245	12-22-2009	Adopt	2-1-2010	732-030-0020	1-29-2010	Adopt	3-1-2010
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731-070-0260	12-22-2009	Amend	2-1-2010	732-030-0025	1-29-2010	Adopt	3-1-2010
731-070-0270	12-22-2009	Repeal	2-1-2010	732-030-0025(T)	1-29-2010	Repeal	3-1-2010
731-070-0280	12-22-2009	Amend	2-1-2010	732-030-0030	1-29-2010	Adopt	3-1-2010
731-070-0295	12-22-2009	Amend	2-1-2010	732-030-0030(T)	1-29-2010	Repeal	3-1-2010
731-070-0300	12-22-2009	Amend	2-1-2010	732-030-0035	1-29-2010	Adopt	3-1-2010
731-070-0320	12-22-2009	Amend	2-1-2010	732-030-0035(T)	1-29-2010	Repeal	3-1-2010
731-070-0350	12-22-2009	Amend	2-1-2010	733-030-0011	6-11-2010	Amend	7-1-2010
731-070-0360	12-22-2009	Amend	2-1-2010	733-030-0021	6-11-2010	Amend	7-1-2010
731-146-0010	1-1-2010	Amend(T)	2-1-2010	733-030-0036	6-11-2010	Amend	7-1-2010
731-146-0010	5-18-2010	Amend	7-1-2010	733-030-0055	6-11-2010	Amend	7-1-2010
731-146-0010(T)	5-18-2010	Repeal	7-1-2010	733-030-0080	6-11-2010	Amend	7-1-2010
731-147-0010	1-1-2010	Amend(T)	2-1-2010	733-030-0500	3-15-2010	Adopt	4-1-2010
731-147-0010	5-18-2010	Amend	7-1-2010	733-030-0510	3-15-2010	Adopt	4-1-2010
731-147-0010(T)	5-18-2010	Repeal	7-1-2010	733-030-0520	3-15-2010	Adopt	4-1-2010
731-148-0010	1-1-2010	Amend(T)	2-1-2010	734-020-0045	10-25-2010	Amend	12-1-2010
731-148-0010	5-18-2010	Amend	7-1-2010	734-020-0070	8-1-2010	Amend	9-1-2010
731-148-0010(T)	5-18-2010	Repeal	7-1-2010	734-020-0148	1-28-2010	Adopt(T)	3-1-2010
731-149-0010	1-1-2010	Amend(T)	2-1-2010	734-020-0148	5-18-2010	Amend	7-1-2010
731-149-0010	5-18-2010	Amend	7-1-2010	734-020-0148(T)	5-18-2010	Repeal	7-1-2010
731-149-0010(T)	5-18-2010	Repeal	7-1-2010	734-020-0310	8-27-2010	Amend	10-1-2010

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734-020-0330	8-27-2010	Amend	10-1-2010	734-065-0050	11-17-2009	Amend	1-1-2010
734-029-0005	7-1-2010	Amend	8-1-2010	734-074-0008	3-17-2010	Amend	5-1-2010
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734-029-0030	7-1-2010	Amend	8-1-2010	735-020-0080	1-1-2010	Amend	2-1-2010
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734-029-0045	7-1-2010	Adopt	8-1-2010	735-024-0015(T)	2-25-2010	Repeal	4-1-2010
734-030-0005	4-28-2010	Amend(T)	6-1-2010	735-024-0025	2-25-2010	Amend	4-1-2010
734-030-0005	10-1-2010	Amend	11-1-2010	735-024-0025(T)	2-25-2010	Repeal	4-1-2010
734-030-0005(T)	10-1-2010	Repeal	11-1-2010	735-024-0075	1-1-2010	Amend(T)	2-1-2010
734-030-0010	4-28-2010	Amend(T)	6-1-2010	735-024-0075	6-17-2010	Amend	8-1-2010
734-030-0010	10-1-2010	Amend	11-1-2010	735-024-0075(T)	6-17-2010	Repeal	8-1-2010
734-030-0010(T)	10-1-2010	Repeal	11-1-2010	735-024-0080	1-1-2010	Suspend	2-1-2010
734-030-0015	4-28-2010	Amend(T)	6-1-2010	735-024-0080	6-17-2010	Repeal	8-1-2010
734-030-0015	10-1-2010	Amend	11-1-2010	735-024-0130	1-1-2010	Amend(T)	2-1-2010
734-030-0015(T)	10-1-2010	Repeal	11-1-2010	735-024-0130	6-17-2010	Amend	8-1-2010
734-030-0020	4-28-2010	Amend(T)	6-1-2010	735-024-0130(T)	6-17-2010	Repeal	8-1-2010
734-030-0020	10-1-2010	Amend	11-1-2010	735-032-0010	2-25-2010	Amend	4-1-2010
734-030-0020(T)	10-1-2010	Repeal	11-1-2010	735-032-0010(T)	2-25-2010	Repeal	4-1-2010
734-035-0150	6-17-2010	Adopt	8-1-2010	735-032-0065	6-17-2010	Adopt(T)	8-1-2010
734-051-0020	7-30-2010	Amend(T)	9-1-2010	735-040-0097	1-28-2010	Amend	3-1-2010
734-051-0040	7-30-2010	Amend(T)	9-1-2010	735-040-0097(T)	1-28-2010	Repeal	3-1-2010
734-051-0045	7-30-2010	Amend(T)	9-1-2010	735-040-0098	1-28-2010	Adopt	3-1-2010
734-051-0070	7-30-2010	Amend(T)	9-1-2010	735-040-0098	9-1-2010	Amend(T)	10-1-2010
734-051-0080	7-30-2010	Amend(T)	9-1-2010	735-040-0098(T)	1-28-2010	Repeal	3-1-2010
734-051-0135	7-30-2010	Amend(T)	9-1-2010	735-046-0010	1-28-2010	Amend	3-1-2010
734-051-0245	7-30-2010	Amend(T)	9-1-2010	735-046-0010(T)	1-28-2010	Repeal	3-1-2010
734-051-0255	7-30-2010	Amend(T)	9-1-2010	735-046-0050	1-28-2010	Amend	3-1-2010
734-051-0295	7-30-2010	Amend(T)	9-1-2010	735-046-0050(T)	1-28-2010	Repeal	3-1-2010
734-051-0315	7-30-2010	Amend(T)	9-1-2010	735-050-0050	1-1-2010	Amend	2-1-2010
734-051-0345	7-30-2010	Amend(T)	9-1-2010	735-050-0060	1-1-2010	Amend	2-1-2010
734-051-0500	7-30-2010	Amend(T)	9-1-2010	735-050-0062	1-1-2010	Amend	2-1-2010
734-051-0530	7-30-2010	Amend(T)	9-1-2010	735-050-0064	1-1-2010	Amend	2-1-2010
734-059-0005	9-27-2010	Repeal	11-1-2010	735-050-0070	1-1-2010	Amend	2-1-2010
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734-059-0200	9-27-2010	Amend	11-1-2010	735-050-0120	1-1-2010	Amend	2-1-2010
734-059-0220	9-27-2010	Adopt	11-1-2010	735-060-0000	9-30-2010	Amend	11-1-2010
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734-060-0035	9-27-2010	Repeal	11-1-2010	735-060-0060	9-30-2010	Amend	11-1-2010
734-060-0040	9-27-2010	Repeal	11-1-2010	735-060-0065	9-30-2010	Amend	11-1-2010
734-060-0045	9-27-2010	Repeal	11-1-2010	735-060-0090	9-30-2010	Amend	11-1-2010
734-060-0050	9-27-2010	Repeal	11-1-2010	735-060-0095	9-30-2010	Amend	11-1-2010
734-063-0010	9-27-2010	Adopt	11-1-2010	735-060-0100	9-30-2010	Amend	11-1-2010
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734-065-0010	11-17-2009	Amend	1-1-2010	735-060-0110	9-30-2010	Amend	11-1-2010
734-065-0015	11-17-2009	Amend	1-1-2010	735-060-0115	9-30-2010	Amend	11-1-2010
734-065-0020	11-17-2009	Amend	1-1-2010	735-060-0130	9-30-2010	Amend	11-1-2010
734-065-0025	11-17-2009	Amend	1-1-2010	735-062-0003	1-1-2010	Repeal	2-1-2010
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734-065-0035	11-17-2009	Amend	1-1-2010	735-062-0010	1-1-2010	Amend	2-1-2010
734-065-0040	11-17-2009	Amend	1-1-2010	735-062-0012	11-1-2011	Adopt	12-1-2010

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735-062-0020	1-1-2010	Amend	2-1-2010	736-004-0080	12-8-2009	Repeal	1-1-2010
735-062-0035	1-1-2010	Amend	2-1-2010	736-004-0085	12-8-2009	Amend	1-1-2010
735-062-0060	3-17-2010	Amend	5-1-2010	736-004-0090	12-8-2009	Amend	1-1-2010
735-062-0070	1-28-2010	Amend	3-1-2010	736-004-0095	12-8-2009	Amend	1-1-2010
735-062-0090	1-1-2010	Amend	2-1-2010	736-004-0110	12-8-2009	Amend	1-1-2010
735-062-0110	11-1-2011	Amend	12-1-2010	736-004-0115	12-8-2009	Amend	1-1-2010
735-062-0120	9-27-2010	Amend	11-1-2010	736-004-0120	12-8-2009	Adopt	1-1-2010
735-062-0125	1-1-2010	Amend	2-1-2010	736-004-0125	12-8-2009	Adopt	1-1-2010
735-062-0190	1-1-2010	Amend	2-1-2010	736-009-0005	12-8-2009	Repeal	1-1-2010
735-062-0290	1-28-2010	Adopt	3-1-2010	736-009-0006	12-8-2009	Adopt	1-1-2010
735-063-0000	3-17-2010	Amend	5-1-2010	736-009-0010	12-8-2009	Repeal	1-1-2010
735-063-0050	3-17-2010	Amend	5-1-2010	736-009-0015	12-8-2009	Repeal	1-1-2010
735-063-0060	3-17-2010	Amend	5-1-2010	736-009-0020	12-8-2009	Amend	1-1-2010
735-063-0070	3-17-2010	Amend	5-1-2010	736-009-0021	12-8-2009	Adopt	1-1-2010
735-063-0075	3-17-2010	Amend	5-1-2010	736-009-0022	12-8-2009	Adopt	1-1-2010
735-064-0100	1-1-2010	Amend	2-1-2010	736-009-0025	12-8-2009	Amend	1-1-2010
735-064-0220	1-1-2010	Amend	2-1-2010	736-009-0030	12-8-2009	Amend	1-1-2010
735-070-0000	1-1-2010	Amend	2-1-2010	736-010-0055	2-3-2010	Amend(T)	3-1-2010
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735-070-0043	1-1-2010	Repeal	2-1-2010	736-010-0055	10-13-2010	Amend	11-1-2010
735-070-0160	9-27-2010	Amend	11-1-2010	736-010-0055(T)	6-15-2010	Repeal	7-1-2010
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735-080-0060	1-1-2010	Amend	2-1-2010	736-015-0020	4-15-2010	Amend(T)	5-1-2010
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735-150-0005	2-25-2010	Amend	4-1-2010	736-015-0030	3-24-2010	Amend	5-1-2010
735-150-0005(T)	2-25-2010	Repeal	4-1-2010	736-015-0030	4-15-2010	Amend(T)	5-1-2010
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735-150-0020	1-1-2010	Amend	2-1-2010	736-015-0040	1-5-2010	Amend	2-1-2010
735-150-0042	1-1-2010	Adopt	2-1-2010	736-018-0045	10-1-2010	Amend	10-1-2010
735-150-0047	1-1-2010	Adopt	2-1-2010	736-029-0010	6-30-2011	Adopt	3-1-2010
735-150-0110	1-1-2010	Amend	2-1-2010	736-029-0030	6-30-2011	Adopt	3-1-2010
735-158-0000	1-1-2010	Amend(T)	2-1-2010	736-029-0040	6-30-2011	Adopt	3-1-2010
735-158-0000	6-17-2010	Amend	8-1-2010	736-029-0050	6-30-2011	Adopt	3-1-2010
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735-158-0005	1-1-2010	Amend(T)	2-1-2010	736-050-0001	2-3-2010	Amend	3-1-2010
735-158-0005	6-17-2010	Amend	8-1-2010	736-050-0002	2-3-2010	Repeal	3-1-2010
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736-004-0010	12-8-2009	Amend	1-1-2010	736-050-0120	2-3-2010	Amend	3-1-2010
736-004-0015	12-8-2009	Amend	1-1-2010	736-050-0120(T)	2-3-2010	Repeal	3-1-2010
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736-004-0025	12-8-2009	Amend	1-1-2010	736-050-0125(T)	2-3-2010	Repeal	3-1-2010
736-004-0030	12-8-2009	Amend	1-1-2010	736-050-0130	2-3-2010	Repeal	3-1-2010
736-004-0035	12-8-2009	Adopt	1-1-2010	736-050-0130(T)	2-3-2010	Repeal	3-1-2010
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736-050-0140(T)	2-3-2010	Repeal	3-1-2010	737-015-0110(T)	7-30-2010	Repeal	9-1-2010
736-050-0150	2-3-2010	Repeal	3-1-2010	738-010-0025	1-7-2010	Amend(T)	2-1-2010
736-050-0150(T)	2-3-2010	Repeal	3-1-2010	738-010-0025	7-7-2010	Amend	7-1-2010
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736-146-0010	12-4-2009	Amend	1-1-2010	738-015-0005	1-7-2010	Amend(T)	2-1-2010
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736-146-0015	12-4-2009	Amend	1-1-2010	740-035-0142	7-30-2010	Adopt	9-1-2010
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736-146-0025	12-4-2009	Repeal	1-1-2010	740-040-0050	10-25-2010	Repeal	12-1-2010
736-146-0030	12-4-2009	Repeal	1-1-2010	740-040-0060	10-25-2010	Amend	12-1-2010
736-146-0040	12-4-2009	Repeal	1-1-2010	740-040-0070	10-25-2010	Amend	12-1-2010
736-146-0050	12-4-2009	Amend	1-1-2010	740-055-0020	12-22-2009	Amend	2-1-2010
736-146-0060	12-4-2009	Amend	1-1-2010	740-100-0010	4-1-2010	Amend	5-1-2010
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736-146-0110	12-4-2009	Amend	1-1-2010	740-100-0080	4-1-2010	Amend	5-1-2010
736-146-0120	12-4-2009	Amend	1-1-2010	740-100-0085	4-1-2010	Amend	5-1-2010
736-146-0130	12-4-2009	Amend	1-1-2010	740-100-0090	4-1-2010	Amend	5-1-2010
736-146-0140	12-4-2009	Amend	1-1-2010	740-110-0010	4-1-2010	Amend	5-1-2010
736-147-0010	12-4-2009	Amend	1-1-2010	740-200-0040	1-1-2010	Amend	2-1-2010
736-147-0020	12-4-2009	Repeal	1-1-2010	740-200-0045	1-1-2010	Amend	2-1-2010
736-147-0030	12-4-2009	Amend	1-1-2010	741-060-0010	10-25-2010	Amend	12-1-2010
736-147-0040	12-4-2009	Adopt	1-1-2010	741-060-0020	10-25-2010	Amend	12-1-2010
736-147-0050	12-4-2009	Amend	1-1-2010	741-060-0025	10-25-2010	Amend	12-1-2010
736-147-0060	12-4-2009	Amend	1-1-2010	741-060-0030	10-25-2010	Amend	12-1-2010
736-147-0070	12-4-2009	Adopt	1-1-2010	741-060-0050	10-25-2010	Amend	12-1-2010
736-148-0010	12-4-2009	Amend	1-1-2010	741-060-0060	10-25-2010	Amend	12-1-2010
736-148-0020	12-4-2009	Amend	1-1-2010	741-060-0070	10-25-2010	Amend	12-1-2010
736-149-0010	12-4-2009	Amend	1-1-2010	741-060-0080	10-25-2010	Amend	12-1-2010
736-201-0005	10-15-2010	Amend	11-1-2010	741-060-0090	10-25-2010	Amend	12-1-2010
736-201-0130	10-15-2010	Amend	11-1-2010	741-060-0095	10-25-2010	Amend	12-1-2010
736-201-0135	10-15-2010	Amend	11-1-2010	741-060-0100	10-25-2010	Amend	12-1-2010
736-201-0175	10-15-2010	Amend	11-1-2010	741-060-0110	10-25-2010	Amend	12-1-2010
737-010-0000	2-25-2010	Adopt	4-1-2010	800-001-0020	2-1-2010	Amend	3-1-2010
737-010-0000(T)	2-25-2010	Repeal	4-1-2010	800-010-0015	2-1-2010	Amend	3-1-2010
737-010-0010	2-25-2010	Adopt	4-1-2010	800-010-0017	2-1-2010	Amend	3-1-2010
737-010-0010(T)	2-25-2010	Repeal	4-1-2010	800-010-0025	2-1-2010	Amend	3-1-2010
737-010-0020	2-25-2010	Adopt	4-1-2010	800-010-0030	2-1-2010	Amend	3-1-2010
737-010-0020(T)	2-25-2010	Repeal	4-1-2010	800-010-0040	2-1-2010	Amend	3-1-2010
737-015-0020	2-25-2010	Amend(T)	4-1-2010	800-010-0041	2-1-2010	Amend	3-1-2010
737-015-0020	7-30-2010	Amend	9-1-2010	800-010-0050	2-1-2010	Amend	3-1-2010
737-015-0020(T)	7-30-2010	Repeal	9-1-2010	800-015-0005	2-1-2010	Amend	3-1-2010
737-015-0030	2-25-2010	Amend(T)	4-1-2010	800-015-0010	2-1-2010	Amend	3-1-2010
737-015-0030	7-30-2010	Amend	9-1-2010	800-015-0020	2-1-2010	Amend	3-1-2010
737-015-0030(T)	7-30-2010	Repeal	9-1-2010	800-020-0015	2-1-2010	Amend	3-1-2010
737-015-0090	2-25-2010	Amend(T)	4-1-2010	800-020-0025	2-1-2010	Amend	3-1-2010
737-015-0090	7-30-2010	Amend	9-1-2010	800-020-0065	2-1-2010	Amend	3-1-2010
737-015-0090(T)	7-30-2010	Repeal	9-1-2010	800-025-0020	2-1-2010	Amend	3-1-2010
737-015-0100	2-25-2010	Amend(T)	4-1-2010	800-025-0023	2-1-2010	Amend	3-1-2010
737-015-0100	7-30-2010	Amend	9-1-2010	800-025-0025	2-1-2010	Amend	3-1-2010
737-015-0100(T)	7-30-2010	Repeal	9-1-2010	800-025-0027	2-1-2010	Amend	3-1-2010

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800-025-0030	2-1-2010	Amend	3-1-2010	808-002-0620	1-1-2010	Amend	2-1-2010
800-025-0040	2-1-2010	Amend	3-1-2010	808-002-0775	1-1-2010	Adopt	2-1-2010
800-025-0050	2-1-2010	Amend	3-1-2010	808-002-0808	1-1-2010	Adopt	2-1-2010
800-030-0035	2-1-2010	Amend	3-1-2010	808-002-0882	1-1-2010	Adopt	2-1-2010
800-030-0050	2-1-2010	Amend	3-1-2010	808-002-0884	1-1-2010	Adopt	2-1-2010
801-001-0035	1-1-2010	Amend	1-1-2010	808-002-0885	6-1-2010	Amend	7-1-2010
801-005-0010	1-1-2010	Amend	1-1-2010	808-002-0895	1-1-2010	Adopt	2-1-2010
801-010-0010	1-1-2010	Amend	1-1-2010	808-003-0010	6-1-2010	Amend	7-1-2010
801-010-0060	1-1-2010	Amend	1-1-2010	808-003-0010	6-2-2010	Amend	7-1-2010
801-010-0075	1-1-2010	Amend	1-1-2010	808-003-0018	6-1-2010	Amend	7-1-2010
801-010-0080	1-1-2010	Amend	1-1-2010	808-003-0020	1-1-2010	Amend	2-1-2010
801-010-0100	1-1-2010	Amend	1-1-2010	808-003-0040	1-1-2010	Amend	2-1-2010
801-010-0120	1-1-2010	Amend	1-1-2010	808-003-0040	10-25-2010	Amend	12-1-2010
801-010-0345	1-1-2010	Amend	1-1-2010	808-003-0045	10-25-2010	Amend	12-1-2010
801-020-0690	1-1-2010	Amend	1-1-2010	808-003-0055	1-1-2010	Amend	2-1-2010
801-030-0020	1-1-2010	Amend	1-1-2010	808-003-0060	1-1-2010	Amend	2-1-2010
801-040-0010	1-1-2010	Amend	1-1-2010	808-003-0075	1-1-2010	Amend	2-1-2010
801-050-0005	1-1-2010	Amend	1-1-2010	808-003-0080	1-1-2010	Amend	2-1-2010
801-050-0010	1-1-2010	Amend	1-1-2010	808-003-0085	1-1-2010	Amend	2-1-2010
801-050-0020	1-1-2010	Amend	1-1-2010	808-003-0100	1-1-2010	Amend	2-1-2010
801-050-0030	1-1-2010	Amend	1-1-2010	808-003-0105	1-1-2010	Repeal	2-1-2010
801-050-0035	1-1-2010	Amend	1-1-2010	808-003-0125	1-1-2010	Amend	2-1-2010
801-050-0040	1-1-2010	Amend	1-1-2010	808-003-0125	10-25-2010	Amend	12-1-2010
801-050-0065	1-1-2010	Amend	1-1-2010	808-003-0130	6-2-2010	Amend	7-1-2010
801-050-0070	1-1-2010	Amend	1-1-2010	808-003-0130	7-20-2010	Amend(T)	9-1-2010
801-050-0080	1-1-2010	Amend	1-1-2010	808-003-0130	8-13-2010	Amend	9-1-2010
804-003-0000	2-17-2010	Amend	4-1-2010	808-003-0200	10-25-2010	Repeal	12-1-2010
804-003-0000	10-19-2010	Amend	12-1-2010	808-003-0210	1-1-2010	Amend	2-1-2010
804-020-0003	12-11-2009	Amend	1-1-2010	808-003-0235	8-13-2010	Amend	9-1-2010
804-022-0000	2-17-2010	Amend	4-1-2010	808-003-0255	8-13-2010	Amend	9-1-2010
804-022-0020	10-19-2010	Amend	12-1-2010	808-003-0610	12-1-2009	Amend(T)	1-1-2010
804-022-0025	12-11-2009	Adopt	1-1-2010	808-003-0610	6-2-2010	Amend	7-1-2010
804-025-0020	2-17-2010	Amend	4-1-2010	808-005-0020	1-27-2010	Amend	3-1-2010
804-025-0030	10-19-2010	Adopt	12-1-2010	808-005-0020	6-1-2010	Amend	7-1-2010
804-025-0035	10-19-2010	Adopt	12-1-2010	808-005-0020	10-25-2010	Amend	12-1-2010
804-030-0000	12-11-2009	Amend	1-1-2010	808-040-0020	1-27-2010	Amend	3-1-2010
804-030-0003	2-17-2010	Adopt	4-1-2010	808-040-0060	1-27-2010	Amend	3-1-2010
804-035-0010	2-17-2010	Amend	4-1-2010	808-040-0060	6-1-2010	Amend	7-1-2010
804-035-0010	10-19-2010	Amend	12-1-2010	809-055-0000	12-11-2009	Amend	1-1-2010
804-035-0020	2-17-2010	Amend	4-1-2010	811-010-0071	12-22-2009	Amend	2-1-2010
804-035-0020	10-19-2010	Amend	12-1-2010	811-010-0110	6-15-2010	Amend	7-1-2010
804-035-0030	2-17-2010	Amend	4-1-2010	811-010-0120	4-15-2010	Amend	5-1-2010
804-035-0035	10-19-2010	Amend	12-1-2010	811-015-0002	6-15-2010	Adopt	7-1-2010
804-040-0000	12-11-2009	Amend	1-1-2010	811-035-0005	12-22-2009	Amend	2-1-2010
804-040-0000	2-17-2010	Amend	4-1-2010	811-035-0015	12-22-2009	Amend	2-1-2010
806-010-0020	10-3-2010	Amend	7-1-2010	812-001-0180	7-1-2010	Amend	8-1-2010
806-010-0035	10-3-2010	Amend	7-1-2010	812-001-0200	1-1-2010	Amend	1-1-2010
806-010-0060	4-6-2010	Amend	5-1-2010	812-001-0200	2-1-2010	Amend	3-1-2010
806-010-0060	10-3-2010	Amend	7-1-2010	812-002-0140	7-1-2010	Amend	8-1-2010
806-010-0145	4-6-2010	Amend	5-1-2010	812-002-0390	5-18-2010	Adopt(T)	7-1-2010
808-002-0020	10-25-2010	Amend	12-1-2010	812-002-0390	9-1-2010	Adopt	10-1-2010
808-002-0020	10-26-2010	Amend(T)	12-1-2010	812-002-0390(T)	9-1-2010	Repeal	10-1-2010
808-002-0200	1-1-2010	Amend	2-1-2010	812-002-0740	7-1-2010	Amend	8-1-2010
808-002-0220	1-1-2010	Amend	2-1-2010	812-003-0120	1-1-2010	Amend	1-1-2010
808-002-0500	1-1-2010	Amend	2-1-2010	812-003-0140	1-1-2010	Amend	1-1-2010

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812-003-0175	9-1-2010	Amend	10-1-2010	812-007-0320	2-1-2010	Adopt	3-1-2010
812-003-0290	6-4-2010	Amend(T)	7-1-2010	812-007-0330	2-1-2010	Adopt	3-1-2010
812-003-0290	9-1-2010	Amend	10-1-2010	812-007-0330	4-28-2010	Amend	6-1-2010
812-003-0290(T)	9-1-2010	Repeal	10-1-2010	812-007-0340	4-28-2010	Adopt	6-1-2010
812-003-0330	6-4-2010	Amend(T)	7-1-2010	812-007-0350	2-1-2010	Adopt	3-1-2010
812-003-0330	9-1-2010	Amend	10-1-2010	812-007-0350	4-28-2010	Amend	6-1-2010
812-003-0330(T)	9-1-2010	Repeal	10-1-2010	812-007-0360	2-1-2010	Adopt	3-1-2010
812-004-0250	7-1-2010	Amend	8-1-2010	812-007-0370	2-1-2010	Adopt	3-1-2010
812-004-0260	9-1-2010	Amend	10-1-2010	812-007-0372	2-1-2010	Adopt	3-1-2010
812-004-0320	1-1-2010	Amend	1-1-2010	812-007-0374	2-1-2010	Adopt	3-1-2010
812-004-0320	7-1-2010	Amend	8-1-2010	812-008-0070	1-1-2010	Amend	1-1-2010
812-004-0340	4-28-2010	Amend	6-1-2010	812-008-0074	9-1-2010	Amend	10-1-2010
812-004-0400	7-1-2010	Amend	8-1-2010	812-008-0090	1-1-2010	Amend	2-1-2010
812-004-0400	9-1-2010	Amend	10-1-2010	812-008-0110	1-1-2010	Amend	1-1-2010
812-004-0537	11-1-2010	Adopt	12-1-2010	812-008-0202	1-1-2010	Amend	1-1-2010
812-004-0550	7-1-2010	Amend	8-1-2010	812-009-0340	2-3-2010	Amend(T)	3-1-2010
812-004-0550	9-1-2010	Amend	10-1-2010	812-009-0340	4-28-2010	Amend	6-1-2010
812-005-0210	9-1-2010	Amend	10-1-2010	812-009-0430	7-1-2010	Amend	8-1-2010
812-005-0800	2-1-2010	Amend	3-1-2010	812-012-0110	1-1-2010	Amend	2-1-2010
812-005-0800	4-28-2010	Amend	6-1-2010	812-012-0110	4-28-2010	Amend	6-1-2010
812-005-0800	7-7-2010	Amend(T)	8-1-2010	812-020-0055	5-18-2010	Amend(T)	7-1-2010
812-007-0000	2-1-2010	Amend	3-1-2010	812-020-0055	9-1-2010	Amend	10-1-2010
812-007-0010	2-1-2010	Repeal	3-1-2010	812-020-0055(T)	9-1-2010	Repeal	10-1-2010
812-007-0020	2-1-2010	Amend	3-1-2010	812-020-0062	1-1-2010	Amend	1-1-2010
812-007-0020	3-11-2010	Amend(T)	4-1-2010	812-020-0070	2-1-2010	Amend	3-1-2010
812-007-0020	6-1-2010	Amend(T)	7-1-2010	812-020-0082	2-1-2010	Repeal	3-1-2010
812-007-0020	9-1-2010	Amend	10-1-2010	812-021-0016	9-1-2010	Adopt	10-1-2010
812-007-0020(T)	6-1-2010	Suspend	7-1-2010	812-021-0025	1-1-2010	Amend	2-1-2010
812-007-0020(T)	9-1-2010	Repeal	10-1-2010	812-021-0025	9-1-2010	Amend	10-1-2010
812-007-0025	2-1-2010	Adopt	3-1-2010	812-030-0000	2-1-2010	Adopt	3-1-2010
812-007-0030	2-1-2010	Repeal	3-1-2010	812-030-0010	2-1-2010	Adopt	3-1-2010
812-007-0040	2-1-2010	Repeal	3-1-2010	812-030-0100	2-1-2010	Adopt	3-1-2010
812-007-0050	2-1-2010	Repeal	3-1-2010	812-030-0110	2-1-2010	Adopt	3-1-2010
812-007-0060	2-1-2010	Repeal	3-1-2010	812-030-0200	2-1-2010	Adopt	3-1-2010
812-007-0070	2-1-2010	Repeal	3-1-2010	812-030-0210	2-1-2010	Adopt	3-1-2010
812-007-0080	2-1-2010	Repeal	3-1-2010	812-030-0220	2-1-2010	Adopt	3-1-2010
812-007-0090	2-1-2010	Repeal	3-1-2010	812-030-0230	2-1-2010	Adopt	3-1-2010
812-007-0100	2-1-2010	Adopt	3-1-2010	812-030-0240	2-1-2010	Adopt	3-1-2010
812-007-0110	2-1-2010	Adopt	3-1-2010	812-030-0250	2-1-2010	Adopt	3-1-2010
812-007-0120	2-1-2010	Adopt	3-1-2010	812-030-0300	2-1-2010	Adopt	3-1-2010
812-007-0130	2-1-2010	Adopt	3-1-2010	813-001-0009	6-17-2010	Adopt	8-1-2010
812-007-0140	2-1-2010	Adopt	3-1-2010	813-007-0005	1-7-2010	Adopt	2-1-2010
812-007-0150	2-1-2010	Adopt	3-1-2010	813-007-0010	1-7-2010	Adopt	2-1-2010
812-007-0160	2-1-2010	Adopt	3-1-2010	813-007-0015	1-7-2010	Adopt	2-1-2010
812-007-0200	2-1-2010	Adopt	3-1-2010	813-007-0020	1-7-2010	Adopt	2-1-2010
812-007-0205	2-1-2010	Adopt	3-1-2010	813-007-0025	1-7-2010	Adopt	2-1-2010
812-007-0210	2-1-2010	Adopt	3-1-2010	813-007-0030	1-7-2010	Adopt	2-1-2010
812-007-0220	2-1-2010	Adopt	3-1-2010	813-007-0035	1-7-2010	Adopt	2-1-2010
812-007-0230	2-1-2010	Adopt	3-1-2010	813-007-0040	1-7-2010	Adopt	2-1-2010
812-007-0240	2-1-2010	Adopt	3-1-2010	813-007-0045	1-7-2010	Adopt	2-1-2010
812-007-0250	2-1-2010	Adopt	3-1-2010	813-007-0050	1-7-2010	Adopt	2-1-2010
812-007-0260	2-1-2010	Adopt	3-1-2010	813-007-0055	1-7-2010	Adopt	2-1-2010
812-007-0300	2-1-2010	Adopt	3-1-2010	813-007-0055	9-23-2010	Suspend	11-1-2010
812-007-0302	9-1-2010	Adopt	10-1-2010	813-007-0057	9-23-2010	Adopt(T)	11-1-2010
812-007-0310	2-1-2010	Adopt	3-1-2010	813-007-0060	1-7-2010	Adopt	2-1-2010

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813-007-0065	1-7-2010	Adopt	2-1-2010	813-028-0080	2-25-2010	Adopt(T)	4-1-2010
813-007-0070	1-7-2010	Adopt	2-1-2010	813-028-0080	8-23-2010	Adopt	10-1-2010
813-027-0001	2-25-2010	Adopt(T)	4-1-2010	813-028-0080(T)	8-23-2010	Repeal	10-1-2010
813-027-0001	8-23-2010	Adopt	10-1-2010	813-028-0090	2-25-2010	Adopt(T)	4-1-2010
813-027-0001(T)	8-23-2010	Repeal	10-1-2010	813-028-0090	8-23-2010	Adopt	10-1-2010
813-027-0010	2-25-2010	Adopt(T)	4-1-2010	813-028-0090(T)	8-23-2010	Repeal	10-1-2010
813-027-0010	8-23-2010	Adopt	10-1-2010	813-041-0000	12-15-2009	Amend(T)	1-1-2010
813-027-0010(T)	8-23-2010	Repeal	10-1-2010	813-041-0000	6-10-2010	Amend	7-1-2010
813-027-0020	2-25-2010	Adopt(T)	4-1-2010	813-041-0000(T)	6-10-2010	Repeal	7-1-2010
813-027-0020	8-23-2010	Adopt	10-1-2010	813-041-0005	12-15-2009	Amend(T)	1-1-2010
813-027-0020(T)	8-23-2010	Repeal	10-1-2010	813-041-0005	6-10-2010	Repeal	7-1-2010
813-027-0030	2-25-2010	Adopt(T)	4-1-2010	813-041-0010	12-15-2009	Amend(T)	1-1-2010
813-027-0030	8-23-2010	Adopt	10-1-2010	813-041-0010	6-10-2010	Amend	7-1-2010
813-027-0030(T)	8-23-2010	Repeal	10-1-2010	813-041-0010(T)	6-10-2010	Repeal	7-1-2010
813-027-0040	2-25-2010	Adopt(T)	4-1-2010	813-041-0015	12-15-2009	Amend(T)	1-1-2010
813-027-0040	8-23-2010	Adopt	10-1-2010	813-041-0015	6-10-2010	Amend	7-1-2010
813-027-0040(T)	8-23-2010	Repeal	10-1-2010	813-041-0015(T)	6-10-2010	Repeal	7-1-2010
813-027-0050	2-25-2010	Adopt(T)	4-1-2010	813-041-0020	12-15-2009	Amend(T)	1-1-2010
813-027-0050	8-23-2010	Adopt	10-1-2010	813-041-0020	6-10-2010	Amend	7-1-2010
813-027-0050(T)	8-23-2010	Repeal	10-1-2010	813-041-0020	6-17-2010	Amend(T)	8-1-2010
813-027-0060	2-25-2010	Adopt(T)	4-1-2010	813-041-0020(T)	6-10-2010	Repeal	7-1-2010
813-027-0060	8-23-2010	Adopt	10-1-2010	813-041-0025	12-15-2009	Amend(T)	1-1-2010
813-027-0060(T)	8-23-2010	Repeal	10-1-2010	813-041-0025	6-10-2010	Repeal	7-1-2010
813-027-0070	2-25-2010	Adopt(T)	4-1-2010	813-041-0027	12-15-2009	Adopt(T)	1-1-2010
813-027-0070	8-23-2010	Adopt	10-1-2010	813-041-0027	6-10-2010	Adopt	7-1-2010
813-027-0070(T)	8-23-2010	Repeal	10-1-2010	813-041-0027(T)	6-10-2010	Repeal	7-1-2010
813-027-0080	2-25-2010	Adopt(T)	4-1-2010	813-041-0030	12-15-2009	Amend(T)	1-1-2010
813-027-0080	8-23-2010	Adopt	10-1-2010	813-041-0030	6-10-2010	Amend	7-1-2010
813-027-0080(T)	8-23-2010	Repeal	10-1-2010	813-041-0030(T)	6-10-2010	Repeal	7-1-2010
813-027-0090	2-25-2010	Adopt(T)	4-1-2010	813-041-0035	12-15-2009	Adopt(T)	1-1-2010
813-027-0090	8-23-2010	Adopt	10-1-2010	813-041-0035(T)	6-10-2010	Repeal	7-1-2010
813-027-0090(T)	8-23-2010	Repeal	10-1-2010	813-042-0030	8-24-2010	Amend(T)	10-1-2010
813-028-0001	2-25-2010	Adopt(T)	4-1-2010	813-043-0030	8-24-2010	Amend(T)	10-1-2010
813-028-0001	8-23-2010	Adopt	10-1-2010	813-044-0000	12-22-2009	Amend	2-1-2010
813-028-0001(T)	8-23-2010	Repeal	10-1-2010	813-044-0010	12-22-2009	Amend	2-1-2010
813-028-0010	2-25-2010	Adopt(T)	4-1-2010	813-044-0020	12-22-2009	Amend	2-1-2010
813-028-0010	8-23-2010	Adopt	10-1-2010	813-044-0030	12-22-2009	Amend	2-1-2010
813-028-0010(T)	8-23-2010	Repeal	10-1-2010	813-044-0040	12-22-2009	Amend	2-1-2010
813-028-0020	2-25-2010	Adopt(T)	4-1-2010	813-044-0050	12-22-2009	Amend	2-1-2010
813-028-0020	8-23-2010	Adopt	10-1-2010	813-044-0060	12-22-2009	Adopt	2-1-2010
813-028-0020(T)	8-23-2010	Repeal	10-1-2010	813-055-0001	12-22-2009	Adopt	2-1-2010
813-028-0030	2-25-2010	Adopt(T)	4-1-2010	813-055-0010	12-22-2009	Adopt	2-1-2010
813-028-0030	8-23-2010	Adopt	10-1-2010	813-055-0020	12-22-2009	Adopt	2-1-2010
813-028-0030(T)	8-23-2010	Repeal	10-1-2010	813-055-0030	12-22-2009	Adopt	2-1-2010
813-028-0040	2-25-2010	Adopt(T)	4-1-2010	813-055-0040	12-22-2009	Adopt	2-1-2010
813-028-0040	8-23-2010	Adopt	10-1-2010	813-055-0050	12-22-2009	Adopt	2-1-2010
813-028-0040(T)	8-23-2010	Repeal	10-1-2010	813-055-0060	12-22-2009	Adopt	2-1-2010
813-028-0050	2-25-2010	Adopt(T)	4-1-2010	813-055-0070	12-22-2009	Adopt	2-1-2010
813-028-0050	8-23-2010	Adopt	10-1-2010	813-055-0080	12-22-2009	Adopt	2-1-2010
813-028-0050(T)	8-23-2010	Repeal	10-1-2010	813-055-0090	12-22-2009	Adopt	2-1-2010
813-028-0060	2-25-2010	Adopt(T)	4-1-2010	813-055-0100	12-22-2009	Adopt	2-1-2010
813-028-0060	8-23-2010	Adopt	10-1-2010	813-055-0110	12-22-2009	Adopt	2-1-2010
813-028-0060(T)	8-23-2010	Repeal	10-1-2010	813-140-0096	1-7-2010	Amend	2-1-2010
813-028-0070	2-25-2010	Adopt(T)	4-1-2010	813-230-0000	8-12-2010	Amend(T)	9-1-2010
813-028-0070	8-23-2010	Adopt	10-1-2010	813-230-0005	8-12-2010	Amend(T)	9-1-2010

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813-230-0015	8-12-2010	Amend(T)	9-1-2010	830-011-0050	4-1-2010	Amend(T)	5-1-2010
813-300-0010	1-7-2010	Amend	2-1-2010	830-011-0050	9-24-2010	Amend	11-1-2010
813-300-0100	1-7-2010	Amend	2-1-2010	830-011-0050(T)	9-24-2010	Repeal	11-1-2010
817-035-0050	11-15-2010	Amend(T)	12-1-2010	830-020-0000	4-1-2010	Amend(T)	5-1-2010
817-040-0003	12-26-2009	Amend(T)	2-1-2010	830-020-0000	9-24-2010	Amend	11-1-2010
817-040-0003	4-1-2010	Amend	5-1-2010	830-020-0000(T)	9-24-2010	Repeal	11-1-2010
817-040-0003	10-1-2010	Amend	11-1-2010	830-020-0020	4-1-2010	Amend(T)	5-1-2010
817-040-0003(T)	4-1-2010	Repeal	5-1-2010	830-020-0020	9-24-2010	Amend	11-1-2010
817-060-0050	11-15-2010	Adopt(T)	12-1-2010	830-020-0020(T)	9-24-2010	Repeal	11-1-2010
818-001-0087	7-1-2010	Amend	8-1-2010	830-020-0040	4-1-2010	Amend(T)	5-1-2010
818-013-0001	8-6-2010	Adopt(T)	9-1-2010	830-020-0040	9-24-2010	Amend	11-1-2010
818-013-0005	8-6-2010	Adopt(T)	9-1-2010	830-020-0040(T)	9-24-2010	Repeal	11-1-2010
818-013-0010	8-6-2010	Adopt(T)	9-1-2010	830-030-0090	4-1-2010	Amend(T)	5-1-2010
818-013-0015	8-6-2010	Adopt(T)	9-1-2010	830-030-0090	9-24-2010	Amend	11-1-2010
818-013-0020	8-6-2010	Adopt(T)	9-1-2010	830-030-0090(T)	9-24-2010	Repeal	11-1-2010
818-013-0025	8-6-2010	Adopt(T)	9-1-2010	830-040-0000	4-1-2010	Amend(T)	5-1-2010
818-013-0030	8-6-2010	Adopt(T)	9-1-2010	830-040-0000	9-24-2010	Amend	11-1-2010
818-013-0035	8-6-2010	Adopt(T)	9-1-2010	830-040-0000(T)	9-24-2010	Repeal	11-1-2010
818-015-0007	7-1-2010	Amend	8-1-2010	830-040-0050	4-1-2010	Amend(T)	5-1-2010
818-021-0017	7-1-2010	Amend	8-1-2010	830-040-0050	9-24-2010	Amend	11-1-2010
818-021-0070	7-1-2010	Amend	8-1-2010	830-040-0050(T)	9-24-2010	Repeal	11-1-2010
818-026-0000	7-1-2010	Amend	8-1-2010	830-060-0010	4-1-2010	Adopt(T)	5-1-2010
818-026-0010	7-1-2010	Amend	8-1-2010	830-060-0010	9-24-2010	Adopt	11-1-2010
818-026-0020	7-1-2010	Amend	8-1-2010	830-060-0010(T)	9-24-2010	Repeal	11-1-2010
818-026-0030	7-1-2010	Amend	8-1-2010	830-060-0020	4-1-2010	Adopt(T)	5-1-2010
818-026-0035	7-1-2010	Amend	8-1-2010	830-060-0020	9-24-2010	Adopt	11-1-2010
818-026-0040	7-1-2010	Amend	8-1-2010	830-060-0020(T)	9-24-2010	Repeal	11-1-2010
818-026-0050	7-1-2010	Amend	8-1-2010	833-001-0000	1-5-2010	Amend	2-1-2010
818-026-0055	7-1-2010	Amend	8-1-2010	833-001-0005	1-5-2010	Amend	2-1-2010
818-026-0060	7-1-2010	Amend	8-1-2010	833-001-0010	1-5-2010	Amend	2-1-2010
818-026-0065	7-1-2010	Adopt	8-1-2010	833-001-0015	1-5-2010	Amend	2-1-2010
818-026-0070	7-1-2010	Amend	8-1-2010	833-001-0020	1-5-2010	Amend	2-1-2010
818-026-0080	7-1-2010	Amend	8-1-2010	833-010-0001	1-5-2010	Amend	2-1-2010
818-026-0100	7-1-2010	Repeal	8-1-2010	833-010-0001	5-3-2010	Amend	6-1-2010
818-026-0110	7-1-2010	Amend	8-1-2010	833-020-0001	1-5-2010	Repeal	2-1-2010
818-026-0120	7-1-2010	Amend	8-1-2010	833-020-0010	1-5-2010	Repeal	2-1-2010
818-026-0130	7-1-2010	Amend	8-1-2010	833-020-0011	1-5-2010	Adopt	2-1-2010
818-035-0065	7-1-2010	Amend	8-1-2010	833-020-0015	1-5-2010	Repeal	2-1-2010
818-035-0075	7-1-2010	Repeal	8-1-2010	833-020-0020	1-5-2010	Repeal	2-1-2010
818-042-0040	7-1-2010	Amend	8-1-2010	833-020-0021	1-5-2010	Adopt	2-1-2010
820-001-0000	5-12-2010	Amend	6-1-2010	833-020-0022	1-5-2010	Repeal	2-1-2010
820-010-0212	5-12-2010	Amend	6-1-2010	833-020-0030	1-5-2010	Repeal	2-1-2010
820-010-0213	5-12-2010	Amend	6-1-2010	833-020-0031	1-5-2010	Adopt	2-1-2010
820-010-0214	5-12-2010	Amend	6-1-2010	833-020-0031	5-3-2010	Amend	6-1-2010
820-010-0215	5-12-2010	Amend	6-1-2010	833-020-0040	1-5-2010	Repeal	2-1-2010
820-010-0305	5-12-2010	Amend	6-1-2010	833-020-0041	1-5-2010	Adopt	2-1-2010
820-010-0440	5-12-2010	Amend	6-1-2010	833-020-0041	5-3-2010	Amend	6-1-2010
820-010-0450	5-12-2010	Amend	6-1-2010	833-020-0050	1-5-2010	Repeal	2-1-2010
820-010-0470	5-12-2010	Amend	6-1-2010	833-020-0051	1-5-2010	Adopt	2-1-2010
820-010-0530	5-12-2010	Adopt	6-1-2010	833-020-0051	5-3-2010	Amend	6-1-2010
820-010-0610	5-12-2010	Amend	6-1-2010	833-020-0060	1-5-2010	Repeal	2-1-2010
820-010-0625	5-12-2010	Amend	6-1-2010	833-020-0061	1-5-2010	Adopt	2-1-2010
820-010-0635	5-12-2010	Amend	6-1-2010	833-020-0061	5-3-2010	Amend	6-1-2010
830-011-0000	4-1-2010	Amend(T)	5-1-2010	833-020-0071	1-5-2010	Adopt	2-1-2010
830-011-0000	9-24-2010	Amend	11-1-2010	833-020-0080	1-5-2010	Repeal	2-1-2010

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833-020-0090	1-5-2010	Repeal	2-1-2010	833-050-0041	1-5-2010	Adopt	2-1-2010
833-020-0091	1-5-2010	Adopt	2-1-2010	833-050-0051	1-5-2010	Adopt	2-1-2010
833-020-0100	1-5-2010	Repeal	2-1-2010	833-050-0051	5-3-2010	Amend	6-1-2010
833-020-0101	1-5-2010	Adopt	2-1-2010	833-050-0061	1-5-2010	Adopt	2-1-2010
833-020-0111	1-5-2010	Repeal	2-1-2010	833-050-0071	1-5-2010	Adopt	2-1-2010
833-020-0112	1-5-2010	Adopt	2-1-2010	833-050-0081	1-5-2010	Adopt	2-1-2010
833-020-0120	1-5-2010	Repeal	2-1-2010	833-050-0081	5-3-2010	Amend	6-1-2010
833-020-0140	1-5-2010	Repeal	2-1-2010	833-050-0081	7-1-2010	Amend	7-1-2010
833-020-0150	1-5-2010	Repeal	2-1-2010	833-050-0091	1-5-2010	Adopt	2-1-2010
833-020-0155	1-5-2010	Repeal	2-1-2010	833-050-0111	1-5-2010	Adopt	2-1-2010
833-020-0160	1-5-2010	Repeal	2-1-2010	833-050-0121	1-5-2010	Adopt	2-1-2010
833-020-0164	1-5-2010	Repeal	2-1-2010	833-050-0131	1-5-2010	Adopt	2-1-2010
833-020-0165	1-5-2010	Repeal	2-1-2010	833-050-0141	1-5-2010	Adopt	2-1-2010
833-020-0201	1-11-2010	Adopt(T)	2-1-2010	833-050-0151	1-5-2010	Adopt	2-1-2010
833-020-0201	5-3-2010	Adopt	6-1-2010	833-050-0161	1-5-2010	Adopt	2-1-2010
833-020-0201(T)	5-3-2010	Repeal	6-1-2010	833-055-0001	7-1-2010	Suspend	7-1-2010
833-020-0301	5-3-2010	Adopt	6-1-2010	833-055-0010	7-1-2010	Suspend	7-1-2010
833-025-0001	1-5-2010	Repeal	2-1-2010	833-055-0020	7-1-2010	Suspend	7-1-2010
833-025-0005	1-5-2010	Repeal	2-1-2010	833-060-0011	1-5-2010	Repeal	2-1-2010
833-025-0006	1-5-2010	Repeal	2-1-2010	833-060-0012	1-5-2010	Adopt	2-1-2010
833-025-0050	1-5-2010	Repeal	2-1-2010	833-060-0012	5-3-2010	Amend	6-1-2010
833-025-0060	1-5-2010	Repeal	2-1-2010	833-060-0021	1-5-2010	Repeal	2-1-2010
833-030-0001	1-5-2010	Repeal	2-1-2010	833-060-0022	1-5-2010	Adopt	2-1-2010
833-030-0005	1-5-2010	Repeal	2-1-2010	833-060-0022	5-3-2010	Amend	6-1-2010
833-030-0010	1-5-2010	Repeal	2-1-2010	833-060-0031	1-5-2010	Repeal	2-1-2010
833-030-0011	1-5-2010	Adopt	2-1-2010	833-060-0032	1-5-2010	Adopt	2-1-2010
833-030-0015	1-5-2010	Repeal	2-1-2010	833-060-0032	5-3-2010	Amend	6-1-2010
833-030-0020	1-5-2010	Repeal	2-1-2010	833-060-0041	1-5-2010	Repeal	2-1-2010
833-030-0021	1-5-2010	Adopt	2-1-2010	833-060-0042	1-5-2010	Adopt	2-1-2010
833-030-0021	5-3-2010	Amend	6-1-2010	833-060-0051	1-5-2010	Repeal	2-1-2010
833-030-0031	1-5-2010	Adopt	2-1-2010	833-060-0052	1-5-2010	Adopt	2-1-2010
833-030-0031	5-3-2010	Amend	6-1-2010	833-060-0061	1-5-2010	Repeal	2-1-2010
833-030-0041	1-5-2010	Adopt	2-1-2010	833-060-0071	1-5-2010	Repeal	2-1-2010
833-030-0051	1-5-2010	Adopt	2-1-2010	833-070-0011	1-5-2010	Adopt	2-1-2010
833-040-0001	1-5-2010	Repeal	2-1-2010	833-070-0011	1-11-2010	Amend(T)	2-1-2010
833-040-0010	1-5-2010	Repeal	2-1-2010	833-070-0011	5-3-2010	Amend	6-1-2010
833-040-0011	1-5-2010	Adopt	2-1-2010	833-070-0011(T)	5-3-2010	Repeal	6-1-2010
833-040-0020	1-5-2010	Repeal	2-1-2010	833-070-0021	1-5-2010	Adopt	2-1-2010
833-040-0021	1-5-2010	Adopt	2-1-2010	833-070-0031	1-5-2010	Adopt	2-1-2010
833-040-0021	5-3-2010	Amend	6-1-2010	833-080-0011	1-5-2010	Adopt	2-1-2010
833-040-0031	1-5-2010	Adopt	2-1-2010	833-080-0021	1-5-2010	Adopt	2-1-2010
833-040-0031	5-3-2010	Amend	6-1-2010	833-080-0031	1-5-2010	Adopt	2-1-2010
833-040-0041	1-5-2010	Adopt	2-1-2010	833-080-0041	1-5-2010	Adopt	2-1-2010
833-040-0041	5-3-2010	Amend	6-1-2010	833-080-0051	1-5-2010	Adopt	2-1-2010
833-040-0051	1-5-2010	Adopt	2-1-2010	833-080-0061	1-5-2010	Adopt	2-1-2010
833-050-0001	1-5-2010	Repeal	2-1-2010	833-090-0010	1-5-2010	Adopt	2-1-2010
833-050-0010	1-5-2010	Repeal	2-1-2010	833-090-0020	1-5-2010	Adopt	2-1-2010
833-050-0011	1-5-2010	Adopt	2-1-2010	833-090-0030	1-5-2010	Adopt	2-1-2010
833-050-0011	5-3-2010	Amend	6-1-2010	833-090-0040	1-5-2010	Adopt	2-1-2010
833-050-0020	1-5-2010	Repeal	2-1-2010	833-100-0011	1-5-2010	Adopt	2-1-2010
833-050-0021	1-5-2010	Adopt	2-1-2010	833-100-0021	1-5-2010	Adopt	2-1-2010
833-050-0021	5-3-2010	Amend	6-1-2010	833-100-0031	1-5-2010	Adopt	2-1-2010
833-050-0025	1-5-2010	Repeal	2-1-2010	833-100-0041	1-5-2010	Adopt	2-1-2010
833-050-0030	1-5-2010	Repeal	2-1-2010	833-100-0051	1-5-2010	Adopt	2-1-2010
833-050-0031	1-5-2010	Adopt	2-1-2010	833-100-0061	1-5-2010	Adopt	2-1-2010

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833-110-0011	1-5-2010	Adopt	2-1-2010	836-042-0100	7-1-2010	Adopt	6-1-2010
833-110-0011	5-3-2010	Amend	6-1-2010	836-042-0105	7-1-2010	Adopt	6-1-2010
833-110-0021	1-5-2010	Adopt	2-1-2010	836-042-0110	7-1-2010	Adopt	6-1-2010
833-120-0011	1-5-2010	Adopt	2-1-2010	836-042-0115	7-1-2010	Adopt	6-1-2010
833-120-0021	1-5-2010	Adopt	2-1-2010	836-052-1000	12-18-2009	Amend	2-1-2010
833-120-0031	1-5-2010	Adopt	2-1-2010	836-053-0000	2-16-2010	Adopt	4-1-2010
833-120-0041	1-5-2010	Adopt	2-1-2010	836-053-0001	1-1-2011	Amend	10-1-2010
833-130-0010	7-1-2010	Adopt	7-1-2010	836-053-0081	4-22-2010	Amend(T)	6-1-2010
833-130-0020	7-1-2010	Adopt	7-1-2010	836-053-0081	7-28-2010	Amend	9-1-2010
833-130-0030	7-1-2010	Adopt	7-1-2010	836-053-0081(T)	7-28-2010	Repeal	9-1-2010
833-130-0040	7-1-2010	Adopt	7-1-2010	836-053-0465	2-16-2010	Amend	4-1-2010
833-130-0050	7-1-2010	Adopt	7-1-2010	836-053-0471	2-16-2010	Adopt	4-1-2010
833-130-0060	7-1-2010	Adopt	7-1-2010	836-053-0475	2-16-2010	Adopt	4-1-2010
833-130-0070	7-1-2010	Adopt	7-1-2010	836-053-0750	10-28-2010	Amend	12-1-2010
834-010-0050	6-23-2010	Amend	8-1-2010	836-053-0780	2-16-2010	Amend	4-1-2010
836-009-0007	2-1-2010	Amend	2-1-2010	836-053-0850	6-11-2010	Repeal	7-1-2010
836-009-0020	3-25-2010	Adopt	5-1-2010	836-053-0851	6-11-2010	Adopt	7-1-2010
836-009-0020(T)	3-25-2010	Repeal	5-1-2010	836-053-0855	12-23-2009	Amend(T)	2-1-2010
836-009-0025	3-25-2010	Adopt	5-1-2010	836-053-0855	1-8-2010	Amend(T)	2-1-2010
836-009-0025(T)	3-25-2010	Repeal	5-1-2010	836-053-0855	3-10-2010	Amend(T)	4-1-2010
836-009-0030	3-25-2010	Adopt	5-1-2010	836-053-0855	4-26-2010	Amend(T)	6-1-2010
836-009-0030(T)	3-25-2010	Repeal	5-1-2010	836-053-0855	6-11-2010	Repeal	7-1-2010
836-009-0035	3-25-2010	Adopt	5-1-2010	836-053-0855(T)	1-8-2010	Suspend	2-1-2010
836-009-0035(T)	3-25-2010	Repeal	5-1-2010	836-053-0855(T)	3-10-2010	Suspend	4-1-2010
836-009-0040	3-25-2010	Adopt	5-1-2010	836-053-0855(T)	4-26-2010	Suspend	6-1-2010
836-009-0040(T)	3-25-2010	Repeal	5-1-2010	836-053-0856	6-11-2010	Adopt	7-1-2010
836-010-0000	4-1-2010	Amend	5-1-2010	836-053-0860	12-23-2009	Amend(T)	2-1-2010
836-010-0011	4-1-2010	Amend	5-1-2010	836-053-0860	1-8-2010	Amend(T)	2-1-2010
836-010-0012	4-1-2010	Adopt	5-1-2010	836-053-0860	3-10-2010	Amend(T)	4-1-2010
836-011-0000	12-9-2009	Amend	1-1-2010	836-053-0860	4-26-2010	Amend(T)	6-1-2010
836-011-0015	9-14-2010	Adopt	10-1-2010	836-053-0860	6-11-2010	Repeal	7-1-2010
836-012-0300	2-5-2010	Amend	3-1-2010	836-053-0860(T)	1-8-2010	Suspend	2-1-2010
836-012-0310	2-5-2010	Amend	3-1-2010	836-053-0860(T)	3-10-2010	Suspend	4-1-2010
836-012-0332	2-5-2010	Adopt	3-1-2010	836-053-0860(T)	4-26-2010	Suspend	6-1-2010
836-013-0100	8-19-2010	Amend	10-1-2010	836-053-0861	6-11-2010	Adopt	7-1-2010
836-013-0110	8-19-2010	Amend	10-1-2010	836-053-0865	12-23-2009	Amend(T)	2-1-2010
836-013-0120	8-19-2010	Amend	10-1-2010	836-053-0865	1-8-2010	Amend(T)	2-1-2010
836-014-0200	1-5-2010	Amend	2-1-2010	836-053-0865	3-10-2010	Amend(T)	4-1-2010
836-014-0205	1-5-2010	Adopt	2-1-2010	836-053-0865	4-26-2010	Amend(T)	6-1-2010
836-014-0210	1-5-2010	Amend	2-1-2010	836-053-0865	6-11-2010	Repeal	7-1-2010
836-014-0220	1-5-2010	Amend	2-1-2010	836-053-0865(T)	1-8-2010	Suspend	2-1-2010
836-014-0226	1-5-2010	Adopt	2-1-2010	836-053-0865(T)	3-10-2010	Suspend	4-1-2010
836-014-0240	1-5-2010	Amend	2-1-2010	836-053-0865(T)	4-26-2010	Suspend	6-1-2010
836-014-0250	1-5-2010	Amend	2-1-2010	836-053-0866	6-11-2010	Adopt	7-1-2010
836-014-0260	1-5-2010	Amend	2-1-2010	836-053-0910	2-16-2010	Amend	4-1-2010
836-014-0263	1-5-2010	Adopt	2-1-2010	836-053-1000	8-19-2010	Amend	10-1-2010
836-014-0265	1-5-2010	Amend	2-1-2010	836-053-1070	8-19-2010	Amend	10-1-2010
836-014-0270	1-5-2010	Amend	2-1-2010	836-053-1080	8-19-2010	Amend	10-1-2010
836-014-0280	1-5-2010	Amend	2-1-2010	836-054-0210	7-1-2010	Amend	6-1-2010
836-014-0285	1-5-2010	Adopt	2-1-2010	836-071-0101	2-1-2010	Amend	2-1-2010
836-014-0290	1-5-2010	Amend	2-1-2010	836-071-0113	2-1-2010	Adopt	2-1-2010
836-014-0300	1-5-2010	Amend	2-1-2010	836-071-0127	2-1-2010	Amend	2-1-2010
836-014-0310	1-5-2010	Amend	2-1-2010	836-071-0130	2-1-2010	Amend	2-1-2010
836-014-0320	1-5-2010	Amend	2-1-2010	836-071-0185	2-1-2010	Amend	2-1-2010
836-014-0325	1-5-2010	Adopt	2-1-2010	836-080-0205	8-19-2010	Amend	10-1-2010

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836-080-0235	8-19-2010	Amend	10-1-2010	837-085-0190	2-1-2010	Amend	3-1-2010
836-080-0240	1-1-2010	Amend	2-1-2010	837-085-0200	2-1-2010	Amend	3-1-2010
836-100-0010	9-23-2010	Adopt(T)	11-1-2010	837-085-0210	2-1-2010	Amend	3-1-2010
836-100-0015	9-23-2010	Adopt(T)	11-1-2010	837-085-0220	2-1-2010	Amend	3-1-2010
837-012-0510	11-3-2010	Amend(T)	12-1-2010	837-085-0230	2-1-2010	Amend	3-1-2010
837-012-0515	11-3-2010	Amend(T)	12-1-2010	837-085-0250	2-1-2010	Amend	3-1-2010
837-012-0520	11-3-2010	Amend(T)	12-1-2010	837-085-0260	2-1-2010	Amend	3-1-2010
837-012-0525	11-3-2010	Amend(T)	12-1-2010	837-085-0270	2-1-2010	Amend	3-1-2010
837-012-0535	11-3-2010	Amend(T)	12-1-2010	837-085-0280	2-1-2010	Amend	3-1-2010
837-012-0540	11-3-2010	Amend(T)	12-1-2010	837-085-0290	2-1-2010	Amend	3-1-2010
837-012-0550	11-3-2010	Amend(T)	12-1-2010	837-085-0300	2-1-2010	Amend	3-1-2010
837-012-0555	11-3-2010	Amend(T)	12-1-2010	837-085-0305	2-1-2010	Amend	3-1-2010
837-012-0560	11-3-2010	Amend(T)	12-1-2010	837-085-0310	2-1-2010	Amend	3-1-2010
837-012-0565	11-3-2010	Amend(T)	12-1-2010	837-085-0340	2-1-2010	Amend	3-1-2010
837-040-0010	4-1-2010	Amend	1-1-2010	837-085-0350	2-1-2010	Amend	3-1-2010
837-040-0010	7-1-2010	Amend(T)	3-1-2010	837-085-0380	2-1-2010	Amend	3-1-2010
837-040-0010	11-3-2010	Amend	12-1-2010	837-090-1145	11-18-2009	Amend	1-1-2010
837-040-0020	7-1-2010	Amend(T)	3-1-2010	839-001-0495	1-1-2010	Amend	1-1-2010
837-040-0020	11-3-2010	Amend	12-1-2010	839-001-0496	1-1-2010	Amend	1-1-2010
837-040-0140	4-1-2010	Amend	1-1-2010	839-001-0515	1-1-2010	Amend	1-1-2010
837-040-0140	7-1-2010	Amend(T)	3-1-2010	839-001-0520	1-1-2010	Amend	1-1-2010
837-040-0140	11-3-2010	Amend	12-1-2010	839-001-0700	1-1-2010	Amend	1-1-2010
837-040-02020	4-1-2010	Amend	1-1-2010	839-001-0750	1-1-2010	Repeal	1-1-2010
837-046-0000	11-21-2009	Adopt	1-1-2010	839-002-0030	2-12-2010	Amend(T)	3-1-2010
837-046-0020	11-21-2009	Adopt	1-1-2010	839-002-0030	5-5-2010	Amend	6-1-2010
837-046-0040	11-21-2009	Adopt	1-1-2010	839-002-0030(T)	5-5-2010	Repeal	6-1-2010
837-046-0060	11-21-2009	Adopt	1-1-2010	839-002-0040	2-12-2010	Amend(T)	3-1-2010
837-046-0080	11-21-2009	Adopt	1-1-2010	839-002-0040	5-5-2010	Amend	6-1-2010
837-046-0100	11-21-2009	Adopt	1-1-2010	839-002-0040(T)	5-5-2010	Repeal	6-1-2010
837-046-0120	11-21-2009	Adopt	1-1-2010	839-002-0045	2-12-2010	Amend(T)	3-1-2010
837-046-0140	11-21-2009	Adopt	1-1-2010	839-002-0045	5-5-2010	Amend	6-1-2010
837-046-0160	11-21-2009	Adopt	1-1-2010	839-002-0045(T)	5-5-2010	Repeal	6-1-2010
837-046-0180	11-21-2009	Adopt	1-1-2010	839-002-0050	2-12-2010	Amend(T)	3-1-2010
837-047-0100	7-1-2010	Adopt(T)	5-1-2010	839-002-0050	5-5-2010	Amend	6-1-2010
837-047-0110	7-1-2010	Adopt(T)	5-1-2010	839-002-0050(T)	5-5-2010	Repeal	6-1-2010
837-047-0120	7-1-2010	Adopt(T)	5-1-2010	839-003-0005	2-24-2010	Amend	4-1-2010
837-047-0130	7-1-2010	Adopt(T)	5-1-2010	839-003-0025	2-24-2010	Amend	4-1-2010
837-047-0140	7-1-2010	Adopt(T)	5-1-2010	839-003-0040	2-24-2010	Amend	4-1-2010
837-047-0150	7-1-2010	Adopt(T)	5-1-2010	839-003-0200	2-24-2010	Amend	4-1-2010
837-047-0160	7-1-2010	Adopt(T)	5-1-2010	839-005-0000	2-24-2010	Amend	4-1-2010
837-047-0170	7-1-2010	Adopt(T)	5-1-2010	839-005-0003	2-24-2010	Amend	4-1-2010
837-085-0020	2-1-2010	Amend	3-1-2010	839-005-0005	2-24-2010	Amend	4-1-2010
837-085-0030	2-1-2010	Amend	3-1-2010	839-005-0010	2-24-2010	Amend	4-1-2010
837-085-0040	2-1-2010	Amend	3-1-2010	839-005-0016	2-24-2010	Renumber	4-1-2010
837-085-0050	2-1-2010	Amend	3-1-2010	839-005-0021	2-24-2010	Amend	4-1-2010
837-085-0060	2-1-2010	Amend	3-1-2010	839-005-0035	2-24-2010	Renumber	4-1-2010
837-085-0070	2-1-2010	Amend	3-1-2010	839-005-0045	2-24-2010	Renumber	4-1-2010
837-085-0080	2-1-2010	Amend	3-1-2010	839-005-0050	2-24-2010	Renumber	4-1-2010
837-085-0090	2-1-2010	Amend	3-1-2010	839-005-0060	7-1-2010	Adopt	7-1-2010
837-085-0100	2-1-2010	Amend	3-1-2010	839-005-0065	7-1-2010	Adopt	7-1-2010
837-085-0110	2-1-2010	Amend	3-1-2010	839-005-0070	7-1-2010	Adopt	7-1-2010
837-085-0120	2-1-2010	Amend	3-1-2010	839-005-0080	7-1-2010	Adopt	7-1-2010
837-085-0140	2-1-2010	Amend	3-1-2010	839-005-0085	7-1-2010	Adopt	7-1-2010
837-085-0150	2-1-2010	Amend	3-1-2010	839-005-0138	2-24-2010	Adopt	4-1-2010
837-085-0170	2-1-2010	Amend	3-1-2010	839-005-0140	2-24-2010	Adopt	4-1-2010



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839-005-0160	2-24-2010	Adopt	4-1-2010	839-009-0360	2-24-2010	Amend	4-1-2010
839-005-0170	2-24-2010	Adopt	4-1-2010	839-009-0362	2-24-2010	Amend	4-1-2010
839-005-0195	2-24-2010	Amend	4-1-2010	839-009-0363	2-24-2010	Amend	4-1-2010
839-005-0200	2-24-2010	Amend	4-1-2010	839-009-0365	2-24-2010	Amend	4-1-2010
839-005-0205	2-24-2010	Amend	4-1-2010	839-009-0370	2-24-2010	Adopt	4-1-2010
839-005-0206	2-24-2010	Adopt	4-1-2010	839-009-0380	2-24-2010	Adopt	4-1-2010
839-005-0215	2-24-2010	Amend	4-1-2010	839-009-0390	2-24-2010	Adopt	4-1-2010
839-005-0220	2-24-2010	Amend	4-1-2010	839-009-0400	2-24-2010	Adopt	4-1-2010
839-006-0200	2-24-2010	Amend	4-1-2010	839-009-0410	2-24-2010	Adopt	4-1-2010
839-006-0202	2-24-2010	Adopt	4-1-2010	839-009-0420	2-24-2010	Adopt	4-1-2010
839-006-0205	2-24-2010	Amend	4-1-2010	839-009-0430	2-24-2010	Adopt	4-1-2010
839-006-0206	2-24-2010	Amend	4-1-2010	839-009-0440	2-24-2010	Adopt	4-1-2010
839-006-0212	2-24-2010	Amend	4-1-2010	839-009-0450	2-24-2010	Adopt	4-1-2010
839-006-0240	2-24-2010	Amend	4-1-2010	839-009-0460	2-24-2010	Adopt	4-1-2010
839-006-0242	2-24-2010	Amend	4-1-2010	839-010-0100	2-24-2010	Amend	4-1-2010
839-006-0244	2-24-2010	Amend	4-1-2010	839-010-0140	2-24-2010	Amend	4-1-2010
839-006-0250	2-24-2010	Amend	4-1-2010	839-011-0000	8-1-2010	Amend	9-1-2010
839-006-0255	2-24-2010	Amend	4-1-2010	839-011-0010	8-1-2010	Amend	9-1-2010
839-006-0265	2-24-2010	Amend	4-1-2010	839-011-0015	8-1-2010	Amend	9-1-2010
839-006-0270	2-24-2010	Amend	4-1-2010	839-011-0020	8-1-2010	Amend	9-1-2010
839-006-0275	2-24-2010	Amend	4-1-2010	839-011-0025	8-1-2010	Repeal	9-1-2010
839-006-0280	2-24-2010	Amend	4-1-2010	839-011-0030	8-1-2010	Amend	9-1-2010
839-006-0290	2-24-2010	Amend	4-1-2010	839-011-0040	8-1-2010	Amend	9-1-2010
839-006-0295	2-24-2010	Amend	4-1-2010	839-011-0050	8-1-2010	Amend	9-1-2010
839-006-0300	2-24-2010	Amend	4-1-2010	839-011-0051	8-1-2010	Adopt	9-1-2010
839-006-0305	2-24-2010	Amend	4-1-2010	839-011-0060	8-1-2010	Amend	9-1-2010
839-006-0307	2-24-2010	Adopt	4-1-2010	839-011-0070	8-1-2010	Amend	9-1-2010
839-006-0330	2-24-2010	Amend	4-1-2010	839-011-0072	8-1-2010	Amend	9-1-2010
839-006-0332	2-24-2010	Adopt	4-1-2010	839-011-0073	8-1-2010	Amend	9-1-2010
839-006-0335	2-24-2010	Amend	4-1-2010	839-011-0074	8-1-2010	Amend	9-1-2010
839-006-0435	2-24-2010	Amend	4-1-2010	839-011-0078	8-1-2010	Amend	9-1-2010
839-006-0440	2-24-2010	Amend	4-1-2010	839-011-0082	8-1-2010	Amend	9-1-2010
839-006-0445	2-24-2010	Amend	4-1-2010	839-011-0084	8-1-2010	Amend	9-1-2010
839-006-0450	2-24-2010	Amend	4-1-2010	839-011-0086	8-1-2010	Repeal	9-1-2010
839-006-0455	2-24-2010	Amend	4-1-2010	839-011-0088	8-1-2010	Amend	9-1-2010
839-006-0460	2-24-2010	Amend	4-1-2010	839-011-0093	8-1-2010	Amend	9-1-2010
839-006-0465	2-24-2010	Amend	4-1-2010	839-011-0095	8-1-2010	Repeal	9-1-2010
839-006-0470	2-24-2010	Amend	4-1-2010	839-011-0140	8-1-2010	Amend	9-1-2010
839-006-0480	2-24-2010	Adopt	4-1-2010	839-011-0141	8-1-2010	Adopt	9-1-2010
839-009-0210	2-24-2010	Amend	4-1-2010	839-011-0142	8-1-2010	Adopt	9-1-2010
839-009-0220	2-24-2010	Amend	4-1-2010	839-011-0143	8-1-2010	Adopt	9-1-2010
839-009-0240	2-24-2010	Amend	4-1-2010	839-011-0145	8-1-2010	Amend	9-1-2010
839-009-0245	2-24-2010	Amend	4-1-2010	839-011-0160	8-1-2010	Repeal	9-1-2010
839-009-0250	2-24-2010	Amend	4-1-2010	839-011-0162	8-1-2010	Amend	9-1-2010
839-009-0260	2-24-2010	Amend	4-1-2010	839-011-0170	8-1-2010	Amend	9-1-2010
839-009-0265	2-24-2010	Adopt	4-1-2010	839-011-0175	8-1-2010	Amend	9-1-2010
839-009-0270	2-24-2010	Amend	4-1-2010	839-011-0200	8-1-2010	Amend	9-1-2010
839-009-0280	2-24-2010	Amend	4-1-2010	839-011-0250	8-1-2010	Amend	9-1-2010
839-009-0290	2-24-2010	Amend	4-1-2010	839-011-0260	8-1-2010	Amend	9-1-2010
839-009-0300	2-24-2010	Amend	4-1-2010	839-011-0265	8-1-2010	Amend	9-1-2010
839-009-0325	2-24-2010	Amend	4-1-2010	839-011-0270	8-1-2010	Amend	9-1-2010
839-009-0335	2-24-2010	Amend	4-1-2010	839-011-0280	8-1-2010	Amend	9-1-2010
839-009-0340	2-24-2010	Amend	4-1-2010	839-011-0290	8-1-2010	Amend	9-1-2010
839-009-0345	2-24-2010	Amend	4-1-2010	839-011-0310	8-1-2010	Amend	9-1-2010
839-009-0350	2-24-2010	Amend	4-1-2010	839-011-0320	8-1-2010	Amend	9-1-2010
839-009-0355	2-24-2010	Amend	4-1-2010	839-011-0330	8-1-2010	Repeal	9-1-2010

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839-011-0334	8-1-2010	Amend	9-1-2010	839-025-0530(T)	1-1-2010	Repeal	1-1-2010
839-011-0340	8-1-2010	Repeal	9-1-2010	839-025-0700	11-23-2009	Amend	1-1-2010
839-011-0350	8-1-2010	Repeal	9-1-2010	839-025-0700	1-1-2010	Amend	2-1-2010
839-011-0360	8-1-2010	Repeal	9-1-2010	839-025-0700	1-12-2010	Amend	2-1-2010
839-011-0370	8-1-2010	Repeal	9-1-2010	839-025-0700	1-13-2010	Amend	2-1-2010
839-011-0380	8-1-2010	Repeal	9-1-2010	839-025-0700	1-19-2010	Amend	3-1-2010
839-011-0400	8-1-2010	Am. & Ren.	9-1-2010	839-025-0700	1-27-2010	Amend	3-1-2010
839-011-0401	8-1-2010	Adopt	9-1-2010	839-025-0700	4-1-2010	Amend	5-1-2010
839-011-0410	8-1-2010	Am. & Ren.	9-1-2010	839-025-0700	7-1-2010	Amend	8-1-2010
839-011-0420	8-1-2010	Am. & Ren.	9-1-2010	839-025-0700	10-1-2010	Amend	11-1-2010
839-011-0430	8-1-2010	Am. & Ren.	9-1-2010	839-050-0080	3-3-2010	Amend	4-1-2010
839-011-0440	8-1-2010	Am. & Ren.	9-1-2010	839-050-0130	3-3-2010	Amend	4-1-2010
839-011-0450	8-1-2010	Am. & Ren.	9-1-2010	839-050-0140	3-3-2010	Amend	4-1-2010
839-011-0460	8-1-2010	Repeal	9-1-2010	839-050-0150	3-3-2010	Amend	4-1-2010
839-011-0470	8-1-2010	Repeal	9-1-2010	839-050-0240	3-3-2010	Amend	4-1-2010
839-011-0480	8-1-2010	Am. & Ren.	9-1-2010	839-050-0370	3-3-2010	Amend	4-1-2010
839-011-0501	8-1-2010	Adopt	9-1-2010	839-051-0010	3-3-2010	Amend	4-1-2010
839-011-0505	8-1-2010	Adopt	9-1-2010	845-004-0020	11-1-2010	Amend	12-1-2010
839-011-0510	8-1-2010	Adopt	9-1-2010	845-005-0321	11-1-2010	Amend	12-1-2010
839-011-0515	8-1-2010	Adopt	9-1-2010	845-005-0322	11-1-2010	Adopt	12-1-2010
839-011-0520	8-1-2010	Adopt	9-1-2010	845-005-0327	10-1-2010	Repeal	11-1-2010
839-011-0525	8-1-2010	Adopt	9-1-2010	845-005-0413	3-1-2010	Adopt	4-1-2010
839-011-0530	8-1-2010	Adopt	9-1-2010	845-005-0414	3-1-2010	Adopt	4-1-2010
839-011-0535	8-1-2010	Adopt	9-1-2010	845-006-0340	5-1-2010	Amend	6-1-2010
839-011-0540	8-1-2010	Adopt	9-1-2010	845-006-0380	7-1-2010	Adopt	8-1-2010
839-011-0545	8-1-2010	Adopt	9-1-2010	845-006-0460	11-1-2010	Amend	12-1-2010
839-011-0550	8-1-2010	Adopt	9-1-2010	845-006-0461	11-1-2010	Amend	12-1-2010
839-011-0555	8-1-2010	Adopt	9-1-2010	845-006-0490	11-1-2010	Amend	12-1-2010
839-011-0560	8-1-2010	Adopt	9-1-2010	845-006-0495	11-1-2010	Adopt	12-1-2010
839-011-0565	8-1-2010	Adopt	9-1-2010	845-007-0010	9-1-2010	Amend	10-1-2010
839-017-0005	11-2-2010	Repeal	12-1-2010	845-007-0015	9-1-2010	Amend	10-1-2010
839-020-0004	6-1-2010	Amend	7-1-2010	845-007-0020	5-1-2010	Amend	6-1-2010
839-020-0050	6-1-2010	Amend	7-1-2010	845-009-0150	7-1-2010	Adopt	8-1-2010
839-020-0125	6-1-2010	Amend	7-1-2010	845-013-0040	7-1-2010	Amend	8-1-2010
839-021-0070	1-1-2010	Amend	1-1-2010	845-015-0130	5-1-2010	Amend	6-1-2010
839-021-0104	10-1-2010	Amend	11-1-2010	845-015-0200	9-1-2010	Adopt	10-1-2010
839-021-0280	1-1-2010	Amend	1-1-2010	845-020-0020	3-1-2010	Amend	4-1-2010
839-021-0290	1-1-2010	Amend	1-1-2010	845-020-0025	3-1-2010	Amend	4-1-2010
839-021-0355	10-1-2010	Amend	11-1-2010	845-020-0030	3-1-2010	Amend	4-1-2010
839-025-0010	1-1-2010	Amend	1-1-2010	847-005-0005	1-26-2010	Amend	3-1-2010
839-025-0013	1-1-2010	Amend	1-1-2010	847-005-0005(T)	1-26-2010	Repeal	3-1-2010
839-025-0013(T)	1-1-2010	Repeal	1-1-2010	847-008-0015	10-25-2010	Amend	12-1-2010
839-025-0015	1-1-2010	Amend	1-1-2010	847-008-0018	10-25-2010	Amend	12-1-2010
839-025-0020	1-1-2010	Amend	1-1-2010	847-008-0023	1-26-2010	Amend	3-1-2010
839-025-0020(T)	1-1-2010	Repeal	1-1-2010	847-010-0073	1-26-2010	Amend	3-1-2010
839-025-0030	1-1-2010	Amend	1-1-2010	847-020-0100	4-26-2010	Amend	6-1-2010
839-025-0030(T)	1-1-2010	Repeal	1-1-2010	847-020-0130	4-26-2010	Amend	6-1-2010
839-025-0035	1-1-2010	Amend	1-1-2010	847-020-0130	7-26-2010	Amend(T)	9-1-2010
839-025-0035(T)	1-1-2010	Repeal	1-1-2010	847-020-0130	10-25-2010	Amend	12-1-2010
839-025-0085	1-1-2010	Amend	1-1-2010	847-020-0150	4-26-2010	Amend	6-1-2010
839-025-0085(T)	1-1-2010	Repeal	1-1-2010	847-020-0160	4-26-2010	Amend	6-1-2010
839-025-0200	1-1-2010	Amend	1-1-2010	847-020-0183	4-26-2010	Amend	6-1-2010
839-025-0200(T)	1-1-2010	Repeal	1-1-2010	847-023-0010	4-26-2010	Amend	6-1-2010
839-025-0210	1-1-2010	Amend	1-1-2010	847-023-0015	4-26-2010	Amend	6-1-2010
839-025-0210(T)	1-1-2010	Repeal	1-1-2010	847-026-0000	1-26-2010	Adopt	3-1-2010

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847-026-0005	1-26-2010	Adopt	3-1-2010	848-035-0020	3-1-2010	Amend	4-1-2010
847-026-0005(T)	1-26-2010	Repeal	3-1-2010	848-040-0100	3-1-2010	Amend	4-1-2010
847-026-0010	1-26-2010	Adopt	3-1-2010	848-040-0147	3-1-2010	Amend	4-1-2010
847-026-0010(T)	1-26-2010	Repeal	3-1-2010	848-045-0020	3-1-2010	Amend	4-1-2010
847-026-0015	1-26-2010	Adopt	3-1-2010	848-050-0100	3-1-2010	Repeal	4-1-2010
847-026-0015(T)	1-26-2010	Repeal	3-1-2010	848-050-0110	3-1-2010	Repeal	4-1-2010
847-026-0020	1-26-2010	Adopt	3-1-2010	848-050-0120	3-1-2010	Repeal	4-1-2010
847-026-0020(T)	1-26-2010	Repeal	3-1-2010	850-005-0190	5-3-2010	Adopt	6-1-2010
847-035-0001	10-25-2010	Amend	12-1-2010	850-050-0120	6-30-2010	Amend	8-1-2010
847-035-0030	1-26-2010	Amend	3-1-2010	850-050-0130	6-30-2010	Amend	8-1-2010
847-035-0030	4-26-2010	Amend(T)	6-1-2010	850-060-0220	2-16-2010	Amend	4-1-2010
847-035-0030	7-26-2010	Amend	9-1-2010	850-060-0220	5-3-2010	Amend	6-1-2010
847-035-0030	10-25-2010	Amend	12-1-2010	850-060-0225	1-1-2010	Amend	1-1-2010
847-035-0030(T)	1-26-2010	Repeal	3-1-2010	850-060-0226	1-1-2010	Amend	1-1-2010
847-035-0030(T)	7-26-2010	Repeal	9-1-2010	850-060-0226	6-30-2010	Amend	8-1-2010
847-050-0010	10-25-2010	Amend	12-1-2010	851-002-0010	1-1-2010	Amend	2-1-2010
847-050-0015	7-26-2010	Amend(T)	9-1-2010	851-002-0010	6-25-2010	Amend	8-1-2010
847-050-0015	10-25-2010	Amend	12-1-2010	851-002-0020	1-1-2010	Amend	2-1-2010
847-050-0020	4-26-2010	Amend(T)	6-1-2010	851-002-0035	1-1-2010	Amend	2-1-2010
847-050-0020	7-26-2010	Amend	9-1-2010	851-002-0040	1-1-2010	Amend	2-1-2010
847-050-0020(T)	7-26-2010	Repeal	9-1-2010	851-002-0040	6-25-2010	Amend	8-1-2010
847-050-0029	7-26-2010	Amend	9-1-2010	851-010-0024	1-21-2010	Adopt(T)	3-1-2010
847-050-0046	4-26-2010	Adopt	6-1-2010	851-010-0024	4-21-2010	Adopt	6-1-2010
847-065-0000	8-3-2010	Suspend	9-1-2010	851-010-0024(T)	4-21-2010	Repeal	6-1-2010
847-065-0000	10-25-2010	Repeal	12-1-2010	851-031-0086	6-25-2010	Amend	8-1-2010
847-065-0010	8-3-2010	Adopt(T)	9-1-2010	851-045-0070	4-19-2010	Adopt(T)	6-1-2010
847-065-0010	10-25-2010	Adopt	12-1-2010	851-045-0070	9-30-2010	Amend	11-1-2010
847-065-0015	8-3-2010	Adopt(T)	9-1-2010	851-046-0000	7-1-2010	Suspend	8-1-2010
847-065-0015	10-25-2010	Adopt	12-1-2010	851-046-0005	7-1-2010	Suspend	8-1-2010
847-065-0020	8-3-2010	Adopt(T)	9-1-2010	851-046-0010	7-1-2010	Suspend	8-1-2010
847-065-0020	10-25-2010	Adopt	12-1-2010	851-046-0020	7-1-2010	Suspend	8-1-2010
847-065-0025	8-3-2010	Adopt(T)	9-1-2010	851-046-0030	7-1-2010	Suspend	8-1-2010
847-065-0025	10-25-2010	Adopt	12-1-2010	851-046-0040	7-1-2010	Suspend	8-1-2010
847-065-0030	8-3-2010	Adopt(T)	9-1-2010	851-050-0000	1-1-2010	Amend	2-1-2010
847-065-0030	10-25-2010	Adopt	12-1-2010	851-050-0001	1-1-2010	Amend	2-1-2010
847-065-0035	8-3-2010	Adopt(T)	9-1-2010	851-050-0002	7-1-2010	Amend	2-1-2010
847-065-0035	10-25-2010	Adopt	12-1-2010	851-050-0004	1-1-2010	Amend	2-1-2010
847-065-0040	8-3-2010	Adopt(T)	9-1-2010	851-050-0005	1-1-2010	Amend	2-1-2010
847-065-0040	10-25-2010	Adopt	12-1-2010	851-050-0006	7-1-2010	Amend	2-1-2010
847-065-0045	8-3-2010	Adopt(T)	9-1-2010	851-050-0008	1-1-2010	Adopt	2-1-2010
847-065-0045	10-25-2010	Adopt	12-1-2010	851-050-0010	1-1-2010	Amend	2-1-2010
847-065-0050	8-3-2010	Adopt(T)	9-1-2010	851-050-0138	1-1-2010	Amend	2-1-2010
847-065-0050	10-25-2010	Adopt	12-1-2010	851-050-0138	4-19-2010	Amend(T)	6-1-2010
847-065-0055	8-3-2010	Adopt(T)	9-1-2010	851-050-0138	9-30-2010	Amend	11-1-2010
847-065-0055	10-25-2010	Adopt	12-1-2010	851-050-0142	1-1-2010	Adopt	2-1-2010
847-065-0060	8-3-2010	Adopt(T)	9-1-2010	851-054-0010	9-30-2010	Amend	11-1-2010
847-065-0060	10-25-2010	Adopt	12-1-2010	851-054-0040	9-30-2010	Amend	11-1-2010
847-065-0065	8-3-2010	Adopt(T)	9-1-2010	851-054-0050	9-30-2010	Amend	11-1-2010
847-065-0065	10-25-2010	Adopt	12-1-2010	851-054-0055	9-30-2010	Amend	11-1-2010
848-001-0005	3-1-2010	Amend	4-1-2010	851-056-0000	1-1-2010	Amend	2-1-2010
848-001-0010	3-1-2010	Amend	4-1-2010	851-056-0006	1-1-2010	Amend	2-1-2010
848-005-0020	3-1-2010	Amend	4-1-2010	851-056-0010	1-1-2010	Amend	2-1-2010
848-005-0030	3-1-2010	Amend	4-1-2010	851-056-0016	1-1-2010	Amend	2-1-2010
848-010-0015	3-1-2010	Amend	4-1-2010	851-056-0020	1-1-2010	Amend	2-1-2010
848-010-0022	3-1-2010	Amend	4-1-2010	851-056-0024	1-1-2010	Amend	2-1-2010

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851-061-0090	12-17-2009	Amend	2-1-2010	855-011-0050	6-29-2010	Adopt(T)	8-1-2010
851-062-0005	6-25-2010	Repeal	8-1-2010	855-019-0100	6-29-2010	Amend	8-1-2010
851-062-0010	6-25-2010	Amend	8-1-2010	855-019-0120	4-30-2010	Amend	6-1-2010
851-062-0015	6-25-2010	Repeal	8-1-2010	855-019-0130	4-30-2010	Amend	6-1-2010
851-062-0016	6-25-2010	Amend	8-1-2010	855-019-0150	4-30-2010	Amend	6-1-2010
851-062-0020	6-25-2010	Amend	8-1-2010	855-019-0200	6-29-2010	Amend	8-1-2010
851-062-0050	6-25-2010	Amend	8-1-2010	855-019-0205	6-29-2010	Adopt	8-1-2010
851-062-0055	6-25-2010	Amend	8-1-2010	855-019-0240	6-29-2010	Amend	8-1-2010
851-062-0070	6-25-2010	Amend	8-1-2010	855-019-0250	6-29-2010	Amend	8-1-2010
851-062-0100	6-25-2010	Amend	8-1-2010	855-019-0270	1-1-2011	Amend	12-1-2010
851-062-0110	6-25-2010	Amend	8-1-2010	855-019-0280	1-1-2011	Amend	12-1-2010
851-063-0020	6-25-2010	Amend	8-1-2010	855-019-0290	1-1-2011	Amend	12-1-2010
851-063-0030	12-17-2009	Amend	2-1-2010	855-019-0300	6-29-2010	Amend	8-1-2010
851-063-0030	6-25-2010	Amend	8-1-2010	855-019-0310	6-29-2010	Amend	8-1-2010
851-063-0035	12-17-2009	Amend	2-1-2010	855-025-0020	6-29-2010	Amend	8-1-2010
851-063-0035	6-25-2010	Amend	8-1-2010	855-025-0050	6-29-2010	Amend	8-1-2010
851-063-0040	6-25-2010	Repeal	8-1-2010	855-031-0005	4-30-2010	Amend	6-1-2010
851-063-0050	6-25-2010	Repeal	8-1-2010	855-031-0010	4-30-2010	Amend	6-1-2010
851-063-0060	6-25-2010	Repeal	8-1-2010	855-031-0015	4-30-2010	Repeal	6-1-2010
851-063-0090	12-17-2009	Amend	2-1-2010	855-031-0020	4-30-2010	Amend	6-1-2010
851-063-0090	4-19-2010	Amend(T)	6-1-2010	855-031-0030	4-30-2010	Amend	6-1-2010
851-063-0090	9-30-2010	Amend	11-1-2010	855-031-0033	4-30-2010	Repeal	6-1-2010
851-070-0000	7-1-2010	Adopt(T)	8-1-2010	855-031-0040	4-30-2010	Repeal	6-1-2010
851-070-0005	7-1-2010	Adopt(T)	8-1-2010	855-031-0045	4-30-2010	Amend	6-1-2010
851-070-0010	7-1-2010	Adopt(T)	8-1-2010	855-031-0050	4-30-2010	Amend	6-1-2010
851-070-0020	7-1-2010	Adopt(T)	8-1-2010	855-031-0055	4-30-2010	Amend	6-1-2010
851-070-0030	7-1-2010	Adopt(T)	8-1-2010	855-041-0120	4-30-2010	Repeal	6-1-2010
851-070-0040	7-1-2010	Adopt(T)	8-1-2010	855-041-0125	4-30-2010	Repeal	6-1-2010
851-070-0050	7-1-2010	Adopt(T)	8-1-2010	855-041-0130	4-30-2010	Repeal	6-1-2010
851-070-0060	7-1-2010	Adopt(T)	8-1-2010	855-041-0132	4-30-2010	Repeal	6-1-2010
851-070-0070	7-1-2010	Adopt(T)	8-1-2010	855-041-0600	7-9-2010	Amend(T)	8-1-2010
851-070-0080	7-1-2010	Adopt(T)	8-1-2010	855-041-0640	7-9-2010	Adopt(T)	8-1-2010
851-070-0090	7-1-2010	Adopt(T)	8-1-2010	855-041-4000	2-8-2010	Adopt	3-1-2010
851-070-0100	7-1-2010	Adopt(T)	8-1-2010	855-041-4005	2-8-2010	Adopt	3-1-2010
852-005-0015	12-11-2009	Adopt	1-1-2010	855-041-6050	4-30-2010	Adopt	6-1-2010
852-010-0080	12-11-2009	Amend	1-1-2010	855-041-6100	4-30-2010	Adopt	6-1-2010
852-020-0035	12-11-2009	Amend	1-1-2010	855-041-6150	4-30-2010	Adopt	6-1-2010
852-020-0045	9-20-2010	Adopt	11-1-2010	855-041-6200	4-30-2010	Adopt	6-1-2010
852-020-0060	12-11-2009	Amend	1-1-2010	855-041-6220	4-30-2010	Adopt	6-1-2010
852-050-0006	12-11-2009	Amend	1-1-2010	855-041-6240	4-30-2010	Adopt	6-1-2010
855-006-0005	6-29-2010	Amend	8-1-2010	855-041-6250	4-30-2010	Adopt	6-1-2010
855-007-0010	12-24-2009	Amend	2-1-2010	855-041-6260	4-30-2010	Adopt	6-1-2010
855-007-0020	12-24-2009	Amend	2-1-2010	855-041-6270	4-30-2010	Adopt	6-1-2010
855-007-0030	12-24-2009	Amend	2-1-2010	855-041-6300	4-30-2010	Adopt	6-1-2010
855-007-0040	12-24-2009	Amend	2-1-2010	855-041-6305	4-30-2010	Adopt	6-1-2010
855-007-0050	12-24-2009	Amend	2-1-2010	855-041-6310	4-30-2010	Adopt	6-1-2010
855-007-0060	12-24-2009	Amend	2-1-2010	855-041-6400	4-30-2010	Adopt	6-1-2010
855-007-0080	12-24-2009	Amend	2-1-2010	855-041-6410	4-30-2010	Adopt	6-1-2010
855-007-0090	12-24-2009	Amend	2-1-2010	855-041-6420	4-30-2010	Adopt	6-1-2010
855-007-0100	12-24-2009	Amend	2-1-2010	855-041-6500	4-30-2010	Adopt	6-1-2010
855-007-0110	12-24-2009	Amend	2-1-2010	855-041-6510	4-30-2010	Adopt	6-1-2010
855-007-0120	12-24-2009	Amend	2-1-2010	855-041-6520	4-30-2010	Adopt	6-1-2010
855-011-0005	6-29-2010	Adopt(T)	8-1-2010	855-041-6530	4-30-2010	Adopt	6-1-2010
855-011-0020	6-29-2010	Adopt(T)	8-1-2010	855-041-6540	4-30-2010	Adopt	6-1-2010
855-011-0030	6-29-2010	Adopt(T)	8-1-2010	855-041-6550	4-30-2010	Adopt	6-1-2010
855-011-0040	6-29-2010	Adopt(T)	8-1-2010	855-041-6560	4-30-2010	Adopt	6-1-2010

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855-041-6600	4-30-2010	Adopt	6-1-2010	856-010-0015	4-27-2010	Amend	6-1-2010
855-041-6610	4-30-2010	Adopt	6-1-2010	856-010-0027	4-27-2010	Adopt	6-1-2010
855-041-6620	4-30-2010	Adopt	6-1-2010	858-010-0001	1-8-2010	Amend	2-1-2010
855-043-0001	2-8-2010	Am. & Ren.	3-1-2010	858-010-0005	1-8-2010	Amend	2-1-2010
855-043-0003	2-8-2010	Adopt	3-1-2010	858-010-0005	9-28-2010	Amend	11-1-2010
855-043-0110	2-8-2010	Amend	3-1-2010	858-010-0007	1-8-2010	Amend	2-1-2010
855-043-0120	2-8-2010	Am. & Ren.	3-1-2010	858-010-0007	9-28-2010	Amend	11-1-2010
855-043-0130	2-8-2010	Amend	3-1-2010	858-010-0010	1-8-2010	Amend	2-1-2010
855-043-0130	5-4-2010	Amend(T)	6-1-2010	858-010-0010	9-28-2010	Amend	11-1-2010
855-043-0210	2-8-2010	Amend	3-1-2010	858-010-0015	1-8-2010	Amend	2-1-2010
855-043-0300	2-8-2010	Amend	3-1-2010	858-010-0015	9-28-2010	Amend	11-1-2010
855-043-0310	2-8-2010	Amend	3-1-2010	858-010-0016	1-8-2010	Adopt	2-1-2010
855-044-0001	6-29-2010	Adopt	8-1-2010	858-010-0016	9-28-2010	Amend	11-1-2010
855-044-0005	6-29-2010	Adopt	8-1-2010	858-010-0017	1-8-2010	Adopt	2-1-2010
855-044-0010	6-29-2010	Adopt	8-1-2010	858-010-0017	9-28-2010	Amend	11-1-2010
855-044-0020	6-29-2010	Adopt	8-1-2010	858-010-0018	1-8-2010	Adopt	2-1-2010
855-044-0030	6-29-2010	Adopt	8-1-2010	858-010-0020	1-8-2010	Amend	2-1-2010
855-044-0040	6-29-2010	Adopt	8-1-2010	858-010-0020	9-28-2010	Amend	11-1-2010
855-044-0050	6-29-2010	Adopt	8-1-2010	858-010-0025	1-8-2010	Amend	2-1-2010
855-044-0060	6-29-2010	Adopt	8-1-2010	858-010-0030	1-8-2010	Amend	2-1-2010
855-044-0070	6-29-2010	Adopt	8-1-2010	858-010-0030	9-28-2010	Amend	11-1-2010
855-044-0080	6-29-2010	Adopt	8-1-2010	858-010-0034	1-8-2010	Adopt	2-1-2010
855-044-0090	6-29-2010	Adopt	8-1-2010	858-010-0034	9-28-2010	Amend	11-1-2010
855-062-0003	12-24-2009	Adopt	2-1-2010	858-010-0036	1-8-2010	Amend	2-1-2010
855-062-0003(T)	12-24-2009	Repeal	2-1-2010	858-010-0036	9-28-2010	Amend	11-1-2010
855-062-0005	12-24-2009	Adopt	2-1-2010	858-010-0037	1-8-2010	Adopt	2-1-2010
855-062-0005(T)	12-24-2009	Repeal	2-1-2010	858-010-0038	1-8-2010	Adopt	2-1-2010
855-062-0020	12-24-2009	Adopt	2-1-2010	858-010-0039	1-8-2010	Adopt	2-1-2010
855-062-0020(T)	12-24-2009	Repeal	2-1-2010	858-010-0041	1-8-2010	Amend	2-1-2010
855-062-0030	12-24-2009	Adopt	2-1-2010	858-010-0050	1-8-2010	Amend	2-1-2010
855-062-0030(T)	12-24-2009	Repeal	2-1-2010	858-010-0055	1-8-2010	Amend	2-1-2010
855-062-0040	12-24-2009	Adopt	2-1-2010	858-010-0055	9-28-2010	Amend	11-1-2010
855-062-0040(T)	12-24-2009	Repeal	2-1-2010	858-010-0060	1-8-2010	Amend	2-1-2010
855-062-0050	12-24-2009	Adopt	2-1-2010	858-010-0065	1-8-2010	Amend	2-1-2010
855-062-0050(T)	12-24-2009	Repeal	2-1-2010	858-020-0015	1-8-2010	Amend	2-1-2010
855-065-0001	12-24-2009	Amend	2-1-2010	858-020-0025	1-8-2010	Amend	2-1-2010
855-065-0005	12-24-2009	Amend	2-1-2010	858-020-0035	1-8-2010	Amend	2-1-2010
855-065-0006	12-24-2009	Amend	2-1-2010	858-020-0045	1-8-2010	Amend	2-1-2010
855-080-0020	6-29-2010	Amend	8-1-2010	858-020-0045	9-28-2010	Amend	11-1-2010
855-080-0021	6-29-2010	Amend	8-1-2010	858-020-0055	1-8-2010	Amend	2-1-2010
855-080-0021	10-15-2010	Amend(T)	11-1-2010	858-020-0065	1-8-2010	Amend	2-1-2010
855-080-0022	6-29-2010	Amend	8-1-2010	858-020-0085	1-8-2010	Amend	2-1-2010
855-080-0028	6-29-2010	Amend	8-1-2010	858-030-0005	1-8-2010	Amend	2-1-2010
855-080-0055	6-29-2010	Amend	8-1-2010	858-030-0005	9-28-2010	Amend	11-1-2010
855-080-0085	6-29-2010	Amend	8-1-2010	858-040-0015	1-8-2010	Amend	2-1-2010
855-080-0105	6-29-2010	Amend	8-1-2010	858-040-0015	9-28-2010	Amend	11-1-2010
855-110-0003	12-24-2009	Adopt	2-1-2010	858-040-0020	1-8-2010	Adopt	2-1-2010
855-110-0003(T)	12-24-2009	Repeal	2-1-2010	858-040-0025	1-8-2010	Amend	2-1-2010
855-110-0005	12-24-2009	Amend	2-1-2010	858-040-0026	1-8-2010	Adopt	2-1-2010
855-110-0005	5-4-2010	Amend(T)	6-1-2010	858-040-0026	9-28-2010	Amend	11-1-2010
855-110-0005	6-29-2010	Amend	8-1-2010	858-040-0035	1-8-2010	Amend	2-1-2010
855-110-0005(T)	6-29-2010	Repeal	8-1-2010	858-040-0035	9-28-2010	Amend	11-1-2010
855-110-0007	12-24-2009	Amend	2-1-2010	858-040-0036	1-8-2010	Amend	2-1-2010
855-110-0007	6-29-2010	Amend	8-1-2010	858-040-0036	9-28-2010	Amend	11-1-2010
855-110-0010	12-24-2009	Amend	2-1-2010	858-040-0055	1-8-2010	Amend	2-1-2010

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858-040-0065	1-8-2010	Amend	2-1-2010	859-550-0045	9-28-2010	Adopt	11-1-2010
858-040-0075	1-8-2010	Repeal	2-1-2010	859-550-0050	9-28-2010	Adopt	11-1-2010
858-040-0085	1-8-2010	Repeal	2-1-2010	859-550-0055	9-28-2010	Adopt	11-1-2010
858-040-0095	1-8-2010	Repeal	2-1-2010	859-550-0060	9-28-2010	Adopt	11-1-2010
858-050-0100	1-8-2010	Repeal	2-1-2010	859-550-0070	9-28-2010	Adopt	11-1-2010
858-050-0105	1-8-2010	Repeal	2-1-2010	859-550-0075	9-28-2010	Adopt	11-1-2010
858-050-0110	1-8-2010	Repeal	2-1-2010	859-550-0080	9-28-2010	Adopt	11-1-2010
858-050-0120	1-8-2010	Repeal	2-1-2010	859-550-0085	9-28-2010	Adopt	11-1-2010
858-050-0125	1-8-2010	Repeal	2-1-2010	859-550-0090	9-28-2010	Adopt	11-1-2010
858-050-0140	1-8-2010	Repeal	2-1-2010	859-550-0095	9-28-2010	Adopt	11-1-2010
858-050-0145	1-8-2010	Repeal	2-1-2010	859-560-0005	9-28-2010	Adopt	11-1-2010
858-050-0150	1-8-2010	Repeal	2-1-2010	859-560-0010	9-28-2010	Adopt	11-1-2010
859-300-0001	8-23-2010	Adopt(T)	10-1-2010	859-560-0015	9-28-2010	Adopt	11-1-2010
859-300-0010	10-8-2010	Adopt(T)	11-1-2010	859-560-0045	9-28-2010	Adopt	11-1-2010
859-300-0020	10-8-2010	Adopt(T)	11-1-2010	859-560-0050	9-28-2010	Adopt	11-1-2010
859-300-0030	10-8-2010	Adopt(T)	11-1-2010	859-570-0005	9-28-2010	Adopt	11-1-2010
859-300-0040	10-8-2010	Adopt(T)	11-1-2010	859-570-0010	9-28-2010	Adopt	11-1-2010
859-300-0050	10-8-2010	Adopt(T)	11-1-2010	859-570-0015	9-28-2010	Adopt	11-1-2010
859-300-0060	10-8-2010	Adopt(T)	11-1-2010	859-570-0020	9-28-2010	Adopt	11-1-2010
859-300-0070	10-8-2010	Adopt(T)	11-1-2010	859-570-0025	9-28-2010	Adopt	11-1-2010
859-300-0080	10-8-2010	Adopt(T)	11-1-2010	859-570-0030	9-28-2010	Adopt	11-1-2010
859-300-0090	10-8-2010	Adopt(T)	11-1-2010	859-570-0035	9-28-2010	Adopt	11-1-2010
859-300-0100	10-8-2010	Adopt(T)	11-1-2010	859-580-0005	9-28-2010	Adopt	11-1-2010
859-300-0110	10-8-2010	Adopt(T)	11-1-2010	859-580-0010	9-28-2010	Adopt	11-1-2010
859-300-0120	10-8-2010	Adopt(T)	11-1-2010	859-580-0015	9-28-2010	Adopt	11-1-2010
859-300-0130	10-8-2010	Adopt(T)	11-1-2010	859-590-0005	9-28-2010	Adopt	11-1-2010
859-300-0140	10-8-2010	Adopt(T)	11-1-2010	859-600-0005	9-28-2010	Adopt	11-1-2010
859-300-0150	10-8-2010	Adopt(T)	11-1-2010	859-600-0020	9-28-2010	Adopt	11-1-2010
859-300-0160	10-8-2010	Adopt(T)	11-1-2010	859-600-0025	9-28-2010	Adopt	11-1-2010
859-300-0170	10-8-2010	Adopt(T)	11-1-2010	860-001-0000	10-22-2010	Adopt	12-1-2010
859-300-0180	10-8-2010	Adopt(T)	11-1-2010	860-001-0010	10-22-2010	Adopt	12-1-2010
859-300-0190	10-8-2010	Adopt(T)	11-1-2010	860-001-0020	10-22-2010	Adopt	12-1-2010
859-300-0200	10-8-2010	Adopt(T)	11-1-2010	860-001-0030	10-22-2010	Adopt	12-1-2010
859-300-0210	10-8-2010	Adopt(T)	11-1-2010	860-001-0040	10-22-2010	Adopt	12-1-2010
859-300-0220	10-8-2010	Adopt(T)	11-1-2010	860-001-0050	10-22-2010	Adopt	12-1-2010
859-300-0230	10-8-2010	Adopt(T)	11-1-2010	860-001-0060	10-22-2010	Adopt	12-1-2010
859-501-0005	9-28-2010	Adopt	11-1-2010	860-001-0070	10-22-2010	Adopt	12-1-2010
859-501-0010	9-28-2010	Adopt	11-1-2010	860-001-0080	10-22-2010	Adopt	12-1-2010
859-510-0005	9-28-2010	Adopt	11-1-2010	860-001-0090	10-22-2010	Adopt	12-1-2010
859-520-0005	9-28-2010	Adopt	11-1-2010	860-001-0100	10-22-2010	Adopt	12-1-2010
859-520-0010	9-28-2010	Adopt	11-1-2010	860-001-0110	10-22-2010	Adopt	12-1-2010
859-520-0020	9-28-2010	Adopt	11-1-2010	860-001-0120	10-22-2010	Adopt	12-1-2010
859-530-0010	9-28-2010	Adopt	11-1-2010	860-001-0130	10-22-2010	Adopt	12-1-2010
859-540-0005	9-28-2010	Adopt	11-1-2010	860-001-0140	10-22-2010	Adopt	12-1-2010
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859-550-0005	9-28-2010	Adopt	11-1-2010	860-001-0200	10-22-2010	Adopt	12-1-2010
859-550-0010	9-28-2010	Adopt	11-1-2010	860-001-0210	10-22-2010	Adopt	12-1-2010
859-550-0015	9-28-2010	Adopt	11-1-2010	860-001-0220	10-22-2010	Adopt	12-1-2010
859-550-0020	9-28-2010	Adopt	11-1-2010	860-001-0230	10-22-2010	Adopt	12-1-2010
859-550-0025	9-28-2010	Adopt	11-1-2010	860-001-0240	10-22-2010	Adopt	12-1-2010
859-550-0030	9-28-2010	Adopt	11-1-2010	860-001-0250	10-22-2010	Adopt	12-1-2010
859-550-0035	9-28-2010	Adopt	11-1-2010	860-001-0260	10-22-2010	Adopt	12-1-2010

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860-001-0310	10-22-2010	Adopt	12-1-2010	860-013-0020	10-22-2010	Repeal	12-1-2010
860-001-0320	10-22-2010	Adopt	12-1-2010	860-013-0025	10-22-2010	Repeal	12-1-2010
860-001-0330	10-22-2010	Adopt	12-1-2010	860-013-0030	10-22-2010	Repeal	12-1-2010
860-001-0340	10-22-2010	Adopt	12-1-2010	860-013-0031	10-22-2010	Repeal	12-1-2010
860-001-0350	10-22-2010	Adopt	12-1-2010	860-013-0035	10-22-2010	Repeal	12-1-2010
860-001-0400	10-22-2010	Adopt	12-1-2010	860-013-0036	10-22-2010	Repeal	12-1-2010
860-001-0410	10-22-2010	Adopt	12-1-2010	860-013-0037	10-22-2010	Repeal	12-1-2010
860-001-0420	10-22-2010	Adopt	12-1-2010	860-013-0050	10-22-2010	Repeal	12-1-2010
860-001-0430	10-22-2010	Adopt	12-1-2010	860-013-0055	10-22-2010	Repeal	12-1-2010
860-001-0450	10-22-2010	Adopt	12-1-2010	860-013-0060	10-22-2010	Repeal	12-1-2010
860-001-0460	10-22-2010	Adopt	12-1-2010	860-013-0065	10-22-2010	Repeal	12-1-2010
860-001-0470	10-22-2010	Adopt	12-1-2010	860-013-0070	10-22-2010	Repeal	12-1-2010
860-001-0480	10-22-2010	Adopt	12-1-2010	860-013-0071	10-22-2010	Repeal	12-1-2010
860-001-0490	10-22-2010	Adopt	12-1-2010	860-013-0075	10-22-2010	Am. & Ren.	12-1-2010
860-001-0500	10-22-2010	Adopt	12-1-2010	860-014-0005	10-22-2010	Repeal	12-1-2010
860-001-0510	10-22-2010	Adopt	12-1-2010	860-014-0010	10-22-2010	Repeal	12-1-2010
860-001-0520	10-22-2010	Adopt	12-1-2010	860-014-0020	10-22-2010	Repeal	12-1-2010
860-001-0530	10-22-2010	Adopt	12-1-2010	860-014-0023	10-22-2010	Repeal	12-1-2010
860-001-0540	10-22-2010	Adopt	12-1-2010	860-014-0025	10-22-2010	Repeal	12-1-2010
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860-001-0560	10-22-2010	Adopt	12-1-2010	860-014-0032	10-22-2010	Repeal	12-1-2010
860-001-0570	10-22-2010	Adopt	12-1-2010	860-014-0035	10-22-2010	Repeal	12-1-2010
860-001-0580	10-22-2010	Adopt	12-1-2010	860-014-0040	10-22-2010	Repeal	12-1-2010
860-001-0590	10-22-2010	Adopt	12-1-2010	860-014-0045	10-22-2010	Repeal	12-1-2010
860-001-0600	10-22-2010	Adopt	12-1-2010	860-014-0050	10-22-2010	Repeal	12-1-2010
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860-001-0650	10-22-2010	Adopt	12-1-2010	860-014-0060	10-22-2010	Repeal	12-1-2010
860-001-0660	10-22-2010	Adopt	12-1-2010	860-014-0065	10-22-2010	Repeal	12-1-2010
860-001-0700	10-22-2010	Adopt	12-1-2010	860-014-0070	10-22-2010	Repeal	12-1-2010
860-001-0710	10-22-2010	Adopt	12-1-2010	860-014-0080	10-22-2010	Repeal	12-1-2010
860-001-0720	10-22-2010	Adopt	12-1-2010	860-014-0085	10-22-2010	Repeal	12-1-2010
860-011-0000	10-22-2010	Repeal	12-1-2010	860-014-0090	10-22-2010	Repeal	12-1-2010
860-011-0001	10-22-2010	Repeal	12-1-2010	860-014-0091	10-22-2010	Repeal	12-1-2010
860-011-0010	10-22-2010	Repeal	12-1-2010	860-014-0092	10-22-2010	Repeal	12-1-2010
860-011-0011	10-22-2010	Repeal	12-1-2010	860-014-0093	10-22-2010	Repeal	12-1-2010
860-011-0012	10-22-2010	Repeal	12-1-2010	860-014-0094	10-22-2010	Repeal	12-1-2010
860-011-0015	10-22-2010	Repeal	12-1-2010	860-014-0095	10-22-2010	Repeal	12-1-2010
860-011-0035	10-22-2010	Repeal	12-1-2010	860-022-0041	6-28-2010	Amend	8-1-2010
860-011-0080	10-22-2010	Repeal	12-1-2010	860-032-0620	9-10-2010	Amend	10-1-2010
860-011-0090	10-22-2010	Repeal	12-1-2010	860-033-0006	5-18-2010	Amend	7-1-2010
860-011-0100	10-22-2010	Repeal	12-1-2010	860-033-0007	5-18-2010	Amend	7-1-2010
860-011-0110	10-22-2010	Repeal	12-1-2010	860-033-0008	5-18-2010	Amend	7-1-2010
860-012-0001	10-22-2010	Repeal	12-1-2010	860-036-0010	11-24-2009	Amend	1-1-2010
860-012-0005	10-22-2010	Repeal	12-1-2010	860-036-0030	11-24-2009	Amend	1-1-2010
860-012-0007	10-22-2010	Repeal	12-1-2010	860-084-0000	6-1-2010	Adopt	7-1-2010
860-012-0010	10-22-2010	Repeal	12-1-2010	860-084-0010	6-1-2010	Adopt	7-1-2010
860-012-0015	10-22-2010	Repeal	12-1-2010	860-084-0020	6-1-2010	Adopt	7-1-2010
860-012-0020	10-22-2010	Repeal	12-1-2010	860-084-0030	6-1-2010	Adopt	7-1-2010
860-012-0025	10-22-2010	Repeal	12-1-2010	860-084-0040	6-1-2010	Adopt	7-1-2010
860-012-0035	10-22-2010	Repeal	12-1-2010	860-084-0050	6-1-2010	Adopt	7-1-2010
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860-012-0100	10-22-2010	Repeal	12-1-2010	860-084-0070	6-1-2010	Adopt	7-1-2010
860-012-0190	10-22-2010	Repeal	12-1-2010	860-084-0080	6-1-2010	Adopt	7-1-2010
860-013-0005	10-22-2010	Repeal	12-1-2010	860-084-0100	6-1-2010	Adopt	7-1-2010
860-013-0010	10-22-2010	Repeal	12-1-2010	860-084-0120	6-1-2010	Adopt	7-1-2010

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860-084-0140	6-1-2010	Adopt	7-1-2010	863-015-0003	1-1-2010	Amend	1-1-2010
860-084-0150	6-1-2010	Adopt	7-1-2010	863-015-0150	1-1-2010	Amend	1-1-2010
860-084-0160	6-1-2010	Adopt	7-1-2010	863-015-0186	1-1-2010	Amend	1-1-2010
860-084-0170	6-1-2010	Adopt	7-1-2010	863-015-0188	1-1-2010	Amend	1-1-2010
860-084-0180	6-1-2010	Adopt	7-1-2010	863-015-0210	1-1-2010	Amend	1-1-2010
860-084-0190	6-1-2010	Adopt	7-1-2010	863-015-0250	1-1-2010	Amend	1-1-2010
860-084-0195	6-1-2010	Adopt	7-1-2010	863-015-0255	1-1-2010	Amend	1-1-2010
860-084-0200	6-1-2010	Adopt	7-1-2010	863-015-0260	1-1-2010	Amend	1-1-2010
860-084-0210	6-1-2010	Adopt	7-1-2010	863-015-0275	1-1-2010	Amend	1-1-2010
860-084-0220	6-1-2010	Adopt	7-1-2010	863-020-0000	7-1-2010	Adopt	7-1-2010
860-084-0230	6-1-2010	Adopt	7-1-2010	863-020-0005	7-1-2010	Adopt	7-1-2010
860-084-0240	6-1-2010	Adopt	7-1-2010	863-020-0007	7-1-2010	Adopt	7-1-2010
860-084-0250	6-1-2010	Adopt	7-1-2010	863-020-0008	7-1-2010	Adopt	7-1-2010
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860-084-0340	6-1-2010	Adopt	7-1-2010	863-020-0045	7-1-2010	Adopt	7-1-2010
860-084-0350	6-1-2010	Adopt	7-1-2010	863-020-0050	7-1-2010	Adopt	7-1-2010
860-084-0360	6-1-2010	Adopt	7-1-2010	863-020-0055	7-1-2010	Adopt	7-1-2010
860-084-0365	6-1-2010	Adopt	7-1-2010	863-020-0060	7-1-2010	Adopt	7-1-2010
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860-084-0430	6-1-2010	Adopt	7-1-2010	863-022-0020	7-1-2010	Adopt	7-1-2010
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860-084-0450	6-1-2010	Adopt	7-1-2010	863-022-0030	7-1-2010	Adopt	7-1-2010
863-014-0000	1-1-2010	Amend	1-1-2010	863-022-0035	7-1-2010	Adopt	7-1-2010
863-014-0003	1-1-2010	Amend	1-1-2010	863-022-0040	7-1-2010	Adopt	7-1-2010
863-014-0005	1-1-2010	Amend	1-1-2010	863-022-0045	7-1-2010	Adopt	7-1-2010
863-014-0005	7-1-2010	Repeal	7-1-2010	863-022-0050	7-1-2010	Adopt	7-1-2010
863-014-0010	1-1-2010	Amend	1-1-2010	863-022-0055	7-1-2010	Adopt	7-1-2010
863-014-0015	1-1-2010	Amend	1-1-2010	863-024-0000	1-1-2010	Amend	1-1-2010
863-014-0020	7-1-2010	Amend	7-1-2010	863-024-0003	1-1-2010	Amend	1-1-2010
863-014-0030	1-1-2010	Amend	1-1-2010	863-024-0005	7-1-2010	Repeal	7-1-2010
863-014-0035	7-1-2010	Amend	7-1-2010	863-024-0015	1-1-2010	Amend	1-1-2010
863-014-0038	1-1-2010	Repeal	1-1-2010	863-024-0030	1-1-2010	Amend	1-1-2010
863-014-0040	7-1-2010	Amend	7-1-2010	863-024-0045	7-1-2010	Amend	7-1-2010
863-014-0042	1-1-2010	Amend	1-1-2010	863-024-0050	7-1-2010	Amend	7-1-2010
863-014-0050	7-1-2010	Amend	7-1-2010	863-024-0055	7-1-2010	Repeal	7-1-2010
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863-014-0055	7-1-2010	Repeal	7-1-2010	863-024-0075	1-1-2010	Amend	1-1-2010
863-014-0063	1-1-2010	Amend	1-1-2010	863-024-0085	1-1-2010	Amend	1-1-2010
863-014-0065	1-1-2010	Amend	1-1-2010	863-024-0100	1-1-2010	Amend	1-1-2010
863-014-0065	7-1-2010	Amend	7-1-2010	863-049-0000	1-1-2010	Adopt	1-1-2010
863-014-0085	1-1-2010	Amend	1-1-2010	863-049-0005	1-1-2010	Adopt	1-1-2010
863-014-0090	1-1-2010	Adopt	1-1-2010	863-049-0010	1-1-2010	Adopt	1-1-2010
863-014-0095	1-1-2010	Amend	1-1-2010	863-049-0015	1-1-2010	Adopt	1-1-2010
863-014-0100	1-1-2010	Amend	1-1-2010	863-049-0020	1-1-2010	Adopt	1-1-2010
863-014-0160	1-1-2010	Amend	1-1-2010	863-049-0030	1-1-2010	Adopt	1-1-2010



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863-049-0040	1-1-2010	Adopt	1-1-2010	918-098-1315	4-1-2010	Amend	4-1-2010
863-049-0045	1-1-2010	Adopt	1-1-2010	918-098-1315	7-1-2010	Amend	6-1-2010
863-049-0055	1-1-2010	Adopt	1-1-2010	918-098-1320	4-1-2010	Amend	4-1-2010
863-050-0035	1-1-2010	Am. & Ren.	1-1-2010	918-098-1320	7-1-2010	Amend	6-1-2010
863-050-0150	1-1-2010	Amend	1-1-2010	918-098-1325	4-1-2010	Amend	4-1-2010
863-050-0240	1-1-2010	Am. & Ren.	1-1-2010	918-098-1325	7-1-2010	Amend	6-1-2010
875-010-0045	5-6-2010	Amend	6-1-2010	918-098-1330	4-1-2010	Amend	4-1-2010
875-015-0030	5-6-2010	Amend	6-1-2010	918-098-1330	7-1-2010	Amend	6-1-2010
875-030-0010	5-6-2010	Amend	6-1-2010	918-098-1450	7-1-2010	Amend	6-1-2010
877-010-0000	1-15-2010	Amend	2-1-2010	918-225-0240	1-1-2010	Amend	2-1-2010
877-010-0045	1-15-2010	Amend	2-1-2010	918-225-0600	1-1-2010	Amend	2-1-2010
877-020-0009	1-15-2010	Amend	2-1-2010	918-225-0605	1-1-2010	Repeal	2-1-2010
877-020-0030	1-15-2010	Amend	2-1-2010	918-225-0610	1-1-2010	Repeal	2-1-2010
877-020-0057	1-15-2010	Adopt	2-1-2010	918-225-0620	1-1-2010	Amend	2-1-2010
877-025-0016	1-15-2010	Amend	2-1-2010	918-225-0630	1-1-2010	Amend	2-1-2010
877-025-0021	1-15-2010	Amend	2-1-2010	918-251-0090	7-1-2010	Amend	6-1-2010
877-030-0040	1-15-2010	Amend	2-1-2010	918-281-0020	7-1-2010	Amend	8-1-2010
877-030-0040	7-1-2010	Amend(T)	8-1-2010	918-282-0400	7-1-2010	Adopt	7-1-2010
877-035-0000	7-1-2010	Suspend	8-1-2010	918-283-0155	10-5-2010	Adopt(T)	11-1-2010
877-035-0010	7-1-2010	Suspend	8-1-2010	918-305-0030	4-1-2010	Amend	4-1-2010
877-035-0012	7-1-2010	Suspend	8-1-2010	918-305-0030	7-1-2010	Amend	6-1-2010
877-035-0013	7-1-2010	Suspend	8-1-2010	918-305-0265	10-1-2010	Adopt	11-1-2010
877-035-0015	7-1-2010	Suspend	8-1-2010	918-309-0070	10-1-2010	Amend	11-1-2010
877-040-0000	7-1-2010	Amend(T)	8-1-2010	918-311-0040	10-1-2010	Amend	11-1-2010
877-040-0003	1-15-2010	Amend	2-1-2010	918-311-0065	7-1-2010	Amend	7-1-2010
877-040-0003	7-1-2010	Amend(T)	8-1-2010	918-400-0270	1-1-2010	Amend	2-1-2010
877-040-0010	7-1-2010	Amend(T)	8-1-2010	918-400-0280	1-1-2010	Amend	2-1-2010
877-040-0016	1-15-2010	Adopt	2-1-2010	918-400-0340	1-1-2010	Amend	2-1-2010
877-040-0018	7-1-2010	Adopt(T)	8-1-2010	918-400-0380	1-1-2010	Amend	2-1-2010
918-001-0036	7-1-2010	Amend(T)	8-1-2010	918-400-0390	1-1-2010	Amend	2-1-2010
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918-001-0210	1-1-2010	Amend	2-1-2010	918-400-0525	1-1-2010	Amend	2-1-2010
918-005-0010	1-1-2010	Amend	2-1-2010	918-400-0630	1-1-2010	Amend	2-1-2010
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918-050-0180	10-1-2010	Adopt	11-1-2010	918-400-0660	10-1-2010	Amend(T)	11-1-2010
918-050-0850	8-3-2010	Adopt(T)	9-1-2010	918-400-0662	1-1-2010	Adopt	2-1-2010
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918-098-1010	7-1-2010	Amend	6-1-2010	918-400-0800	10-1-2010	Amend(T)	11-1-2010
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918-098-1015	7-1-2010	Amend	6-1-2010	918-440-0015	7-1-2010	Amend	6-1-2010
918-098-1020	7-1-2010	Amend	6-1-2010	918-440-0030	7-1-2010	Amend	6-1-2010
918-098-1025	7-1-2010	Amend	6-1-2010	918-440-0040	7-1-2010	Am. & Ren.	6-1-2010
918-098-1028	7-1-2010	Adopt	6-1-2010	918-440-0050	7-1-2010	Amend	6-1-2010
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918-098-1215	7-1-2010	Amend	6-1-2010	918-460-0010	7-1-2010	Amend	6-1-2010
918-098-1300	4-1-2010	Amend	4-1-2010	918-460-0015	7-1-2010	Amend	6-1-2010
918-098-1300	7-1-2010	Amend	6-1-2010	918-460-0016	7-1-2010	Repeal	6-1-2010
918-098-1305	4-1-2010	Amend	4-1-2010	918-460-0050	7-1-2010	Amend	6-1-2010
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918-500-0005	4-1-2010	Amend	4-1-2010	918-515-0360	4-1-2010	Amend	4-1-2010
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918-500-0470	4-1-2010	Amend	4-1-2010	918-695-0400	7-1-2010	Amend	8-1-2010
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918-500-0580	4-1-2010	Adopt	4-1-2010	943-001-0000(T)	1-1-2010	Repeal	2-1-2010
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