

(i) Whether the assuming company holds a valid certificate of authority or registration for the kind of insurance involved in the proposed transfer, issued by the state of which the policyowner is a resident.

(j) Whether the proposed transfer would have any effect upon availability and extent of protection afforded by any state guaranty fund, in the event of insolvency of the proposed assuming company.

(2) The notice and disclosure shall be accompanied by a form by which the policyowner may consent to or reject the proposed transfer. The form shall be worded in language easily understood by the policyowner, and be accompanied by a postage prepaid return envelope, by which it may be returned. All the forms shall be subject to the type size requirements of RCW 48.20.012(2).

(3) After processing, the transferring company shall return to consenting policyowners a copy of the consent to transfer for attachment to the insurance contract. The transferring company shall retain the policyowner's written consent with its records pertaining to each insurance contract.

(4) The notice and disclosure documents must also advise the policyowner that the transferring company will not unfairly discriminate against those policyowners who do not consent to the transfer.

(5) A certificate of assumption shall be provided to each consenting policyowner. The certificate shall include, at a minimum, the statement that the assuming company assumes all contractual obligations under the insurance contract. It shall include the name of the assuming company and its address to which communications relating to the insurance contract should be sent. The certificate of assumption shall become a part of the transferred contract. The form of certificate of assumption shall be filed with the insurance commissioner pursuant to RCW 48.18.100.

[Statutory Authority: RCW 48.02.060 (3)(a), 48.01.030 and 48.30.010. 91-23-064 (Order R 91-9), § 284-95-050, filed 11/18/91, effective 12/19/91.]

**WAC 284-95-060 Prohibited policy provisions.** No insurance contract, or other contractual document pertaining to any such insurance contract, shall contain any waiver or disclaimer of any of the rights recognized or protected by this regulation.

[Statutory Authority: RCW 48.02.060 (3)(a), 48.01.030 and 48.30.010. 91-23-064 (Order R 91-9), § 284-95-060, filed 11/18/91, effective 12/19/91.]

**WAC 284-95-070 Transfers to unauthorized insurers.** Where a Washington resident owns an insurance contract issued by a company authorized to do business in Washington, that company may not transfer such insurance contract to a company which is not authorized to do business in Washington. Acting as the assuming company in a transfer of insurance involving a Washington risk constitutes the transaction of insurance for which a Washington certificate of authority, license, or registration is required.

[Statutory Authority: RCW 48.02.060 (3)(a), 48.01.030 and 48.30.010. 91-23-064 (Order R 91-9), § 284-95-070, filed 11/18/91, effective 12/19/91.]

**WAC 284-95-080 Unfair or deceptive acts or practices.** It is an unfair or deceptive act or practice, pursuant to RCW 48.30.010, for any transferring company to:

(1) Be a party to a transfer of insurance contracts which is in violation of the provisions of this regulation; or

(2) Represent to policyowners, either verbally or in writing, that the commissioner has approved a transfer of insurance contracts. It shall be a false representation in advertising, in the sense of RCW 48.44.110, for a health care service contractor to represent to policyowners, either verbally or in writing, that the commissioner has approved any transfer of insurance contracts. It shall be a false or misleading practice in advertising, in the sense of RCW 48.46.400, and a deceptive, misleading, or unfair practice in advertising, in the sense of RCW 48.46.130 (1)(e), for a health maintenance organization to represent to policyowners, either verbally or in writing, that the commissioner has approved any transfer of insurance contracts; or

(3) Unfairly discriminate against policyowners who do not consent to the proposed transfer of insurance contracts.

[Statutory Authority: RCW 48.02.060 (3)(a), 48.01.030 and 48.30.010. 91-23-064 (Order R 91-9), § 284-95-080, filed 11/18/91, effective 12/19/91.]

## Title 286 WAC INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

**Chapter  
286-27 Washington wildlife and recreation  
program.**

### Chapter 286-27 WAC WASHINGTON WILDLIFE AND RECREATION PROGRAM

<b>WAC</b>	
286-27-010	Scope.
286-27-020	Effective date.
286-27-030	Definitions.
286-27-040	Planning requirements, outdoor recreation account (ORA).
286-27-050	Planning requirements, habitat conservation account (HCA).
286-27-060	Project conversions.
286-27-070	Participation manuals.
286-27-080	Funded projects.

**WAC 286-27-010 Scope.** This chapter contains rules affecting the eligibility of local and state agencies to share outdoor recreation and habitat conservation account moneys under the authority of RCW 43.98A.060(1) and 43.98A.070(5). These moneys are available through the interagency committee for outdoor recreation for projects in state parks, local parks, trails, water access, critical habitat, natural areas and urban wildlife habitat categories.

Grants-in-aid for such projects are intended to supplement and expand the existing capacity of state and local agencies.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-010, filed 8/12/91, effective 9/12/91.]

**WAC 286-27-020 Effective date.** Rules in this chapter only apply to projects submitted after October 1, 1991.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-020, filed 8/12/91, effective 9/12/91.]

**WAC 286-27-030 Definitions.** Unless the context clearly requires otherwise, definitions in this section apply throughout this chapter.

(1) "Committee" means interagency committee for outdoor recreation.

(2) "WWRP" means the Washington wildlife and recreation program as described in chapter 43.98A RCW.

(3) "Project" means a proposal that complies with chapter 43.98A RCW, these rules, guidelines, and plans adopted by the committee.

(4) "HCA" means habitat conservation account funds distributed as set forth in RCW 43.98A.040 and intended for the acquisition and development of critical habitat, natural areas, and urban wildlife habitat.

(5) "ORA" means outdoor recreation account funds distributed as set forth in RCW 43.98A.050 and intended for the acquisition and development of state parks, trails, water access sites, and the acquisition, development and renovation of local parks.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-030, filed 8/12/91, effective 9/12/91.]

**WAC 286-27-040 Planning requirements, outdoor recreation account (ORA).** (1) Local agencies. Before a project may be considered by the committee, local agency applicants must submit an outdoor recreation plan completed in accordance with committee guidelines. The plan must include:

(a) An adopted comprehensive plan for the agency's jurisdiction which includes park, recreation, trails, and open space elements;

(b) An adopted six-year capital improvement program; and

(c) An inventory of public trails, open space, and outdoor recreation lands and facilities managed by the applicant agency.

(2) State agencies. Before a project may be considered by the committee, state agency applicants must submit the following:

(a) An adopted six-year capital facilities or outdoor recreation plan which includes a statement of agency long term acquisition, development and management goals, and

(b) An inventory of public trails, open space, and outdoor recreation lands and facilities managed by the applicant agency.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-040, filed 8/12/91, effective 9/12/91.]

**WAC 286-27-050 Planning requirements, habitat conservation account (HCA).** (1) Local agencies.

(a) After July 1, 1993: Before a project may be considered by the committee, local agency applicants must submit a habitat conservation plan completed in accordance with committee guidelines. The plan must include:

(i) An adopted comprehensive plan for the agency's jurisdiction which includes natural areas, critical habitat and urban wildlife habitat elements,

(ii) An adopted six-year capital improvement program, and

(iii) An inventory of applicant managed lands with critical habitat, natural area and urban wildlife habitat values.

(b) Before July 1, 1993: Before a project may be considered by the committee, local agency applicants must submit the following habitat conservation plan element information:

(i) Certification of intent to complete the plan and

(ii) A plan preparation progress report.

(2) State agencies.

(a) Before the committee may consider a project, state agency applicants must submit a habitat conservation plan completed in accordance with committee guidelines. The plan must include:

(i) An adopted six-year capital facilities or conservation plan which includes a statement of agency long term acquisition, development and management goals, and

(ii) An inventory of applicant managed lands with critical habitat, natural area, and urban wildlife habitat values.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-050, filed 8/12/91, effective 9/12/91.]

**WAC 286-27-060 Project conversions.** (1) Except under conditions brought about by acts of God or fire, natural resources and facilities purchased with chapter 43.98A RCW funds shall not, without the approval of the committee, be converted to uses other than those for which the funds were originally approved. The committee will only approve such conversions on conditions which assure the substitution or replacement with natural resources or facilities which are of at least equal fair market value at the time of conversion. Natural resources and facilities must also be of as nearly equivalent or greater usefulness and location, if physically and/or biologically feasible.

(2) The committee is entitled to pursue and obtain remedies which assure the substitution or replacement of natural resources or facilities in accordance with WAC 286-27-060(1) for any such conversion which may occur without its proper approval.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-060, filed 8/12/91, effective 9/12/91.]

**WAC 286-27-070 Participation manuals.** (1) The committee shall prepare guideline participation manuals for WWRP for use by project applicants, potential applicants, sponsors and others. The manuals shall describe the procedures to be followed in order to conform to

chapter 43.98A RCW, these rules, and policies of the committee.

(2) WWRP participation manual adoption shall be considered in an open public meeting and may only be adopted by action of the committee.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-070, filed 8/12/91, effective 9/12/91.]

**WAC 286-27-080 Funded projects.** Contracts shall be required for all approved WWRP grants-in-aid as prescribed in committee guidelines.

[Statutory Authority: Chapter 43.99 [43.98A] RCW. 91-17-010, § 286-27-080, filed 8/12/91, effective 9/12/91.]

**Title 292 WAC  
COMMISSION ON JUDICIAL CONDUCT**

**Chapter  
292-10 Public records.**

**Chapter 292-10 WAC  
PUBLIC RECORDS**

<b>WAC</b>	
292-10-010	Purpose.
292-10-020	Public records available.
292-10-030	Records index.
292-10-040	Requests for public records.
292-10-050	Fees.
292-10-060	Statement of reasons for denial of public records request.
292-10-070	Protection of public records.

**WAC 292-10-010 Purpose.** The purpose of this chapter is to implement those provisions of RCW 42.17-.250 through 42.17.340 relating to access to public records.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Washington State Constitution, Article IV, section 31. 91-04-060 (Order 3), § 292-10-010, filed 2/5/91, effective 3/8/91.]

**WAC 292-10-020 Public records available.** All commission public records are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 2.64.111 and 42.17.310. In accordance with chapter 256, Laws of 1990, work and home addresses of any person requesting in writing that their addresses be kept private because disclosure would endanger life, safety or property, shall be omitted from all documents in public files.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Washington State Constitution, Article IV, section 31. 91-04-060 (Order 3), § 292-10-020, filed 2/5/91, effective 3/8/91.]

**WAC 292-10-030 Records index.** The indexes developed by or for the agency shall be available to all persons under the same rules and under the same conditions as are applied to public records available for inspection and shall be available at the offices of the agency.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Washington State Constitution, Article IV, section 31. 91-04-060 (Order 3), § 292-10-030, filed 2/5/91, effective 3/8/91.]

**WAC 292-10-040 Requests for public records.** (1) All requests for inspection or copying made in person at the agency shall be made on a form substantially as follows:

**REQUEST FOR PUBLIC RECORDS**

Date ..... Time.....  
 Name .....  
 Address .....  
 Representing.....  
 Description of Records:  
 .....  
 .....

I certify that lists of names obtained through this request for public records will not be used for commercial purposes.

.....  
 Signature  
 Number of copies .....  
 Number of pages .....  
 Per page charge \$.....  
 Total charge \$.....

(2) All requests made in person may be made to the agency at 908 E. 5th, Olympia, Washington, between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding legal holidays.

(3) A request for inspection or copying of public records may be made by mail in a letter containing the following information:

- (a) The name and address of the person making the request;
- (b) The organization or group that the person represents;
- (c) The time of day and the calendar date on which the person wishes to inspect the public records;
- (d) A description of the public records requested;
- (e) A statement whether access to copying equipment is desired;
- (f) A phone number where the person can be reached in case the public records officer or designee needs to contact the person for further description of the material or any other reason;
- (g) A statement that the record will not be used for commercial purposes.

(4) All requests by mail should be received at the agency at least three business days before the requested date of inspection to allow the public records officer or designee to make certain the requested records are available and not exempt and, if necessary, to contact the person requesting inspection.

(5) The agency may in its discretion fill requests made by telephone.

[Statutory Authority: RCW 42.17.250, [42.17.]260 and Washington State Constitution, Article IV, section 31. 91-04-060 (Order 3), § 292-10-040, filed 2/5/91, effective 3/8/91.]