

CHAPTER 5  
PRINTING DIVISION

[Prior to 11/15/89, General Services[450] Ch 5]

**401—5.1(18) Definitions.**

**5.1(1)** *“Regents institution”* means any institution under the board of regents—University of Iowa, Iowa State University, University of Northern Iowa, Iowa School of the Deaf and Iowa Braille and Sight Saving School.

**5.1(2)** *“Legal publication”* means any publication containing statutes of the state of Iowa.

**401—5.2(18) Purpose.** The department of general services, printing division, is established to purchase state printing, purchase and distribute paper stock, lease office copiers for all state departments, have custody, sale and distribution of state legal documents and establish publication rates of certain legal notices.

**401—5.3(18) Location.** The office is located in Des Moines, Iowa. All correspondence should be addressed to: Superintendent of Printing, Grimes State Office Building, Des Moines, Iowa 50319.

**401—5.4(18) Centralized printing.** The printing division maintains a centralized printing facility in a building in the capitol complex and subunits in other major buildings, not necessarily in the capitol complex. Centralized printing is equipped to handle 8½" × 11" to 11" × 17" runs, single-color on 16-pound to 110-pound paper stock. It is a short-run turnaround and if the quantity of a printed item is such that it can be handled economically, it will be done in centralized printing. The printing machines and equipment are available at all times to serve the best interests of the state.

**5.4(1)** *Control of equipment.* All printing presses and printing equipment owned by the state and in the possession of any state agencies located in the city of Des Moines shall be under the control of the printing division.

**5.4(2)** *Equipment use.* The use and possession of such equipment is subject to the approval of the printing division and shall also be subject to annual review by the superintendent of printing. State agencies must have justifiable reasons for possession of printing equipment, such as the necessity of making confidential reports.

**5.4(3)** *Annual reports.* Each state agency maintaining such equipment shall make an annual report to the printing division giving the cost of printing produced, amount of printing produced in terms of number of impressions and types of printing produced.

**5.4(4)** *Exempt presses.* Printing presses owned by the auditor of state and purchased pursuant to the provisions of Iowa Code section 11.4 shall be exempt from control of the printing division.

**\*5.4(5)** *Private use of equipment.* No state owned printing presses may be used to produce printing for private purposes. Items produced on state printing presses can only be items for state agencies. State employees and persons doing business with the state of Iowa may purchase copies produced on office copiers. The selling price of these copies will be the actual cost of the copy including any retrieval costs involved.

\*Objection, see filed rules published IAC Supp. 4/6/77, 5/4/77, see filed rule IAC Supp. 12/14/77

**401—5.5(18) Submission of requisitions.** To order state printing, state agencies must submit the proper requisition to the state printing division office or centralized printing. These requisitions are available from either the main office, centralized printing or centralized printing subunits.

**5.5(1) Requisition for state printing.** This requisition is to be used by state agencies requesting printing of a nature that will require the item to be printed by a private contractor. Printed items in this category may include continuous forms, snap-out forms, OCR forms, brochures and folders in quantities exceeding 1000, annual reports, letterheads and envelopes, licenses, items requiring serial numbers, perforations, three- or four-color work, and legal documents.

All paper stock for state agencies must be ordered on a “Requisition for State Printing.” This includes blank envelopes, local mail envelopes, xerox paper, copier rolls, and similar supplies.

**5.5(2) Requisition for centralized printing.** This requisition is to be used by state agencies requesting the type of printing that will be produced in one of the units of centralized printing. Items in this category include typesetting, artwork, and items described in 401—5.4(18).

**5.5(3) Wrong form.** Should a state agency requisition printing on the wrong form, in the interest of expediency, the printing division will write the requisition on the proper form using the original requisition as the authority to do so.

**5.5(4) Agencies’ statutory authority.** All printing requisitions shall include, with the other necessary information, the state agencies’ statutory authority to expend funds to produce the requested printed material. Those items not expressly required by law must have the approval of the state printing division.

**401—5.6(18) Printed items of an extensive nature.** To obtain the most economical use of the printing budget, certain items should have the approval of the printing division while the printing project is still in the planning stage. These items are as follows:

**5.6(1) Size.** The printed item should be sized in such a manner as to make the optimum use of paper, printing equipment and serve the purpose for which the item was designed.

**5.6(2) Paper.** Only standard grades of paper shall be used in the production of state printing. Paper of a higher quality or more expensive than No. 1 grade and commonly referred to as premium grade may be used only if warranted and approved by the superintendent of printing.

**5.6(3) Number of colors.** All state printing shall be printed single color unless additional colors are approved by the superintendent of printing. Color should be used judiciously and must serve a useful purpose to be approved for use. Any requisition for two or more color printing must be signed by the state agency director or commission head.

**5.6(4) Design.** The printing division has the right to refuse to print an item if the design submitted is not suitable in the promotion of the state of Iowa or in the best interests of the state, or if the design is derogatory toward persons, places, or things.

**5.6(5) Duplicate publications.** Publications will be examined to determine if there is duplication, redundancy or overlapping of any publication that is already in existence. Any publication that is found to duplicate an existing publication will not be approved for printing. Special dispensation can be given for duplicate publications by the superintendent of printing if it is determined that the publication merits it.

**5.6(6) Difference resolved.** Any difference with decisions rendered by the superintendent of printing may be resolved by following the procedures outlined in Iowa Code section 18.78.

These rules are intended to implement Iowa Code sections 18.59, 18.76 and 18.77.

**401—5.7(17,18) Annual, biennial reports and official reports.** These types of reports shall have a standard format and must meet the following specifications:

1. Page size is to be 8½" × 11".
2. Each page must be printed on two sides unless the page is the end of a chapter, introduction page, preface, title page, letter or index.
3. Report will be saddlestitched unless the size prohibits; then the report will be perfect bound.
4. Each report should have 150 copies punched to fit a standard three-ring binder.
5. Individual's or author's names cannot be printed on the front cover. Material on the front cover can only be the title of the report, the state agency name, agency seal and date.

This rule is intended to implement Iowa Code section 17.14.

**401—5.8(18) Methods of procurement used by printing division.** The department of general services, printing division, shall purchase by competitive bids, all printing for state agencies in Des Moines, except those items produced by centralized printing. Printed items costing \$2,000 or more for the regents institutions and the department of transportation in Ames shall also be purchased by competitive bids through the printing division office. Items costing less than \$2,000 at the regents institutions and the department of transportation shall be purchased by an appointed assistant at the respective state agency.

Agencies may purchase directly from targeted small businesses. All agencies shall make a concerted effort to comply with targeted small business goals established pursuant to Iowa Code subsection 73.16(2). Prior to making any printing purchase, agencies shall determine whether the printing goods or services sought by the agency are available from a targeted small business. Upon request, the purchasing section and printing division will assist an agency in locating a targeted small business capable of providing specific printing goods and services.

Notwithstanding this rule, rules 401—7.1(18) and 7.20(18), or any other rule which may conflict with this rule, agencies may purchase directly from a vendor if the vendor is a certified targeted small business and the purchase does not exceed \$5,000. An agency purchasing printing goods and services directly from a targeted small business shall complete an official state printing order.

**5.8(1) Formal quotation.** Formal quotations as outlined herein shall be required on all printing items costing \$5,000 or more. The printing division shall prepare written specifications and bid form and mail same, with a special return bid envelope, to the approved list of bidders for the particular class of printing. The written specifications shall contain the following information:

1. Due date and time of formal public bid opening.
2. Complete description of printed piece.

Bids shall be opened publicly and read aloud on the date and the hour designated on the form. Bids as received are to be tabulated and the tabulation made available to all interested parties. An award shall be made within 24 hours of the formal bid opening to the lowest competent bidder. The printing division reserves the right to postpone an award until any disputes or questions are resolved.

*a.* Complete specifications will be furnished bidder on bid form. This form must be used by bidder to submit bids. All specifications are held on file in the printing division office and are available for inspection by prospective bidders. Vendors may view previous specifications and obtain previous pricing if such is available.

b. Bid form must be signed by bidder. Bidder's signature indicates that bidder has read the form and agrees with the conditions stated on bid form. Telephone bids will not be considered on "formal bids."

c. Each bid must be accompanied by a certified or cashier's check for the amount stated in the specifications. A yearly bid bond may be deposited to be used in lieu of a certified or cashier's check. If the total estimated cost of a printed item will be more than \$100,000, all bidders will be required to submit with their bid a certified or cashier's check for 1 percent of the estimated cost; yearly bid bonds will not apply in these instances. The exact amount required will be stated in the specifications. Bids will be refused if not accompanied by a certified or cashier's check or if bidder does not have a yearly bid bond on file with the printing division. The amount of the surety bond is fixed annually and bonds are dated from July 1 to June 30 of the following year. Checks of unsuccessful bidders will be returned when the printed item is contracted. The check of the successful bidder will be returned when the performance bond is received and accepted by the printing division.

d. The successful bidder must deposit with the printing division a performance bond equal to 10 percent of the contract price unless otherwise stated in the specifications. Performance bond must be deposited within 21 days of the contract date.

e. Failure to enter into a contract by the successful bidder within ten days of the award may result in forfeiture of certified or cashier's check or 10 percent of the bid bond, if bond is on deposit in lieu of check. The bid specifications shall become a part of the printing contract.

In addition to the use of a direct mail request, the printing division may cause to be printed in at least one daily paper in the state of Iowa a classified advertisement with the heading "Notice to Bidders." Said advertisement shall contain the following information:

- (1) Due date and time of formal bid opening.
- (2) General description of printing to be purchased.
- (3) Address, name and telephone number of person to be contacted to obtain official bid forms.

**5.8(2) Informal quotation.** On any printing item costing less than \$5,000, the printing division shall obtain bids in the following manner:

Prepare a written "Request for Prices" form and mail same to the approved list of bidders for that particular class of printing. The "Request for Prices" shall contain the following information:

1. Due date informal quotation must be returned.
2. Complete description of printed piece.

Bids are to be opened informally on the due date and an award made to the lowest competent bidder meeting specifications. Bids as received are to be tabulated and the tabulation made available to all interested parties. An award shall be made within 24 hours of the informal bid opening. The printing division reserves the right to postpone an award until any disputes or questions be resolved.

The printing division will accept telephone bids on any item that is purchased by informal quotation provided the telephone bid is submitted prior to opening date and time, and a written verification of the telephone bid is submitted postmarked within 24 hours.

This rule is intended to implement Iowa Code sections 18.32 to 18.38 and 18.45.

**401—5.9(18) Bidder eligibility.** Any firm or individual legally conducting business within the state of Iowa may request to be placed on the appropriate bidder list by printing classification. Such firm or individual must properly fill out the bid application form and place same on file with the printing division. The printing division shall maintain a current bidder list by class of printing and cause to be mailed to concerned bidders all formal and informal written specifications prepared by the printing division.

A bidder may be removed from a bidder list for any of the following reasons:

1. Failure to respond to five consecutive bid requests.
2. Failure to deliver merchandise within specified delivery dates without permission of the printing division and the using agency.
3. Failure to deliver merchandise meeting specifications as outlined on the “printing order.”
4. Failure to execute the contract and performance bond within 21 days of contract date.
5. Attempting to influence the decision of any state employee involved in the printing function.
6. If the director and the printing division have reasonable grounds to believe that there is an agreement by bidders to restrain competitive bidding, by any means, the bids of those bidders will be rejected and their names removed from the bidder list.
7. A bidder may be removed from an approved bidder list if the civil rights commission has determined that a bidder has shown discrimination in the bidder’s employment.
8. If the vendor has declared bankruptcy or is in receivership.

**401—5.10(18) Instructions to bidders.** In processing bidding documents, the bidder must prepare the documents in the manner as prescribed and furnish all information and samples as may be requested on the bidding document. The following procedures must be adhered to by all bidders in submitting bids to the printing division.

**5.10(1) Bid preparation.** Bids shall be prepared either in ink or typewritten.

**5.10(2) Information to be provided by bidder.** If requested, bidders shall supply brand name of paper stock and sample.

**5.10(3) Splitting bids.** The bidding document may specify whether or not bids will be split. If it is so stated on the bidding document, the printing division may award to one bidder the contract on the basis of the complete printing order or more than one bidder, whichever is to the advantage of the state of Iowa. Care will be taken by the printing division to ensure bidders that they will not be penalized by split awards.

**5.10(4) Escalator clauses.** Unless specifically provided for on the bidding document, bids containing an “escalator clause” providing for an increase will not be considered.

**5.10(5) State taxes.** The state of Iowa is exempt from the payment of Iowa sales tax, and any other Iowa tax that may be applied to a specified commodity or service.

**5.10(6) Delivery date.** The delivery date of the printed product must be as specified unless bidding document has a space provided for alternate delivery date. The printing division may consider delivery dates as a factor in determining the successful bidder.

**5.10(7) Time of submission.** All formal and informal bids shall be submitted in sufficient time by the bidder to reach the printing division prior to the date and time set for the opening of bids. Bids received after the date and time set for opening will be returned to the bidder unopened. Bids as received by the printing division will be stamped showing date received.

**5.10(8) *Modifications or withdrawals of bids.*** Bids may be modified or withdrawn by the bidder prior to the time and date set for the opening of bids. Modifications or withdrawals must be in writing and delivered in a sealed envelope, properly identifying the correct bid proposal to be modified or withdrawn. After the opening of the bids, no bid may be modified. No withdrawals will be permitted after the opening of the bids, without the permission of the superintendent of printing.

**5.10(9) *Testing.*** Various items may require testing either before or after final award is made. This will be noted in the bid specifications and final award of contract will be made on completion of tests. In these cases, bidder must guarantee price until testing has been completed.

**5.10(10) *Strikes, lockouts or natural disasters.*** Whenever a contractor's place of business, or source of supply has been disrupted by a strike, lockout or natural disaster, it shall be the responsibility of the contractor to promptly advise the printing division. The state of Iowa may elect to cancel all orders on file with the contractor and place the order with another bidder.

**5.10(11) *Subcontractor or secondary supplier.*** Successful bidders shall be responsible for all acts and performance of any subcontractor or secondary supplier that the successful bidder may engage for the completion of any contract with the state of Iowa. Successful bidder shall be responsible for payment to all subcontractors or secondary suppliers.

**5.10(12) *Rejection of bids.*** The right is reserved to reject any or all bids. Bids may be rejected because of faulty specifications, abandonment of the project, insufficient funds, evidence of unfair bidding procedures, failure to provide security when required, financial insolvency of the bidder, or by the director of general services, if in the director's opinion the best interests of the state of Iowa will not be served. New bids may be requested at a time deemed convenient to the printing division and the agency involved.

**5.10(13) *Minor deficiencies and informalities.*** The state reserves the right to waive minor deficiencies and informalities if in the judgment of the printing division the best interests of the state of Iowa will be served.

**5.10(14) *Tie bids.*** The printing division will resolve bids which are equal in all respects and tied in price, by drawing lots. Whenever practical the drawing will be held in the presence of the bidders who are tied in price. If this is not possible, the drawing will be made in front of at least three persons and said drawing documented.

**5.10(15) *Tie bids involving Iowa firms.*** Whenever a tie involves one or more Iowa firms and one or more firms outside the state of Iowa, the drawing will be held among the Iowa firms only. Tie bids involving Iowa produced or manufactured products and items produced or manufactured outside the state of Iowa will be resolved in favor of the Iowa product.

**5.10(16) *Deviations from specifications.*** Successful bidders may not deviate from original specifications unless deviation is approved in writing by the printing division. Failure to obtain approval of deviations will result in rejection of printing order or nonpayment for deviation.

**401—5.11(18) *Delivery and acceptance of printed piece.*** When an award has been made to a bidder and the official printing order issued and received by the bidder, deliveries are to be made in the following manner:

**5.11(1) *Deliveries.*** All deliveries are to be made only to the point specified on the official printing order. If delivery is made to any other point, it shall be the responsibility of the contractor to promptly reship to the correct location.

**5.11(2) *Delivery charges.*** All delivery charges should be to the account of the contractor. If this is not possible, then all delivery charges should be prepaid by the contractor and added to the contractor's invoice.

**5.11(3) *Late delivery penalty.*** One percent per day of the contract price will be penalized for each day of delayed delivery. State agency to furnish copy and read proof according to specifications and the printer is required to give written notice to the printing division of any delay by state agency. Only working days will be counted in the calculation to determine the penalty to be imposed.

**5.11(4) *Acceptance of inferior work.*** When a printed item is determined to be inferior by the ordering state agency and the state printing division, but time does not permit reordering, the inferior item will be accepted without approval and one-half of the contract price shall be deducted as liquidated damages for breach of contract.

**5.11(5) *Vendor name or logotype.*** Printing contractors shall not affix their company label, name, logotype or other identifying information to any state printing. Should the vendor do so, the final invoice will be reduced 5 percent or \$50, whichever is the lesser amount, as advertising charges.

**5.11(6) *Notice of rejection.*** The nature of any rejection of shipment, based on apparent deficiencies disclosed by ordinary methods of inspection, will be given by the receiving agency to the contractor and carrier within a reasonable time after delivery of the item, with a copy of the notice to the printing division. Notice of latent deficiencies which would make items unsatisfactory for the purpose intended may be given by the state of Iowa at any time after acceptance.

**5.11(7) *Disposition of rejected item.*** The contractor must remove, at the contractor's expense, any item rejected by the state of Iowa. If the contractor fails to remove the rejected item, the state of Iowa may dispose of the item and bill contractor for the cost of disposal.

**401—5.12(18) *Emergency contracts.*** In the interest of expediency when time does not permit the printing division to follow established procedures for bidding, the following procedures will be followed:

1. For items under \$5,000, quotations will be solicited by telephone from at least three firms and the award will be made to the lowest bidder. A set of written specifications will be filed with the order to ensure that all firms are submitting prices based on the same specifications.

2. For items over \$5,000, the regular formal specifications will be mailed to bidders and opened within seven days of mailing. The requirement to advertise will be waived. Usual contract procedures will prevail for the awarding of contracts.

**401—5.13(18) *Expiration of contract.*** When a contract is terminated, the contractor must complete all orders that the contractor has, including those that are written on the last day of the contract. Except for those orders the contractor has in process, the contractor will forward to the next successful contractor all plates and negatives that are associated with said contract within five days after contract expiration.

**401—5.14(18) How to receive payment.** The contractor should follow the outline as listed below, so payment can be made with the least possible delay.

**5.14(1) Contractor's printing order.** Contractor will receive two copies of printing order that will serve as authorization to supply printed items as listed on the printing order to the agency named and delivery to the designated geographic locations.

No contractor shall be paid for any state printing not authorized by an official printing order from the printing division office, the assistants in the regents institutions or the department of transportation.

**5.14(2) Original order required.** After the printed items have been shipped to the agency, the contractor shall prepare an invoice in triplicate, one copy of which must be clearly marked "original copy" and said invoices forwarded to the requesting agency along with the original copy of the printing order. Contractor's invoice, as submitted, must refer to the printing order number appearing in the upper right-hand corner of the printing order. Whenever practical, samples of the printed item should be included with the contractor's invoices.

In a case where the contractor cannot provide original invoice as outlined above, it will be necessary to proceed as follows: Contact the requesting agency for claim forms which must be returned with contractor's signature.

**5.14(3) Warrant issuance.** After the contractor's invoices have been received by the printing division, and the printing division has approved same, the invoices are forwarded to the requisitioning agency. The agency certifies that the merchandise has been received as ordered and contractor's claim is then submitted to the department of revenue and finance and a warrant is issued to contractor.

**5.14(4) Warrant identification.** The state warrant will be mailed along with a copy of the contractor's original claim voucher to assist contractor in identifying the payment. The remittance copy of the voucher is for contractor's file.

**5.14(5) Part payment.** When the value of a contract is \$20,000 or more, or the contract period exceeds four months, the contractor may submit a claim for part payment. Payments will be made for paper stock and work completed. Contractor, to receive payment for paper purchases, must show shipping manifests, paper merchants' invoice and proof of receipt of paper. To receive payment for parts of work completed, contractor must produce sufficient evidence that the portion of work being claimed has been completed.

**5.14(6) Past due payments.** All inquiries regarding past due payments should be addressed to the requisitioning agency with a copy sent to the printing division.

**5.14(7) Payment after delivery.** Payment for merchandise can only be made after said merchandise has been delivered or inventory storage verified.

**401—5.15(18) Printing machinery—reports.** Each state agency that maintains printing equipment outside the city of Des Moines must make an annual report to the printing division giving the cost of printing produced, amount of printing produced in terms of number of impressions and types of printing produced.

**401—5.16(18) Office copiers.** State agencies will hold the leases on office photocopiers but all leases to be effective must be countersigned by the superintendent of printing. The printing division reserves the right to assume complete control on any photocopier, which would mean assuming the lease and billing the state agency for costs. In lieu of the printing division holding leases on office copiers, an annual report shall be submitted to the printing division giving the cost of maintaining the copier, including supplies, and the amount of copies produced.



Upon a state agency's determination of the necessity for an additional photocopier or a change in an existing photocopier, the agency's request for a photocopier should be sent to the office of records management and a duplicate sent to the superintendent of printing. The office of records management, in consultation with the state agency, shall submit to the superintendent of printing a proposal stating the type of copying, the number of copies per month, and any special copy needs. Using the material submitted by records management, a recommendation shall be made by the superintendent of printing as to the proper equipment that will best fill the needs of the requesting agency. This recommendation will be submitted to the records management commission for final approval.

**401—5.17(18) Legal publications.** One copy of each legal publication is distributed free of charge to all principal state agencies and each major subdivision thereof, except in specific instances where the number of copies distributed is specified or limited by legislation, following the guidelines as prescribed in Iowa Code section 18.97.

**5.17(1) Ordering legal publications.** The "Requisition for State Printing" form is used by state agencies to request additional copies of legal documents. Upon approval from the superintendent of printing, the additional copies will be supplied to state agencies free of charge.

To order by mail, publications for sale through the printing division office must be prepaid at the time of the order. Check or money order is to be made payable to: Iowa State Printing Division, and sent to the Iowa State Printing Division, Grimes State Office Building, Des Moines, Iowa 50319.

To eliminate shipping delay, publications may be purchased and picked up in the printing division office in person. Checks, money orders or cash is acceptable in the office.

All publications are priced to include distribution costs. Prices are derived by taking the total price of printing the items, dividing by the number of items ordered, and adding the distribution costs. Prices of publications and ordering instructions are available upon request from the printing division office.

**5.17(2) "Iowa Administrative Code" subscription renewal.** Subscribers to the "Iowa Administrative Code" supplements which are available by subscription will be notified by the printing division prior to expiration. Renewal prices and instructions will be mailed to each subscriber. All subscriptions will begin on July 1 and end June 30 of the following year. Any subscribers subscribing after July 1 will receive all back issues. Annual subscriptions to the "Iowa Administrative Code" and its supplements are cancellable but nonrefundable.

**5.17(3) Outdated Codes.** Upon the issuance of a new "Code of Iowa," the previous Code is distributed at the superintendent of printing's discretion, gratuitously to persons requesting same. Quantities will be restricted to one set per person. If it is requested that the outdated Code be mailed, a charge will be made to cover postage. Exact price will be available from the printing division office at the time of ordering.

**401—5.18(17,18) Iowa Official Register.** The "Iowa Official Register" is distributed by the printing division. It is available to the general public free of charge and mailed upon request. If requesting multiple copies of the "Official Register," the books must be picked up at the printing division warehouse. Prior approval from the superintendent of printing or the superintendent's designee must be obtained if requesting more than five copies.

This rule is intended to implement Iowa Code section 7A.20.

**401—5.19(18,49) Publication of ballot and notice.** A sample ballot as prescribed in Iowa Code section 49.53 may be published in a reduced size. When a ballot is reduced, the candidates' names on the ballot must not be smaller than six-point type.

**401—5.20(18,49) Cost of publication—sample ballot.** The charges for the publication of a sample ballot shall not be more than the usual or customary display advertising rate that the newspaper charges its regular advertisers. In a city in which no newspaper is published and with a population of 2000 or less, a maximum cost has been established. The maximum cost for a quarter-page sample ballot must not exceed \$250 and maximum cost for a half-page sample ballot must not exceed \$350.

**401—5.21(618) Fees paid to newspapers.** The fees paid to newspapers for official publications, notices, orders, citations or other publications required or allowed by law shall not exceed the following rates:

1. Fiscal year 1999—31 cents for one insertion and 21 cents for each subsequent insertion, for each line of eight-point type two inches in length, or its equivalent.

2. Fiscal year 2000—33 cents for one insertion and 23 cents for each subsequent insertion, for each line of eight-point type two inches in length, or its equivalent.

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