

WAC 67-35-240 Department responsibility—Vendor-owned equipment.

The vendor may purchase with the knowledge of the department vending facility equipment. The department shall retain a first option to repurchase such equipment if vendor places the equipment up for sale. In the event the vendor dies, or for any reason ceases to be a vendor, ownership of such equipment that is necessary for the operation of the facility shall become vested in the department for transfer to a successor vendor subject to an obligation on the part of the department to pay to the vendor, or the vendor's estate the fair value of the equipment. The vendor, the vendor's personal representative or next of kin shall be entitled to an opportunity for a full evidentiary hearing with respect to the determination of the necessity of the equipment or the amount to be paid by the department for the vendor's ownership in the equipment. When dissatisfied with any decision rendered as the result of such hearing, the vendor, the vendor's personal representative or next of kin, may file a complaint with the secretary under 45 C.F.R., section 1369.13 to request the convening of an ad hoc arbitration panel.

[Statutory Authority: 1983 c 194 § 18. WSR 84-01-043 (Order 83-09), § 67-35-240, filed 12/15/83. Formerly WAC 67-32-240.]