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(Plus all the volunteer
help we can get)

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Charleston 25305

NOTICE OF PUBLIC HEARING

Pursuant to Section five, Article three, Chapter twenty-nine-A of the Code of West Virginia, 1931, as amended, the Secretary of State shall convene a public hearing at 1:00 pm on April 3, 1985 in Capitol Conference Lounge, State Capitol Complex, Charleston, West Virginia for the purpose of taking evidence pertaining to the filing of proposed legislative rule Standard Size and Format for Rules and Related Documents Filed in the Secretary of State's Office, Chapter 29A-2, Series I

Any citizen or other interested party may appear in person to present evidence. Any citizen or other interested party may submit written evidence at the public hearing or mailed to the Administrative Law Division, Secretary of State's Office, State Capitol, Charleston, W.Va. 25305.

Copies of the proposed rule may be obtained by telephoning (304) 345-4000 or writing to the above address.

A handwritten signature in cursive script, appearing to read "Rich O. Hartman".

Rich O. Hartman, Director
Administrative Law Division

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1985 FEB 26 PM 2:11
OFFICE OF THE SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATIVE RULE
SECRETARY OF STATE
CHAPTER 29A-2
SERIES I

FILED

1985 FEB 26 PM 2:11

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Subject: Standard Size and Format for Rules and Related Documents
Filed in the Secretary of State's Office

Section 1. General

1.1 Scope - These legislative rules establish the standard size and format for rules and related documents required to be filed with the Secretary of State for inclusion in the State Register.

1.2 Authority - W.Va. Code 29A-2-6(c).

1.3 Filing Date -

1.4 Effective Date -

Section 2. Repeal of Former Rule

This legislative rule repeals West Virginia Procedural Rule "Secretary of State, Chapter 29A-2, Series I, Filing of Administrative Rules and Regulations in the Secretary of State's Office (1981) amended", filed July 30, 1981.

Section 3. Standard Size of Rules and Related Documents

3.1 All rules and related documents shall be typed on white eight and one-half inch by eleven inch paper, single space and on one side only.

3.2 All rules shall have one inch margins surrounding the text.

Section 4. Proposed New Rules

4.1 All proposed new rules shall be designated as either "Legislative Rule", "Interpretive Rule" or "Procedural Rule".

4.2 The title page of all proposed new rules shall follow the format as shown on the title page of this rule and shall include a Section one with Scope, Authority, Filing Date, and Effective Date. During the time the rule is proposed the Filing Date and Effective Date shall be blank.

4.3 Series numbers shall be consecutive and in Roman numerals. The first series shall be the first rule of each type issued under the chapter and article authorizing promulgation of the rule.

4.4 No proposed new rule shall be a mixture of a legislative, interpretive or procedural rules.

Section 5. Proposed Amendments to Existing Rules

5.1 Only those sections or subsections being amended shall be filed, not the entire rule.

5.2 Attached to the proposed amended sections or subsections shall be the front page of the existing rule being amended, showing the title, rule designation, scope, authority, filing date and effective date of the existing rule.

5.3 New language shall be underscored and language to be deleted shall be interlined but clearly legible.

5.4 The same format requirements related to margins, page identification and rule designation shall apply to the sections or subsections being amended.

5.5 There shall be no mixture of legislative, interpretive or procedural rules.

Section 6. Page Identification

6.1 In the upper left corner of each page shall be the agency name, rule type, chapter-article, series number and section which begins or continues on that page.

6.2 There is no requirement for page numbers.

Section 7. Final Filing New Rules

7.1 The filing date and effective date shall be typed in the appropriate places in Section 1 "General".

7.2 One original and one clean copy of the rule shall be filed with standard three hole punched along the left side.

7.3 A notice of final filing shall be attached.

Section 8. Final Filing of Amendments to an Existing Rule

8.1 A notice of final filing shall be attached which shall also state the filing date and effective date.

8.2 Those sections or subsections amended shall be composed of one original and one clean copy.

8.3 All underlining and interlining which demonstrated the language amended shall be removed.

8.4 Sections or subsections filed shall be consistent with the existing rules to allow for proper insertion into the existing rule.

Section 9. Indentation of Subsection Numbering

9.1 Indentation shall be only for the first line of each subsection, sub-subsection and further outline breakdowns.

9.2 Subsection numbering shall be consecutive and continue through further outline breakdowns such as 9.2.1 or 9.2.1.1 etc.

Section 10. Indexing

10.1 An index shall be included with all final filings. In the case of a new rule it shall be a new index. In the case of amendments which alter the index to an existing rule there shall be a new index reflecting any changes as a result of the amendments. In the case of amendments which do not alter the index, no new index need be filed.

10.2 The Index shall contain the same information as appears on the title page above the line.

10.3 The Index shall be broken down by Sections with the section title.

Section 11. Emergency Rules

11.1 All emergency rules shall follow the same format for new rules or amendments for existing rules.

11.2 All emergency rules shall clearly state at the top of each page, in the left corner as part of the page identification, "EMERGENCY".

Section 12. Refusal to Accept Agency Filings

No rule shall be accepted by this office if it is not in compliance with these rules.

Section 13. Incorporation by Reference

13.1 If a rule incorporates by reference any other document it shall clearly state by proper citation the document being incorporated. The agency shall not reproduce and include within the rule the document being incorporated.

13.2 When incorporating by reference any document from any other agency or organization the agency shall separately file in this office the document incorporated by reference and it shall be the agency's responsibility to refile such document when it is updated by the agency responsible for the referenced document.

Section 14. Total Rewrites of Existing Rules

14.1 When an agency proposes a total re-write of an existing rule the agency shall follow the format as a proposed new rule.

14.2 The agency shall also clearly indicate with a separate section the rule to be repealed by the proposed total rewrite. (Refer to Section 2 for an example).

WEST VIRGINIA LEGISLATIVE RULE
SECRETARY OF STATE
CHAPTER 29A-2
SERIES I

Subject: Standard Size and Format for Rules and Related Documents Filed in
the Secretary of State's Office.

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General Services
Room MB-60

This is to confirm our reservation of the Capital Conference Center Lounge for 1:00 pm, April 3, 1985 for a public hearing for the Secretary of State's Office.

A handwritten signature in cursive script, appearing to read "Richard O. Hartman".

Richard O. Hartman, Director
Administrative Law Division

CONFIRMATION
3/8/85
JK

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GENERAL INVESTIGATIVE DIV.
DIRECTOR'S OFFICE

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