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SECRETARY OF STATE

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NOTICE OF EMERGENCY RULE

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

The attached rule is filed as an emergency rule. This emergency rule amends the earlier version of this same rule filed in the Secretary of State's Office on April 15, 1985. Certain changes were made to the rule in anticipation of entering all agency regulations into the Legislative Computer for the publication of the biennial register.

  
Ken Hechler

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

FILED

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SECRETARY OF STATE

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

- Section
1. General
  2. Standard Size of Rules and Related Documents
  3. Proposed New Rules
  4. Proposed Amendments to Existing Rules
  5. Page Identification
  6. Final Filing of New Rules
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  8. Indention of Subsections, Numbering and Underlining of Section Titles
  9. Indexing
  10. Emergency Rules
  11. Refusal to Accept Agency Filings
  12. Incorporation by Reference
  13. Extensive Revision of Existing Rules

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

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

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Section 1. General

1.1 Scope - This legislative rule establishes 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 & Related Code Citation(s) - W.Va. Code 29A-2-6(c).

1.3 Filing Date -

1.4 Effective Date -

1.5 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 2. Standard Size of Rules and Related Documents

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

2.2 All rules shall have at least one inch margins on the left side and one-half inch on the right, top and bottom surrounding the text.

Section 3. Proposed New Rules

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

3.2 The title page(s) 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 and Related Code Citation(s), Filing Date, Effective Date and Repeal of Former Rule. During the time the rule is proposed the Filing Date and Effective Date shall be blank.

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Sec. of State  
Leg. Rule, 29A-2  
Series I, Sec. 3

3.3 Series numbers shall be consecutive and in Arabic numerals. The first series shall be the first rule by the agency, the second series shall be the second rule issued by the agency, etc.

3.4 No proposed new rule shall be designated a mixture of a legislative, interpretive and/or procedural rule.

Section 4. Proposed Amendments to Existing Rules

4.1 Except for final filing, only those sections or subsections being amended shall be filed, not the entire rule.

4.2 Attached to the proposed amended sections or subsections shall be the title page(s) of the existing rule being amended, showing the title, rule designation, scope, authority, filing date, effective date and repeal of former rule of the existing rule.

4.3 New language shall be underscored and language to be deleted shall be marked through but clearly legible.

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

4.5 No proposed amendment shall be designated a mixture of legislative, interpretive and/or procedural rule.

Section 5. Page Identification

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

5.2 Pages shall be numbered in the lower right corner.

Section 6. Final Filing of New Rules

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

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

Section 7. Final Filing of Amendments to an Existing Rule

7.1 The entire rule as amended shall be filed.

7.2 All underlining and mark throughs which demonstrated the language amended shall be removed.

Sec. of State  
Leg. Rule, 29A-2  
Series I, Sec. 8

Section 8. Indentation of Subsections, Numbering and Underlining of Section Titles

8.1 All Sections shall be titled and underlined.

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

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

Section 9. Indexing

9.1 An index shall be included with all final filings.

9.2 The index shall follow the format shown by the index to this rule.

9.3 The index shall be broken down by sections with the section title and page number. The agency may also breakdown the index by subsections.

Section 10 Emergency Rules

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

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

Section 11 Refusal to Accept Agency Filings

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

Section 12 Incorporation by Reference

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

12.2 When incorporating by reference any document from any source outside of the agency or organization, the agency shall separately file in this office the document incorporated by reference.

Sec. of State  
Leg. Rule, 29A-2  
Series I, Sec. 13

Section 13 Extensive Revision of Existing Rules

13.1 When an agency proposes extensive revisions of an existing rule the agency may follow the format as a proposed new rule.

13.2 In such cases the agency shall also clearly indicate with an additional subsection the rule to be repealed by the proposed extensive revision. (Refer to Section 1.5 of this rule for an example).