

CHAPTER I  
PREPARATION AND FILING OF RULES BY LOCAL AGENCIES

Section 1. Authority. The Secretary of State, pursuant to W.S. 16-3-104(c) of the Wyoming Administrative Procedure Act is authorized to prescribe the manner and form in which all rules shall be prepared to insure uniformity.

Section 2. Definitions.

a. "Registrar of Rules" for local agency rules means the County Clerk of the county in which the rule is to be effective.

b. "Local Agency" means any agency with responsibilities limited to less than statewide jurisdiction. The term "agency" means any authority, bureau, board or commission, department, division or officer, except the governing body of a city or town.

c. "Rule" is construed to be synonymous with the term "regulation". "Rule" means each agency statement of general applicability that implements, interprets and prescribes law or policy, or describes the organization, procedures, or practice requirements of any agency. The term "Rule" does not include statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, intra-agency memoranda, agency decisions in contested cases and ordinances of cities and towns.

Section 3. Preparation of Rules. The Secretary of State shall prescribe rules governing the manner and form in which rules shall be prepared to the end that all rules shall be prepared in a uniform manner. The County Clerk may refuse to accept for filing any rule that does not conform to such rules.

Section 4. Acceptance and Effectiveness.

a. Public notice must be given forty-five (45) days prior to filing in the office of the County Clerk. The local agency shall mail notices of intended adoption to all persons who have made advance requests of the agency for notice of its rule-making proceedings. The notice is to include a statement of the substance of the proposal or a description of the subjects involved, and the time, place and manner in which interested persons may present their views.

b. Filing by the County Clerk is indicated by the County Clerk's authenticating file stamp. Rules and regulations become effective immediately upon filing in the office of the County Clerk, unless a later date is required by law or specified in the rule.

c. When an agency finds that an emergency requires the agency to proceed with rules without giving notice of intended adoption it may adopt emergency rules. A local agency may proceed with the emergency rule when notice of the emergency is filed with the County Clerk. The rule shall be effective for no longer than 120 days and to continue in effect must be refiled in the office of the County Clerk.

Section 5. Certification Page. Each set of rules, whether a new rule, amendment or repeal of an existing rule, shall carry a certification page with the following information:

- a. Name of the office or agency;
- b. Subject matter of the rules;
- c. Citation of the statutory authority under which the rules were adopted;
- d. Date the rules were made available for public inspection;

e. If the rule to be filed is a new one, the certification page shall so state. If it is an amendment, the certification page shall designate the chapter(s) and section(s) being amended, repealed or superseded, or it shall designate that all previously filed rules are superseded; and

f. The certification page shall be executed with an original signature. The rules shall be signed by the person with authority over the agency; i.e. director of the agency, or chairman or president of the commission, etc. (See the example in Appendix A for the format of the Certification Page).

Section 6. Table of Contents. A table of contents for the set of rules shall appear after the certification page. The table of contents shall be prepared as follows:

- a. Chapter number and title are to be doublespaced;
- b. The sections within each chapter are to be listed numerically and under the appropriate headings of: section number, subject (catch words) and page number;
- c. Single space between sections within each chapter;
- d. Double space between chapters;
- e. Paging shall be by lower case letters of the alphabet in parentheses centered 11 from the bottom of the page.

(See the example in Appendix B for the format of the Table of Contents.)

Section 7. Form in Which Rules Shall be Prepared.

- a. The rules shall be submitted in clean, black type on 8 1/2" by 11" good quality bond paper;
- b. Margins shall be approximately 1" at the top and 1" at the left, right and bottom margins;
- c. The rules shall be single-spaced with double spaces between paragraphs;
- d. Both sides of each page shall be used; and
- e. Pages of the text shall be numbered, starting with Arabic numeral 1, centered 1" from the bottom of the page. The paging shall be consecutive beginning with Chapter I and continuing throughout all additional chapters.

Section 8. Number of Copies to be Filed. one clean copy shall be submitted to the County Clerk to be kept in the official Registry of Local Agency Rules and Regulations and used for duplicating upon request from the public.

Section 9. Arrangement of Rules. Arrangement of rules will be in the following form and as illustrated in Appendix C.

CHAPTER \_\_\_\_\_(Roman Numeral)

Each chapter constitutes a principal division of each agency’s rules. Each chapter shall be assigned a phrase denoting its coverage, as for example: “GENERAL PROVISIONS”, which shall be centered, typed in capital letters, underneath the chapter number.

Section \_\_\_\_\_ (Arabic Numeral) (Indented five spaces from the left margin)

Sections constitute a subdivision of the subject matter of each chapter. Each section shall be assigned a catch word or phrase to describe its contents, as for example: Definitions. Catch words are to be underlined, with the first letter of the principal words capitalized.

Subsections will be as follows:

a. (Indented five spaces) Subsections will be in lower case, letters of the alphabet in sequence, followed by a period. When the alphabet is exhausted, use double letters. No catch words are assigned to subsections.

(1) (Indented eight spaces) Any further breakdown required will be in this and the following order and format:

(a) (Indented eleven spaces) Always type material in subdivisions by returning to the left margin.

Section 10. Filing New or Amended Rules.

a. A certificate’ in the same form as shown on the certification page (Appendix A) shall accompany each addition or amendment as the first sheet thereof. It shall identify each new rule or amendment it purports to cover, stating whether it is a new rule or amendment. The certificate covering the amendment will show which rule (by chapter(s) and section(s) number) the amendment amends, supersedes or repeals, or it may state all rules previously filed are superseded.

b. An amendatory rule shall be submitted for filing as a complete file page so as to permit removal of the page containing the superseded rule and allow the substitution of the new page, bearing the same number as the page which is superseded. If the amended rule is more lengthy than the old one and the page upon which it appears will not contain all material, both old and new, an additional sheet will be added, numbered the same but followed with a lower case alphabetical sequence suffix, as for example:

“10.a”.

c. In the preparation of amended rules, it may be necessary to retype a page that has no changes in order to permit removal of the amended page: for example, if pages 3 and 4 are typed ' back-to-back and there is an amendment on page 3, this would necessitate retyping both pages 3 and 4.

d. Amendments or new rules must be prepared in the same manner and form prescribed above in Section 7. The table of contents and index (if any) must be changed to reflect amendments, additions or repeals.

Section 11. Inserting Additional Rules. For an orderly presentation, if an additional rule is adopted which must be interlineated between others already assigned numbers, it will be assigned the same section number as the one preceding the point where the insertion is desired, followed by a period, then the Number 1 in Arabics, followed by another period. If more than one section is added at this point, the numbers will follow in sequence. The following illustrates:

Section 42. Existing material.  
Section 42.1 New material  
Section 42.2 New material  
Section 43. Existing material.

The same pattern will be followed in adding new chapters as for example:

“CHAPTER VI-I”.

Section 12. Repealing Existing Chapter. If an amendment repeals an entire chapter between existing chapters, the agency shall renumber the remaining chapter(s) accordingly and update the table of contents to reflect the assignment of the new chapter numbers.

Section 13. Index. At the end of the body of rules submitted by an agency, an alphabetical index providing detailed cross references to the various provisions of the whole body or portion of the rules may be provided. Such an index must be made to refer to the sections and pages of the rules of the agency. If such an index exists, it must be changed to reflect new rules or other changes as they are submitted.

Section 14. Copies Shall be Made Available to the Public. Upon request, the County Clerk shall furnish copies of a rule or rules which have been filed in the Registry of Local Agency Rules. The County Clerk may make a reasonable charge for copies. In addition to the filing with the County Clerk, each local agency may ‘ publish its rules in a pamphlet or booklet form and make them available to the public.

USE THIS AS A MODEL FOR THE CERTIFICATION PAGE

Rules and Regulations

NAME OF AGENCY

County of \_\_\_\_\_

I certify that the attached is a true and correct copy of the rules of the \_\_\_\_\_ (Name of Local Agency) relating to \_\_\_\_\_ (Subject) adopted in accordance with \_\_\_\_\_ (Statute Citation of Rule-Making Authority)

(Choose one of the following sentences, whichever applies):

- 1) This is a new rule; or
- 2) This is an amendment replacing the following chapter(s) and section(s); or
- 3) This rule supersedes all other rules previously filed.

Prior to adoption this rule was made available for public inspection on \_\_\_\_\_, 19\_\_ and notices of intended adoption were mailed to all persons requesting notice of proposed rules.

The attached rule(s) are effective immediately upon filing with the County Clerk.

Signed this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
(Type name and title under signature)

USE THIS AS A MODEL FOR THE TABLE OF CONTENTS

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Appendix A, B and C - Typing and format examples

CHAPTER I  
TYPING GUIDELINES

Section 1. Sample. The first or only section in a rule shall be identified as Section 1, and any following sections shall be identified by Arabic numerals in sequence. Continue the second line of each paragraph or subdivision all the way back to the left margin.

a. Subsections (divisions of sections) shall be identified by lower case letters followed by a period as: a., b., c., etc. Each subsection shall be indented to line up with the first letter of the first word of the next higher section as illustrated on this page.

(1) Paragraphs

(a) Subparagraphs

(i) Subdivisions of subparagraphs

(A)

b. The page number should be an Arabic numeral centered between margins, and approximately 11 from the bottom of the page.

Section 2. Additional Instructions. If you have any questions on format after the rules, contact the County Clerk's office for guidance. Be sure you copy the actual text of your new or amended rule or regulation on both sides of the paper. If you are amending a rule, make sure the page you are changing is printed so that we can simply remove the old version and insert the new one. This means you must also copy whatever is on the back of the old page, even if it did not change.