

Proposed Rules
The Department of State
Division of Publications

Chapter 1360-01-01
Notice of Rulemaking

Presented herein are proposed amendments of the Department of State, Publications Division submitted pursuant to T.C.A §4-05-202 in lieu of a rulemaking hearing. It is the intent of the Department of State, Publications Division to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed with the Department of State, Publications Division, 8th Floor, William Snodgrass Tennessee Tower, 312 8th Avenue North, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For copies of the proposed rules, contact: Richard Arnold, Director, Division of Publications, 312 8th Avenue North, 8th Floor, William Snodgrass Tennessee Tower, Nashville, TN, 37243.

Repeal and New Rule

Rule 1360-1-1 Notice of Rulemaking is repealed by deleting in its entirety and replacing with the following:

Authority: T.C.A. §4-5-203

New Rules

Chapter 1360-01-01
Notice of Rulemaking

Table of Contents

1360-01-01-.01 Notice to Secretary of State of Tennessee
1360-01-01-.02 Paper Size and Margins
1360-01-01-.03 Forms and Completion of Forms

1360-01-01-.01 Notice to Secretary of State of Tennessee.

- (1) Whenever an agency is required by law to hold a public hearing as part of its rulemaking process and is required to transmit a notice of such rulemaking hearing to the Secretary of State for publication in the Tennessee Administrative Register, that notice shall be filed using form SS-7037 prescribed by this chapter and made available on the Secretary of State's web site. The general information required for all notices shall be added by the agency on the prescribed form.

Authority: T.C.A. §§4-5-203.
1360-01-01-.02 Paper Sizes and Margins.

- (1) All notices of rulemaking hearings filed with the Secretary of State must be on white, medium bond paper, size eight and one-half by eleven inches. The margins of this form will

be preselected by the Secretary of State. After the form is completed it can be printed and copies made for submission to the Secretary of State.

Authority: T.C.A. §4-5-203.

1360-01-01-.03 Forms and Completion of Forms.

(1) A Notice of Rulemaking Hearing filed with the Secretary of State will require the following:

(a) Three (3) original forms (SS-7037) documents with signatures

1. The following guidelines apply to the document:

- (i) The documents must be clean and legible copies.
- (ii) Use of capitals and lower case in all text. No "all caps."
- (iii) No bold, underline or italic fonts.
- (iv) No auto numbering on paragraphs in text of rule.
- (v) Do not use the MS Word function "track changes."
- (vi) No unneeded punctuation. Example: No comma between rule number and rule title or apostrophe after agency name in main heading.
- (vii) Use T.C.A. for Tennessee Code Annotated.
- (viii) No hard return at the end of lines within a paragraph. Use only at end of paragraph.
- (ix) Use the enter key to put space between paragraphs. Do not use paragraph formatting before or after the paragraph to create space. This function does not work with style pallets.
- (x) Use hyphens on keyboard with no spaces between hyphen and rule numbers. Variations can cause search options to overlook target.
- (xi) No single digits on rule and chapter numbers. Place "0" with single numbers. Example: 1200-5-5 = 1200-05-05.
- (xii) Font style shall be Arial and point size 10.

(b) A digital version (diskette or CD) of the filing shall accompany the filing.

- 1. The file must be transmitted to the Secretary of State in MS Word.
- 2. The disk or CD shall be labeled to include the following information:
 - (i) File name.
 - (ii) Software program and version.

- (iii) Chapter and rule number.
 - (iv) Name, address, telephone number and e-mail of the technical contact who created the medium file.
 - (v) Include only what is required on disk/CD. Label disk/CD with chapter number.
 - (vii) Files not required by the Secretary of State should not be included on the disk/CD accompanying the rule.
- (2) Page numbering – Page one of all filings will be on the prescribed form. All additional pages will be numbered sequentially at the bottom, middle of the page.
 - (3) The substance of the proposed rules(s) shall be added to the form at the designated place. The text must be formatted according to the rules of the Secretary of State (see Rule 1360-01-02).
 - (4) The Secretary reserves the right to reject any filing not in compliance with these rules or other rules pertaining to rulemaking.
 - (5) A completed sample of form SS-7037 can be found at the Secretary of State's web site: <http://state.tn.us/sos/rules/index.htm>

Authority: T.C.A. §4-5-203.

The proposed rules set out herein were properly filed in the Department of State on the 29th day of July, 2008, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of November, 2008. (FS 07-13-08; DBID 2920)